

# **Proposed Marlborough Environment Plan**

**Section 42A Hearings Report for Hearing Commencing**

**2 July 2018**

**Report dated: 31 May 2018**

**Report on submissions and further submissions**

**Topic 12: Rural Environments**

**Report prepared by**

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## List of Abbreviations

MEP	Proposed Marlborough Environment Plan
RMA	Resource Management Act 1991
NZCPS	New Zealand Coastal Policy Statement 2010
NPSET	National Policy Statement on Electricity Transmission 2008
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NPSFM	National Policy Statement for Freshwater Management 2014
NESPF	Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017
NESTF	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

## Submitter Abbreviations

<b>Submitter Number</b>	<b>Submitter Abbreviation</b>	<b>Full Submitter Name</b>
91	MDC	Marlborough District Council
152	CBRA	Clova Bay Residents Association Inc
401	Aquaculture NZ	Aquaculture New Zealand
425	Federated Farmers	Federated Farmers of New Zealand
426	MFA	Marine Farming Association Incorporated
433	Port Marlborough	Port Marlborough New Zealand Limited
459	Beef and Lamb	Beef and Lamb New Zealand
482	DOC	Department of Conservation
489	Clintondale Trust	Clintondale Trust, Whyte Trustee Company Limited
507	QCSRA	Queen Charlotte Sound Residents Association
509	Fish and Game	Nelson Marlborough Fish and Game
698	EDS	Environmental Defence Society
715	Forest and Bird	Royal Forest and Bird Protection Society
716	Friends of NH and TB	Friends of Nelson Haven and Tasman Bay Incorporated
768	HNZPT	Heritage New Zealand Pouhere Taonga
869	KCSRA	Kenepuru and Central Sounds Residents Association Incorporated
991	NZ Deer Farmers	New Zealand Deer Farmers Association - Marlborough Branch
995	NZ Forest Products	New Zealand Forest Products Holdings Limited
962	MFIA	Marlborough Forest Industry Association
974	MPI	Ministry for Primary Industries
993	Fire Service	New Zealand Fire Service Commission
1189	TRoNT	Te Rūnanga o Kāikoura and Te Rūnanga o Ngāi Tahu
1190	BMCRRRA	Bay of Many Coves Residents and Ratepayers Association Incorporated
1193	MEC	The Marlborough Environment Centre Incorporated
1199	Transpower	Transpower New Zealand Limited

## Introduction

1. My name is Andrew Maclellan. I am a Resource Management Consultant from Incite (CH-CH), based in Christchurch. My qualifications and experience are as follows:
2. I hold a Bachelor of Science in Land Planning and Development from Otago University and am currently studying towards a Masters of Resource Management at Massey University. I am an Associate member of the New Zealand Planning Institute and a member of the Resource Management Law Association.
3. I have 7 years' planning experience working in both local government and the private sector. My experience includes both regional and district plan development, including the preparation of s32 and s42A reports. I also have experience in resource consents and notices of requirement, both in preparing applications, as well as processing applications for territorial authorities.
4. In my current and previous roles, I have not undertaken work for any of the submitters on the MEP. I was not involved with the preparation of the MEP. I was contracted by the Marlborough District Council (Council) in August 2017 (after the MEP submission period had closed) to evaluate the relief requested in submissions and to provide recommendations in the form of a Section 42A report.
5. I have read Council's Section 32 reports.

## Code of Conduct

6. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it.
7. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
8. I am authorised to give this evidence on the Council's behalf.

## Scope of Hearings Report

9. This report is prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA).
10. In this report I assess and provide recommendations to the Hearing Panel on submissions made on:
  - Volume 1 Chapter 13 – Use of the Coastal Environment, Issue 13D, Objective 13.5 and Policies 13.5.1 – 13.5.9 which relate to the use, development, and subdivision of land for residential purposes within the Coastal Environment Zone, and Coastal Living Zone,
  - Volume 1 Chapter 14 – Use of the Rural Environment, Issues 14A, 14B, and 14C, Objectives 14.1 – 14.5, Policies 14.1.1 – 14.5.6 which relate to the use, development, and subdivision of land for residential purposes within the Rural Environment Zone, and Rural Living Zone.

A full list of rules covered within this report are included in the Overview of Provisions section below.

11. As submitters who indicate that they wish to be heard are entitled to speak to their submissions and present evidence at the hearing, the recommendations contained within this report are preliminary, relating only to the written submissions.
12. For the avoidance of doubt, it should be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions or decisions having considered all the evidence to be brought before them by the submitters.

## Overview of Provisions

### Use if the Coastal Environment

#### Issue 13D, Objective 13.5, Policies 13.5.1 – 13.5.9

13. The identified resource management issue relating to the use of the Coastal Environment is set out in Volume 1, Chapter 13, Issue 13D, which states that:

*There is pressure to use, develop and subdivide land for residential purposes within the coastal environment.*

14. This issue recognises that as demand increases for people to live or holiday in Marlborough's coastal environment, it is important that these activities occur within appropriate locations and limits to ensure that the qualities and values of the coastal environment are maintained and/or enhanced.

15. In order to address Issue 13D, the MEP contains Objective 13.5, which reads as follows:

Objective 13.5 [RPS, D]

*Residential activity takes place within appropriate locations and limits within the coastal environment.*

16. Objective 13.5 supports Objective 6 of the NZCPS, an enabling objective for people and communities to provide for their wellbeing and health and safety through subdivision, use and development. Objective 6 requires (among other things) that protecting the values of the coastal environment should not preclude its use and development in appropriate places and forms, within appropriate limits.

17. Policies 13.5.1 – 13.5.9 directs how and where development is to be undertaken within the coastal environment. The key direction is that residential activities should take place within Coastal Living Zone, in order to ensure that the values of the coastal environment are protected, and within the Coastal Environment Zone, papakāinga, one dwelling per site, seasonal worker accommodation, and homestays will be enabled.

### Methods of Implementation

18. Zoning and district rules provide the means of implementing the objectives and policies listed above.

### Use of the Rural Environment

#### Issue 14A, Objectives 14.1, 14.2, 14.3, Policies 14.1.1 – 14.1.10, 14.2.1 – 14.2.4, and 14.3.1 – 14.3.2.

19. Resource management Issue 14A states:

*Safeguarding the potential of Marlborough's rural resources for primary production.*

20. In order to address Issue 14A, the MEP contains Objectives 14.1, 14.2, and 14.3 which read as follows:

Objective 14.1 [RPS, D]

*Rural environments are maintained as a resource for primary production activities, enabling these activities to continue contributing to economic wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.*

Objective 14.2 [RPS, D]



*The sustainability of Marlborough's rural economy is not adversely affected by the spread or introduction of pests.*

Objective 14.3 [RPS, D]

*Activities that are not related to primary production are appropriate to be located within rural environments.*

21. The above objectives acknowledge that primary production activities use rural resources for economic gain and cannot be easily or appropriately carried out in urban environments. The continued use of rural environments in Marlborough for primary productive uses and other land and soil resource dependent, rural-based activities is important to the economic health and wellbeing of Marlborough. This enabling approach is balanced by the requirement that primary production activities are undertaken in a sustainable manner to achieve the purpose of the RMA. Objective 14.2 acknowledges that all of Marlborough's primary producing industries are potentially vulnerable to incursions or infestations by pests, and the MEP seek that the rural economy is not adversely affected by the spread or introduction of pests.
22. Polices 14.1.1 – 14.1.10, and 14.3.1 – 14.3.2 support the direction set out within Objectives 14.1 and 14.3, by enabling primary production activities and a few selected activities that are not related to primary production, while also ensure that the adverse effects associated with primary production are appropriately managed. Polices 14.2.1 – 14.2.4 support the direction within Objective 14.2 as they set out the steps the MEP will take to protect Marlborough's rural economy from the spread or introduction of pests.

**Issue 14B, Objective 14.4, Polices 14.4.1 – 14.4.15**

23. Resource management Issue 14B states:

*Inappropriate subdivision, land use and development can lead to the degradation of rural character and amenity values, as well as increased conflict with existing activities (reverse sensitivity).*

24. In order to address Issue 14B, the MEP contains Objectives 14.4 which read as follows:

Objective 14.4 [RPS, D]

*Rural character and amenity values are maintained and enhanced and reverse sensitivity effects are avoided.*

25. Objective 14.4 acknowledges that the MEP has a responsibility to ensure that the rural character and amenity values of the rural environment are maintained and enhanced. As such, this objective seeks to achieve the direction set out within Sections 7(c) and (f) of the RMA which requires that the maintenance and enhancement of amenity values, and the quality of the environment.
26. Polices 14.4.1 – 14.4.15 support this direction by setting out the characteristics that are anticipated within Rural Environment, ensuring that the reverse sensitivity effects of new residential development is managed within that Rural Environment, and also ensure that any potentially adverse effects associated with primary production are appropriately managed.

**Issue 14C, Objective 14.5, Polices 14.5.1 – 14.5.6**

27. Resource management Issue 14C states:

*Responding to pressure to use, develop and subdivide land within rural environments for residential uses.*

28. In order to address Issue 14C, the MEP contains Objectives 14.4 which read as follows:

Objective 14.5 [RPS, D]

*Residential activity takes place within appropriate locations and limits within rural environments.*

29. Objective 14.5 acknowledges that there are the range of effects that can arise through residential uses in rural environments. As such, it directs that residential activity is to occur within appropriate locations and limits.
30. Policies 14.5.1 – 14.5.6 support this direction by acknowledging that residential activity and residential subdivision is expected within the Rural Living, Coastal Living, Urban Residential 2 at Marlborough Ridge and Urban Residential 3 Zones and describing the characteristics that are anticipated within the Rural Living Zone. It also directs that the residential development in the Rural Environment Zone is to be restricted to one dwelling per site, and workers accommodation will only be enabled within remote locations.

## **Methods of Implementation**

31. Zoning, overlays, regional and district rules, the Pest Management Strategy, information, monitoring, and Council works provide the means of implementing the objectives and policies listed above.

## **Rural and Coastal Environment Zones**

32. The Rural Environment Zone and the Coastal Environment Zone contain a very similar rule framework. The rules associated with the Rural Environment Zone are found in Volume 2 Chapter 3, the rules associated with the Coastal Environment Zone are found in Volume 2 Chapter 4 of the MEP. These zones are characterised by primary production activities, and this is reflected within the zone rules which seek to enable primary production activities and limited further residential development within these environments.

## **Coastal Living Zone and the Rural Living Zones**

33. The Coastal Living Zone and the Rural Living Zone also contain a very similar rule framework. The rules associated with the Coastal Living Zone are found in Volume 2 Chapter 7 of the MEP. The Coastal Living Zones are scattered along the Marlborough coastline. The Coastal Living Zone recognises the need and demand that exists for residential activity in Marlborough's coastal environment and applies to areas where development has already occurred, and also provides opportunities for future development in the coastal environment. The provisions within the chapter seek to manage new development in order to maintain the character of the Coastal Living Zone, acknowledging that a greater level of amenity is expected in the coastal environment. These areas, zoned as Sounds Residential in the MSRMP, have been identified as having an ability to absorb further low density, mainly rural residential development, without detriment to overall coastal character. Additionally, areas at Rarangi formerly zoned as Township Residential and Rural Residential have also been zoned as Coastal Living. The character and amenity values expected within the Coastal Living Zone are set out within Policy 13.5.6 and include: a strong connection to the foreshore and coastal water, relatively quiet background noise levels, one dwelling per site, low building height, and privacy between individual residential properties.
34. The rules associated with the Rural Living Zone are found in Volume 2 Chapter 8 of the MEP. The Rural Living Zone encompasses areas zoned Rural Residential in the WARMP. The policies of Chapter 14 of the MEP provide direct that development is appropriate. Small pockets of Rural Residential Zone land can be found across the District, generally on the outskirts of existing urban areas. The character and amenity values expected within the Rural Living Zone are set out within Policy 14.5.5, and relates to: low building density, one dwelling per site, low building height, privacy between individual properties, and views to the surrounding environment.

## **Standards covered in this report**

35. The following tables show the rules and standards that are assessed within this report:

Permitted activities and specific activity standards

Activity	Rural Environment	Coastal Environment	Coastal Living Zone	Rural Living Zone
Farming	3.1.1 and 3.3.1	4.1.1 and 4.3.1		8.1.7 and 8.3.6
Farm airstrip or farm helipad	3.1.2 and 3.3.2	4.1.2 and 4.3.2		
Relocated building	3.1.3 and 3.3.3	4.1.3 and 4.3.3	7.1.5 and 7.3.4	8.1.5 and 8.3.4
Temporary building or structure, or unmodified shipping container	3.1.4 and 3.3.4	4.1.4 and 4.3.4	7.1.6 and 7.3.5	8.1.6 and 8.3.5
Audible bird-scaring device	3.1.5 and 3.3.5	4.1.5 and 4.3.5		
Woodlot forestry planting	3.1.8 and 3.3.8	4.1.7 and 4.3.7		8.1.8 and 8.3.7
Woodlot forestry harvesting	3.1.9 and 3.3.9	4.1.8 and 4.3.8		8.1.9 and 8.3.8
Conservation planting	3.1.10 and 3.3.10	4.1.9 and 4.3.9		8.1.10 and 8.3.9
Residential activity	3.1.44	4.1.43	7.1.1	8.1.1
Home occupation	3.1.45 and 3.3.43	4.1.44 and 4.3.42	7.1.2 and 7.3.1	8.1.2 and 8.3.1
Homestay	3.1.46 and 3.3.44	4.1.45 and 4.3.43	7.1.3 and 7.3.2	8.1.3 and 8.3.2
Keeping of domestic livestock	3.1.47	4.1.46		
Worker accommodation	3.1.48 and 3.3.45			
Emergency service activities of the New Zealand Fire Service on Lot 1 DP 5102 (Wairau Valley Fire Station)	3.1.51			
Community activity using an existing community facility	3.1.52	4.1.49	7.1.21	8.1.22
Passive recreation	3.1.53	4.1.50		
Recreational event or special event	3.1.54 and 3.3.48	4.1.51 and 4.3.46		
Veterinary clinic	3.1.55	4.1.52		
Golf course	3.1.56	4.1.53		
Racing stable or trotting ground	3.1.57	4.1.54		
Cattery or kennel	3.1.58	4.1.55		
Grazing of livestock			7.1.7	
Planting of vegetation			7.1.8	
Park or reserve			7.1.20 and 7.3.17	8.1.21 and

				8.3.19
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36. The Rural Environment, Coastal Environment, Rural Living and Coastal Living Chapters also contain a number of standards (Sections 3.2, 4.2, 7.2 and 8.2) that apply to all permitted activities, which are discussed in this report.
37. Submission points relating to Landscape, Natural Character, Biodiversity, Discharge to Air, Waste and Discharges to Land, Noise, Lighting, Odour, Land disturbance, and Commercial Forestry rules listed within the Coastal Environment and Coastal Living Zone are not assessed within this report.
38. Activities not listed as permitted, and activities that do not meet the permitted standards, require resource consent as a discretionary activity. Specific activities are also listed as controlled, discretionary or prohibited activities. This report does not assess the prohibited activities because they are specifically dealt with in other Section 42A reports.

#### Controlled activities

The following controlled activities are assessed within this report:

Activity	Rural Environment	Coastal Environment	Coastal Living Zone	Rural Living Zone
Sale of farm produce from a rural selling place	3.4.2	4.4.2		

#### Discretionary Activities

The following discretionary activities have been assessed within this report:

Activity	Rural Environment	Coastal Environment	Coastal Living Zone	Rural Living Zone
Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards.	3.6.1	4.6.1	7.4.1	8.4.1
Winery, distillery or brewery	3.6.2	N/A		
Intensive farming	3.6.3	N/A		
Visitor Accommodation	3.6.4	4.6.2	7.4.3	8.4.3
Community facility	3.6.5	4.6.5	7.4.5	8.4.5
Quarrying and mineral extraction	3.6.6	4.6.6		
Rural industry	3.6.7	4.6.7		
Dairy farm established after 9 June 2016	3.6.8	4.6.8		
Commercial activity	3.6.10	4.6.10	7.4.2	8.4.2

Any use of land not provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity or limited as a Prohibited Activity.	3.6.11	4.6.12	7.4.6	8.4.6
Professional services				8.4.4

### Prohibited Activities

The following prohibited activities have been assessed within this report:

Activity	Rural Environment	Coastal Environment	Coastal Living Zone	Rural Living Zone
3.7.1. ... woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established.	3.7.1	4.7.1		

### **Standards not covered in this report**

39. Submission points relating to: commercial forestry, vegetation clearance, cultivation, excavation, land disturbance, discharges, noise, lighting, odour, papakāinga, rules listed within the Coastal Environment and Coastal Living Zone are not assessed within this report.

### **Statutory Documents**

40. The following statutory documents are relevant to the provisions and/or submissions within the scope of this report. Although a summary of the way in which these provisions are relevant is provided below, the way in which they influence the assessment of the relief requested by submissions will be set out in the actual assessment.

### **Resource Management Act 1991**

### **National Policy Statements**

### **New Zealand Coastal Policy Statement 2010 (NZCPS)**

41. The NZCPS sets out national policy direction in order to achieve the purpose of the RMA in relation to the coastal environment. It is the only mandatory national policy statement under the RMA. It contains seven objectives and 29 related policies. The NZCPS provides direction to local authorities in relation to how the coastal environment is to be managed, consistent with the functions given to regional councils and district councils under the RMA. The NZCPS must be given effect to in regional policy statements, regional plans and district plans.
42. The NZCPS is particularly relevant to Chapter 13D of the MEP, as it contains controls on development within the coastal environment required to achieve the development controls listed within the NZCPS. The particular provisions within the NZCPS are discussed in the assessment of this topic where relevant, and because of their particular relevance, Objective 6 and Policies 6 and 7 of the NZCPS are set out as follows:

## **Objective 6**

*To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:*

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*
- functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- the coastal environment contains renewable energy resources of significant value;*
- the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

## **Policy 6 - Activities in the coastal environment**

- 1. In relation to the coastal environment:*
  - a. recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;*
  - b. consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;*
  - c. encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;*
  - d. recognise tangata whenua needs for papakāinga<sup>3</sup>, marae and associated developments and make appropriate provision for them;*
  - e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;*
  - f. consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;*
  - g. take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;*
  - h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;*
  - i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and*
  - j. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.*

## **Policy - 7 Strategic planning**

- 1. In preparing regional policy statements, and plans:*

- a. consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level; and
  - b. identify areas of the coastal environment where particular activities and forms of subdivision, use, and development:
    - i. are inappropriate; and
    - ii. may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Resource Management Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.
2. Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

## Analysis of submissions

43. There were approximately 64 submission points received on Issue 13D, Objective 13.5 and Policies 13.5.1 – 13.5.9 and the Methods of Implementation.

## Key matters

44. There have not been any key matters that have been raised in submission that have warranted this report being structured to address key matters. Instead there has been a wide range of submitters seeking a range of amendments to the provisions of the Coastal Environment Objectives and Policies. As such, I have set out my analysis of the submissions points on a provision-by-provision basis.

## Pre-hearing meetings

45. There has been no pre-hearing meeting for this topic.

## Issue 13D

46. Issue 13D reads as follows:

*There is pressure to use, develop and subdivide land for residential purposes within the coastal environment.*

## Submissions and Assessment

47. Two submission points were received on Issue 13D. Friends of NH and TB (716.163) generally support the issue statement. Forest and Bird (715.243) suggest that the explanation wording could be amended to better recognise the adverse effects of residential development activities on the natural values of the coast, as well as habitats of indigenous species.
48. I consider that the explanation wording associated with Issue 13D does recognise the adverse effects that residential development activities can have on the natural values of the coast environment, as it states that there is '*potential for residential activity to detract from the qualities and values of the coastal environment*'. I also note that Issue 13A covers the challenge of trying to identify appropriate subdivision, use and development activities in Marlborough's coastal environment while protecting the values of the environment. As such, I consider that the MEP adequately covers the submitter's concerns.

## Recommendation

49. I recommend that Issue 13D is retained as notified.

## Objective 13.5

Objective 13.5 reads as follows:

*Residential activity takes place within appropriate locations and limits within the coastal environment.*

## Submissions and Assessment

50. There are five submitters that generally support Objective 13.5<sup>1</sup>, and seek that the objective be retained as notified. There are no submitters that seek amendments to Objective 13.5.

## Recommendation

51. I recommend that the Objective 13.5 is retained as notified.

## Policy 13.5.1

Policy 13.5.1 reads:

*Identify areas where residential activity can take place.*

## Submissions and Assessment

52. There are four submitters that generally support Policy 13.5.1<sup>2</sup>, and seek that it be retained as notified. The Fire Service (993.16) considers that confining residential development in this manner, in the context of Marlborough Sounds where access to properties may be challenging, better enables the protection of people and communities from fire hazards. Michael and Kristen Gerard (424.055) and Federated Farmers (425.225) consider that it is essential that the accommodation required for farm owners and workers is considered appropriate within the coastal environment, not just within areas designated as Coastal Living Zone. They note that several dwellings can often be required on one farm for farm owners and farm staff that reside permanently on the property. Federated Farmers seek an amendment to the policy to ensure that dwellings required as part of a working farm are provided for.

53. I disagree that an amendment to the policy is required, as I consider that the intent of the policy is to acknowledge that the Coastal Living Zone is the area of the Coastal Environment which the Council considers is appropriate for medium density residential activities. Given that the submitters' concerns relate to development within the Coastal Environment Zone, I note that Policy 13.5.5 of the MEP provides direction on the type of large lot residential development that is to be enabled on land zoned Coastal Environment. Further analysis on the types of residential development that is appropriate within the Coastal Environment is discussed in the analysis of the Policy 13.5.5. As such, I do not agree that any amendments to Policy 13.5.1 are required.

## Recommendation

54. I recommended that Policy 13.5.1 is retained as notified.

## Policy 13.5.2

Policy 13.5.2 reads:

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<sup>1</sup> MFA (426.142); Aquaculture NZ (401.137) Forest and Bird (715.241); KCSRA (868.054); Friends of NH and TB (716.161)

<sup>2</sup> I. Mitchell (364.097); Forest and Bird (715.242); Friends of NH and TB (716.162); Fire Service (993.016).



*Residential activity and subdivision for residential purposes should take place within land that has been zoned Coastal Living, in order to:*

- (a) protect recreational and coastal amenity values;*
- (b) avoid sprawling or sporadic patterns of residential development; and*
- (c) protect landscape, natural character and indigenous biodiversity values.*

## **Submissions and Assessment**

55. Friends of NH and TB (716.163) and I. Mitchell (364.097) support Policy 13.5.2 and seek that it be retained as notified.
56. Federated Farmers (425.226) consider it essential that the accommodation required for farm owners and workers is considered appropriate within the coastal environment, not just within areas designated as Coastal Living Zone. They seek an amendment to the policy which excludes residential activities that are not ancillary to the purposes of primary production. As noted in the assessment of Policy 13.5.1 above, I note that Policy 13.5.5 of the MEP provides direction on managing large lot residential activities in the Coastal Environment Zone. Further analysis on the types of residential development that are appropriate within the Coastal Environment Zone is discussed in the analysis of the Policy 13.5.5. As such, I do not consider it appropriate to amend Policy 13.5.2 in relation to this submission.
57. R. Bradley (436.002) considers that Policy 13.5.2 leaves little room for expansion for subdivision within the wider Marlborough Sounds. The submitter seeks an amendment to the policy to include a reference that areas having characteristics of Coastal Living Zone will be considered for further subdivision subject to assessment in relation to Landscape, Natural Character and other appropriate chapters of MEP. I note that this issue is discussed within the explanatory text associated with Policy 13.5.2. It states that:
- “The policy directs that residential activity and subdivision for residential purposes ‘should’ occur within the Coastal Living Zone, though this is not absolute. This is because there may be occasions where through restoration works, enhancement of values or offsetting adverse effects, positive environmental outcomes can be achieved. Regard must be had to the other policies of the MEP (especially those regarding natural character, landscape, public access and biodiversity) to determine whether this is a relevant matter for consideration.”*
58. Given the above explanatory text, I consider that the policy provides suitable scope for development within the wider Marlborough Sounds, provided the development can demonstrate that a positive environmental outcome can be achieved. I also note that there also a large number of sites located within the Coastal Living Zone that are vacant, that could be built on without any further subdivision. As such, I do not agree that any amendments to Policy 13.5.2 are required.
59. Forest and Bird (715.243) seek the that the policy is amended to provide stronger guidance, ensuring that residential activities only occur in the Coastal Living Zone within the Marlborough Sounds. I note that Policies 6 and 7 of the NZCPS provide direction on the level of development anticipated within the coastal environment. Policy 6 subsection (f) states:
- “consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;”*
60. Policy 7 states that when preparing regional policy statements and plans, Councils shall consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment, and also identify areas of the coastal environment where particular activities and forms of subdivision, use, and development are inappropriate. It does not suggest that there should be no development within the coastal environment. Furthermore, I note that there are directive policies within: Chapter 6 – Natural Character, Chapter 7 – Landscape, and Chapter 8 – Indigenous Biodiversity which are aimed at ensuring that these values, where within the coastal environment, are protected. This direction is then reinforced within the Coastal Environment through Policy 13.1.1 of the MEP. As such, I consider that the intent of the policy is appropriate in that it directs that residential activity and subdivision for

residential purposes 'should' occur within the Coastal Living Zone, but also provides some flexibility in that it does not preclude use and development in appropriate places and forms within appropriate limits. As such, I do not agree that any amendments to Policy 13.5.2 are required.

61. HNZPT (768.050) consider that inappropriate subdivision and development has the potential to adversely affect historic heritage values that require protection. For example, the subdivision of a property containing a heritage building could adversely affect values originating from the relationship between the building and its surroundings. They suggest that if subdivisions are not properly planned, this can result in considerable costs to land-owners in obtaining an archaeological authority and if an authority application is declined, the land may not be able to be developed. They seek that an additional matter is added to the Policy which ensures that the historic heritage values of heritage resources identified in Appendix 13 are protected. While I acknowledge the importance of protecting historic heritage values, I consider that the intent of this policy is to direct that residential activities and subdivision for residential purposes should take place in the Coastal Living Zone in order to protect the remainder of the coastal environment. It does not list the matters that should be considered when processing a subdivision consent. I note that Policy 10.1.7 of the MEP ensures that when assessing resource consent applications in relation to heritage resources, there are a range of heritage matters that the processing officer must have regard to. As such, I consider that the MEP already contains the direction that historic heritage values shall be protected.

## Recommendation

62. I recommend that Policy 13.5.2 is retained as notified.

## Policy 13.5.3

Policy 13.5.3 reads:

*Recognise there is an existing stock of land within the coastal environment that could be developed for residential activity to meet the needs of the community.*

## Submissions and Assessment

63. QCSRA (504.064), and I. Mitchell (364.097) support Policy 13.5.3, and seek that it be retained as notified.
64. EDS (698.079) oppose the policy, as its utility is not clear. They consider that the provisions direct subdivision and development towards the Coastal Living Zone, however, this policy appears to conflict with that by earmarking all coastal zones as being available for residential development. They consider that development should be directed towards the Coastal Living Zone which has been specifically designed and designated for that purpose. Forest and Bird (715.244) also oppose the policy as they consider that it implies that any land in the coastal environment is open for residential development. They seek that the policy is deleted or replaced by the following policy:

*Provide guidance to support appropriate residential development within areas zoned Coastal Living.*

65. Friends of NH and TB (716.164) consider that the policy does not recognise the direction provided within Policy 6 of the NZCPS, which requires the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth. They seek that the policy be amended to ensure that sprawling or sporadic patterns of settlement and urban growth are avoided or mitigated.
66. I note that the explanation to the policy provides greater clarity as to the policy's intent. It states that:

*There are many areas within the Coastal Living Zone and the Coastal Environment Zone that could be developed for residential activity. Areas zoned as Coastal Living include areas zoned as Sounds Residential in the former Marlborough Sounds Resource Management Plan and areas of Township Residential and Rural Residential in the Rarangi area of the former Wairau/Awatere Resource*

*Management Plan. There is capacity within these zoned areas for further residential activity to occur. Additionally, there are allotments within the Coastal Environment Zone that do not currently have a dwelling on them but where residential activity could take place, subject to meeting standards.*

67. As such, I consider the intent of the policy is not to suggest all of the coastal environment is available for residential development. Instead, it acknowledges that there is an 'existing stock of land' within the coastal environment that could be developed. This 'existing stock' relates to areas of the Coastal Living Zones that could be developed, and existing vacant lots located within Coastal Environment Zone. I consider that this policy is to be read in conjunction with Policies 13.5.2 and 13.5.5. When these three policies are read together, the direction is that development will take place in the Coastal Living zone, and only specific development is to be provided for in the Coastal Environment Zone. I consider this direction achieves the direction set out in Objective 13.5 and Policy 6 of the NZCPS.

## **Recommendation**

68. I recommended that Policy 13.5.2 is retained as notified.

## **Policy 13.5.4**

Policy 13.5.4 reads:

*Avoid expansion of residential activity in Rarangi beyond those areas already zoned for this purpose, due to uncertainty over tsunami risk, the fragile local ecology and insufficient infrastructure to support expansion.*

## **Submissions and Assessment**

69. Rarangi District Residents Association (1089.002), Friends of NH and TB (716.163), and I. Mitchell (364.097) support Policy 13.5.4, and seek that it be retained as notified.
70. Forest and Bird (715.245) consider that the Policy does not fit with the current framework and seems to duplicate Policy 13.5.1 and 13.5.2. They seek that Policy 13.5.4 is deleted or merged with 13.5.2. I note that the Section 32 assessment associated with Policy 13.5.4 notes that:

*"the Council assessed the potential for Rarangi to accommodate further growth. The outcome of the assessment revealed uncertainty regarding the level of hazard posed by tsunamis and the area's ability to secure a water supply that meets drinking water standards and identified that the fragile ecological system of Rarangi's wetland would be vulnerable to further development. The Council therefore chose not to provide for any expansion of the current zoning for residential activity in this area. The policy reflects the assessment outcome and provides strong direction that expansion of residential activity in this area is to be avoided."*

71. Given the vulnerability of the Rarangi area discussed above, I consider that it is appropriate that Policy 13.5.4 seeks to 'avoid' expansion within this area. I disagree that this policy duplicates the direction within Policies 13.5.1 and 13.5.2, I consider that Policy 13.5.4 is an appropriate policy response, specific to the Rarangi area given the constraints associated with the area. As such, I do not agree that any amendments to Policy 13.5.4 are required.

## **Recommendation**

72. I recommended that Policy 13.5.4 is retained as notified.

## **Policy 13.5.5**

Policy 13.5.5 reads:

*Except in the case of land developed for papakainga, residential activity on land zoned Coastal Environment will be provided for by enabling:*

- (a) one dwelling per Computer Register;*
- (b) seasonal worker accommodation; and*
- (c) homestays.*

## **Submissions and Assessment**

73. East Bay Conservation Society (100.023) support the policy as they note that it is important for large properties located in the Coastal Environment Zone to accommodate workers as there are often no other accommodation alternatives in remote parts of the coastal environment. Forest and Bird (715.246); Friends of NH and TB (716.163), and I. Mitchell (364.097) support Policy 13.5.5, and seek that it be retained as notified.
74. Federated Farmers (425.227) note that the explanatory text associated with the policy describes that in some cases, ongoing primary production activities will occur and therefore it is appropriate that provision is made for any residential activities associated with this, including seasonal worker accommodation. However, Federated Farmers note that seasonal worker accommodation is not the only accommodation required on a farm. They consider that dwellings can also be required for farm owners and farm staff that reside permanently on the property. Federated Farmers submits that accommodation for these purposes should be enabled.
75. I consider that the intent of the proposed policy is to ensure that the character of the Coastal Environment Zone is retained. I note that within the Coastal Environment Zone the NZCPS is relevant. Policy 6 of the NZCPS provides direction on activities in the coastal environment, it seeks to encourage the consolidation of existing coastal settlements and urban areas. It also states that councils should consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable. I consider that the MEP has identified that the Coastal Living Zone is the area where built development is encouraged. It has also identified that the Coastal Environment Zone is not an area where further built development should be encouraged, outside of the three examples listed in the policy. I consider that the development of additional dwellings in the Coastal Environment Zone needs to be managed to ensure that residential activities take place in appropriate locations as required by Objective 13.5. As such, I consider that the direction within the policy is appropriate.
76. EDS (698.080) seek that subdivision and development should be directed towards the Coastal Living Zone. They seek that the policy is amended to ensure that it clearly limits development in the Coastal Environment Zone to the specific scenarios listed within the policy. They seek the following amendment:
- Except in the case of land developed for papakainga, residential activity on land zoned Coastal Environment will be provided for to a limited extent by enabling:*
77. I agree with the relief sought by EDS. I consider that the suggested amendment better reflects the intent of the policy. I consider that policy seeks to limit development within the Coastal Environment unless explicitly provided for. I consider that the suggested amendment better reflects the direction set out within Objective 13.5 as it will ensure that residential activities take place in appropriate locations within the coastal environment.
78. I note that the MEP defines dwellings, workers accommodation, and homestays as follows:
- Dwelling: has the same meaning as dwellinghouse in Section 2 of the Act that is fully self-contained and used by one household and includes an apartment and a unit (but not the whole building containing the apartment or the unit) but does not include visitor accommodation, workers accommodation and retirement accommodation.*

*Worker accommodation: means the use of land and buildings for accommodating the short term labour requirements of a farming activity where the accommodation is provided on the property on which the farming activity occurs.*

*Homestay: means the use of a dwelling to accommodate paying guests.*

79. I note that both Policy 13.5.5 and Policy 14.5.4 of the Rural Environment chapter refer to 'seasonal workers accommodation' however the definition and rules within the MEP refer to 'workers accommodation'. I consider that these two terms should be aligned to avoid confusion. As such, for clarity I consider that the policy should be amended to refer to 'workers accommodation' as opposed to 'seasonal worker accommodation'.
80. I also note that there is a discussion within the rules section below which relates to the density of dwellings within the Coastal Environment Zone. As part of this assessment I have recommended that the density of dwellings within the Coastal Environment Zone is aligned with the minimum area requirement for subdivision set out within Chapter 24 - Subdivision of the MEP. This sets a minimum subdivision size of 30ha in the Coastal Environment Zone. A full assessment of this recommended change can be found in the 'Dwelling Density' section below, and the suggested amended is included in the recommendation below.

## Recommendation

81. I recommended that Policy 13.5.5 is amended as follows:

*Except in the case of land developed for papakāinga, residential activity on land zoned Coastal Environment will be provided for to a limited extent<sup>3</sup> by enabling:*

- (a) one dwelling per Computer Register or per 30 hectares<sup>4</sup>;*
- (b) ~~seasonal~~<sup>5</sup> worker accommodation; and*
- (c) homestays.*

## Policy 13.5.6

Policy 13.5.6 reads:

*Maintain the character and amenity values of land zoned Coastal Living by the setting of standards that reflect the following:*

- (a) strong connection to the foreshore and coastal water;*
- (b) peaceful environments with relatively quiet background noise levels;*
- (c) predominance of residential activity by enabling one dwelling per Computer Register;*
- (d) privacy between individual residential properties, often surrounded by indigenous and regenerating indigenous vegetation;*
- (e) ample sunlight to buildings;*
- (f) minimal advertising signs;*
- (g) views to the surrounding environment, including to the sea;*
- (h) low building height; and*
- (i) limited infrastructure and services and low volumes of road traffic*

## Submissions and Assessment

82. Forest and Bird (715.247); Friends of NH and TB (716.167), and I. Mitchell (364.0102) support Policy 13.5.6, and seek that it be retained as notified.

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<sup>3</sup> EDS (698.080)

<sup>4</sup> Federated Farmers (425.227)

<sup>5</sup> RMA Schedule 1 Clause 16 amendment

83. NMDHB (280.062) seek that the sub clause (b) “background noise levels” is replaced with “background sound levels” or alternatively, that the term “levels” is deleted from the policy. They consider that the terminology is inconsistent with the terminology used in the measurement and assessment standards for noise within the MEP. I am unsure which measurement and assessment standards sub clause (b) is inconsistent with, as the rules relating to noise (Rule 4.2.2) appear to refer to ‘noise’ as opposed to ‘sound’. As such, without further information on the inconsistency of terms, I do not agree that any amendments to Policy 13.5.2 are required.
84. E Jorgensen (404.028) seeks that reflectivity and colour of building materials should be included within the policy and also the rules within the Coastal Living Zone. I note that Rule 7.2.1.9. requires that:
- “on land within the Marlborough Sounds Coastal Landscape or any Marlborough Sounds Outstanding Natural Feature and Landscape, any paint applied to the exterior cladding of a building or structure must have a light reflectance value of 45% or less.”*
85. This direction to limit the reflectivity of building materials, within the Marlborough Sounds Coastal Landscape or any Marlborough Sounds Outstanding Natural Feature and Landscape comes from Policy 7.2.7 which seeks to protect the outstanding natural features and landscapes of the Marlborough Sounds Coastal Landscapes. Given that the whole of the Coastal Living Zone is contained within the Marlborough Sounds Coastal Landscape overlay, I consider that Policy 7.2.7 and Standard 7.2.1.9 already addresses the relief sought by the submitter and no additional amendments are required.
86. Federated Farmers (425.228) and M. and K. Gerard (424.056) note that where the Coastal Living Zone is located alongside the Coastal Environment Zone, noise associated with farming activities should be anticipated and expected. They seek an amendment to the policy which appropriately provides for their concerns related to reverse sensitivity.
87. I note that the noise rules within the MEP contain two sets of noise limits for activities within the Coastal Environment Zone, the first standard (Standard 4.2.2.1) relates to a general noise limit across the Coastal Environment Zone, and the second standard (Standard 4.2.2.2) contains more stringent noise limits for activities undertaken near to the Urban Residential, Rural Living, and Coastal Living Zone.
88. Given that there are more stringent noise limits for activities undertaken near and Coastal Living Zone I consider it is appropriate that Policy 13.5.6 (b) directs that the Coastal Living Zone seek to achieve a ‘peaceful environments with relatively quiet background noise levels’. I note that the MEP also applies this more stringent noise limit within the Rural Environment Zones/Urban Residential Zones boundaries. As such, I disagree with Federated Farmers and M. and K. Gerard that an amend is required.
89. Chorus (1158.022) and Spark (464.024) state that the wellbeing of people who choose to live in this area should not be compromised by providing “limited infrastructure” to them. They consider that the use of the word ‘limited’ makes it sound like certain coastal living communities only get a certain amount of infrastructure to support them. Chorus seek that “limited infrastructure” be replaced with “appropriate infrastructure”. I agree with the suggested amendment. I consider that the intent of subsection (i) is to ensure that infrastructure is provided in a manner that maintains the character and amenity of the zone. By replacing “limited” with “appropriate” I consider that this will allow the Coastal Living Zone to be adequately serviced, while also allowing processing officers the ability to determine when infrastructure is not appropriate, based on character and amenity of the particular area. I also note that Policies 13.2.1 – 13.2.6 provide direction on the matters that are to be considered when assessing development within the coastal environment. These matters will help processing officers determine the appropriateness of any application.
90. EDS (698.081) seek that two additional subclauses be added to the policy relating to ‘Colour’ and ‘Locating away from sensitive activities’. I note that this policy is to be read in conjunction with Policies 13.2.1 – 13.2.6. As noted above, these polices provide direction on the matters that are to be considered when assessing development within the coastal environment. As such, I do not consider that additional matters relating to colour and location are required within Policy 13.5.6.

## Recommendation

91. That Policy 13.5.6 is amended as follows:

*Maintain the character and amenity values of land zoned Coastal Living by the setting of standards that reflect the following:*

- (a) strong connection to the foreshore and coastal water;*
- (b) peaceful environments with relatively quiet background noise levels;*
- (c) predominance of residential activity by enabling one dwelling per Computer Register;*
- (d) privacy between individual residential properties, often surrounded by indigenous and regenerating indigenous vegetation;*
- (e) ample sunlight to buildings;*
- (f) minimal advertising signs;*
- (g) views to the surrounding environment, including to the sea;*
- (h) low building height; and*
- (i) ~~limited~~ appropriate<sup>6</sup> infrastructure and services and low volumes of road traffic.*

## Policy 13.5.7

92. Policy 13.5.7 reads:

*Where resource consent is required, ensure that residential development and/or subdivision within the Coastal Living Zone is undertaken in a manner that:*

- (a) is consistent with the matters set out in Policy 13.5.6;*
- (b) is appropriate to the character of the locality in which the property is to be subdivided;*
- (c) provides for the maintenance of the attributes contributing to coastal amenity values of the locality, as expressed in Policies 13.2.4 and 13.2.5;*
- (d) maintains and/or enhances the recreational values of the area for the wider community;*
- (e) is certain the site is able to assimilate the disposal of domestic wastewater; and*
- (f) ensures the effects of any natural hazards are able to be avoided, remedied or mitigated.*

## Submissions and Assessment

93. Forest and Bird (715.247); Friends of NH and TB (716.167), and I. Mitchell (364.0102) support Policy 13.5.7, and seek that it be retained as notified. There are no submitters that seek amendments to Policy 13.5.7.

## Recommendation

94. I recommended that Policy 13.5.7 is retained as notified.

## Policy 13.5.8

95. Policy 13.5.8 reads:

*Non-residential activities within the Coastal Living Zone will be allowed, where they do not detract from the existing character of the residential environment within which they are to be located.*

## Submissions and Assessment

96. I. Mitchell (364.0102) supports Policy 13.5.8 and seeks that it be retained as notified.
97. Forest and Bird (715.249) seek that the policy include the requirement that the activity does not detract from the coastal environment. They state that it is unclear whether the policy applies to non-

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<sup>6</sup> Chorus (1158.022) and Spark (464.024)

residential activities generally or only where these use a residential structure for non-residential activities. They seek the policy is amended as follows:

*'Non-residential activities within the Coastal Living Zone will only be allowed, where they are consistent with Policy 13.5.7 and where they do not detract from the existing character of the residential environment within which they are to be located.'*

98. I consider that the intent of this policy is to provide direction at a policy level for permitting some non-residential activities in the Coastal Living Zone, which will have limited impact on the characteristics of the Zone. It also acknowledges that other non-residential activities will be assessed through the resource consent process to determine their impact. Once in the consent process, I consider that this policy is to be read in conjunction with the other policies within the Coastal Living Chapter, namely Policies 13.2.4, 13.2.5 and 13.5.6. As such, I do not consider that reference to Policy 13.5.7 is required.

## Recommendation

99. I recommended that Policy 13.5.8 is retained as notified.

## Policy 13.5.9

100. Policy 13.5.9 reads:

*Where there is no road access to a site to be developed or subdivided for residential purposes or where the predominant means of access will be by water, the need for and location of coastal structures and associated tracking (if relevant) to enable/enhance access shall be considered at the time of subdivision or, in the case of development, if there is a resource consent requirement to enable the development.*

## Submissions and Assessment

101. QCSRA (504.056); J. and J. Hellstrom (688.109); and I. Mitchell (364.0105) support Policy 13.5.9 and seek that it be retained as notified.
102. Forest and Bird (715.250) seek an amendment to the policy to clarify if this policy is intended to ensure access requirements are considered at the time of subdivision, or if subdivision has already occurred, at the time of residential development. They consider that it is not clear how this policy applies to enhancement of access to a property which already has a residential or non-residential structure. They also seek an amendment the explanation to reference the policies that provide for access improvements relating to existing residential development.
103. I agree in part with Forest and Bird. I agree that the wording of the policy could be clarified. I consider that the intent of the policy is to ensure that at the time of subdivision or development, the effects of the whole activity (the subdivision or development, the coastal structure, and any associated tracking), are considered together. I have recommended re-drafting the policy to simplify and clarify its intent.
104. In relation to how this policy applies to enhancement of access to a property which already has a residential or non-residential structure, I consider that the policy only relates to sites 'to be developed or subdivided'. It does not apply to the enhancement of and existing access to a property. The enhancement of existing access needs to be considered in the context of the wider MEP.

## Recommendation

105. I recommended that Policy 13.5.9 is amended as follows:

~~*Where there is no road access to a site to be developed or subdivided for residential purposes or where the predominant means of access will be by water, the need for and location of coastal*~~



~~structures and associated tracking (if relevant) to enable/enhance access shall be considered at the time of subdivision or, in the case of development, if there is a resource consent requirement to enable the development.~~

When considering residential subdivision or development applications, (where the predominant means of access will be by water) the need for, and location of coastal structures and associated tracking to enable/enhance access shall be assessed at the time of subdivision or development.<sup>7</sup>

## Additional Policies

106. Friends of NH and TB seek that an additional policy is included within the MEP stating that new residential development in areas within identified outstanding natural character and landscape values should be avoided. They consider that this additional policy is required to ensure consistency with Part 2 of the RMA and to give effect to the NZCPS. I note that Policy 13.1.1 requires that the adverse effects from subdivision, use and development activities on areas identified as having: outstanding natural character, outstanding natural features and/or outstanding natural landscapes, significant marine biodiversity value and/or are a significant wetland, or significant historic heritage value are to be avoided. Furthermore, Polices 6.2.1, 6.2.2, 6.2.3, 7.2.1, 7.2.2, and 7.2.3 also provide direction on the management of activities within outstanding natural character areas, outstanding features and outstanding landscapes. As such, I consider that the MEP currently contains direction on the management of new residential development within these environments. Accordingly, I do not consider that an additional Policy within Chapter 13 is required.
107. Aquaculture NZ (401.137) also seek that the following additional policy is included:
- Protect aquaculture from reserve sensitivity effects arising from residential activity and subdivision for residential purposes in the Coastal Environment.*
108. I note that similar relief was sought within the Topic 17 Hearing – Subdivision. As part of this hearing the submitter sought changes to ‘Appendix 7 - Scheme Plan and other subdivision requirements’ of the MEP that would satisfy their concerns. These changes to Appendix 7 were recommended by the reporting officer. I consider that Topic 17- Subdivision, is the appropriate place within the MEP to consider the potential reserve sensitivity effects associated with servicing residential activities and subdivisions. As such I disagree that an additional policy is required within Chapter 13.

## Methods of implementation

109. Chapter 13D sets out two methods of implementation as follows:
- 13.M.10 Zoning*
- 14.M.11 District rules*

## Submissions and Assessment

110. Forest and bird (715.251) (715.252) seek both 13.M.10 and 13.M.11 be retained as notified. No other submissions were received.

## Anticipated environmental result

111. Chapter 13 sets out seventeen anticipated environmental results. The following four AER’s are relevant to Section 13D:
- 13.AER.2 Subdivision, use and development of the coastal environment, including on land and water, is located in appropriate places and within appropriate limits.*

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<sup>7</sup> Forest and Bird (715.250)

13.AER.3 *Aside from residential activity associated with rural activities, residential activity in Marlborough's coastal environment takes place within Coastal Living Zones*

13.AER.4 *Continued availability of rural land for primary productive purposes existing at 9 June 2016.*

13.AER.5 *The amenity values of the coastal environment are maintained and enhanced.*

## Submissions and Assessment

112. J Helstrom (688.157)(688.158) (688.159) (688.160) and Federated Farmers (425.238) support the AER's and seek that they be retained as notified.
113. Friends of NH and TB (716.171) (716.172) seek an amendment to 13.AER.2 to ensure the subdivision use and development avoid or mitigate sprawl and sporadic development. They also seek that an addition is made to 13.AER.3 to ensure that the life-supporting capacity of air, water, soil, and ecosystems is acknowledged and safeguarded. I disagree that an amendment is required, I consider that 13.AER.3 set an outcome that is sought, that subdivision, use and development are located in appropriate place and within appropriate limits. I consider the relief sought related to how the outcome might be achieved, which is not the intent of the AER.
114. Z Energy (1244.041) seek that the first and fourth clause of 13.AER.2 be deleted as they consider that these clauses seek that no resource consents are granted for areas identified as inappropriate for development within the coastal environment. It is considered that such an outcome is unnecessary and inappropriate, and further it is unable to be effectively measured. I disagree that an amendment is required, as I note that the direction set out within the Section 6(a) of the RMA is that the natural character of the coastal environment will be protected from inappropriate development, which is what 13.AER.2 seek to give effect to.

## Recommendation

115. I recommend the following amendments to the anticipated environmental results 14.3 and 14.7:

<i>Anticipated environmental result</i>	<i>Monitoring effectiveness</i>
<p>13.AER.2</p> <p><i>Subdivision, use and development of the coastal environment, including on land and water, is located in appropriate places and within appropriate limits.</i></p>	<p><i>Subdivision, use and development of the coastal environment, including on land and water, is located in appropriate places and within appropriate limits.</i></p>
<p>13.AER.5</p> <p><i>The amenity values of the coastal environment are maintained and enhanced.</i></p>	<p><i>Enforce the application of standards established to protect amenity values.</i></p> <p><i>Survey the public <u>at 5 yearly intervals</u><sup>8</sup> about their perspectives of the attributes contributing to amenity values in Marlborough's coastal environment and how activities and uses may be affecting these values.</i></p> <p><i>Monitor complaints and/or incidents received from landowners and the public about activities and uses in the coastal environment.</i></p>

<sup>8</sup> E Jorgensen (404.041)

## Chapter 14 – Use of the Rural Environment

### Analysis of submissions

116. There were approximately 530 submission points received on Chapter 14 – Use of the Rural Environment.

### Key matters

117. As with the Coastal Environment section above, there has not been any key matters that have been raised in submission that have warranted this report being structured to address key matters. Instead there has been a wide range of submitters seeking a wide range of amendments to the provisions of the Rural Environment Chapter. As such, I have set out my analysis of the submissions points on a provision-by-provision basis.

### Pre-hearing meetings

118. There has been no pre-hearing meeting for this topic.

### Introduction

119. New Zealand Pork Industry (998.006) supports the recognition of intensive farming within the introduction. W Lissaman (255.019) seeks changes to the introduction to better describe the issues faced in the Marlborough's high-country environments. L Adams (310.001) considers that the proposed MEP provisions are short sighted, no specific relief was sought. I consider that the introduction appropriately describes the rural resource. I do not recommend any amendments are made to the introduction.

### Issue 14A

120. Issue 14A reads as follows:

*Safeguarding the potential of Marlborough's rural resources for primary production.*

### Submissions and Assessment

121. Ravensdown (1090.009) and Pernod Ricard (1039.079) support the issues statement and seek that it be retained as notified. No submitters sought an amendment to the issues statement.
122. A number of submitters seek amendments to the explanation associated with the issue statement. Federated farmers (425.239) seek an amendment to the explanation to provide greater acknowledgment of the existing use rights within rural environments. I note that this issue was discussed within the Topic 3 – Natural and Physical Resources hearing. As part of the hearing the Reporting Officer recommended that an amendment to Policy 4.1.1 be made to provide more clarity as to when the MEP seeks to intervene. If the panel were of a mind to amend Policy 4.1.1, as suggested the Reporting Officer, I consider that the explanation associated with Issue 14A should be amended to ensure consistency within the MEP.
123. Fonterra (1251.098) seek amendments to the explanation to provide for rural industry activities associated with primary production, and also that that reverse sensitivity effects are recognised as a key constraint on primary production and processing activities. W Lisman (255.018) seeks that the explanation acknowledge that development activities can both enhance and have adverse effect on the rural environment. I consider that the intent of the issue is that the rural resources of Marlborough are safeguarded for primary production, the direction on enabling development in the rural area is provided within the objectives and policies of the Rural Chapter.

### Recommendation

124. I recommend that Issue 14A is retained as notified
125. I recommend that the explanation associated with the Issue is amended as follows:

.....

*Chapter 4 - Use of Natural and Physical Resources recognises the significance of this and establishes a high level framework for the provisions that follow in this chapter. Notably, Chapter 4 sets up a framework that:*

- *recognises the rights of resource users by only intervening in the use of land where it is justified to protect the environment and wider public interests in the environment<sup>9</sup>;*
- *enables sustainable use of natural resources in the Marlborough environment; and*
- *maintains and enhances the quality of natural resources.*

.....

## Objective 14.1

126. Objective 14.1 reads:

*Rural environments are maintained as a resource for primary production activities, enabling these activities to continue contributing to economic wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.*

## Submissions and Assessment

127. There are a large number of submitters<sup>10</sup> that generally support Objective 14.1 and seek that the objective be retained as notified.
128. Federated Farmers (425.240) support the objective; however, they consider that in addition to economic wellbeing, primary production is important to the social wellbeing of the district. They seek this is included within the objective. Fulton Hogan (717.043) also consider that it is important that rural environments are managed in a way that enables activities that rely on the rural resource to continue to contribute to economic and social wellbeing. They also consider that the MEP needs to recognise that there are activities other than primary production activities that rely on the rural resource and are important or necessary contributors to economic and social wellbeing. They seek the Objective is amendment as follows:

*Rural environments are maintained as a resource for primary production activities and activities that rely on the rural resource, enabling these activities to continue contributing to economic and social wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.*

129. I agree in part with Fulton Hogan and Federated Farmers, as I consider that it is appropriate that the objective acknowledge that primary production activities also contribute to the social wellbeing of the rural environment. I note that Issues 4A of the MEP states that Marlborough's social and economic wellbeing relies on the use of its natural resources. As such, I consider that this addition will be ensure that the objective is consistent with Chapter 4 of the MEP which provides that higher order Regional Policy Statement direction. In relation to Fulton Hogan's other suggested amendment, I agree in part with the relief sought. I acknowledge that quarrying and mineral extraction activities are also reliant on a rural resource, and these activities are not considered 'primary production'.

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<sup>9</sup> Federated farmers (425.239)

<sup>10</sup> C Bowron (88.004), W Lissaman (255.017), K Ioe (454.026), J Hickman (455.011), G Mehlhopt (456.011), ME Taylor Limited (472.012), Clintondale Trust, Whyte Trustee Company Limited (484.040), Ernslaw One Limited (505.012), Fish and Game (509.153), Horticulture New Zealand (769.039), Lion (1039.80), New Zealand Pork Industry Board (998.007), Pernod Ricard (1039.080), Ravensdown Limited (1090.010), S Mackenzie (1124.046), FANZ (1192.005), Nelson Marlborough DHB (280.066), Windermere Forests Limited (1238.034)

However, I consider that the relief sought would be better placed within Objective 14.3 and the associated policies, as these provisions provide direction on activities that are not related to primary production within the rural environment. As such, I disagree that an amendment to Objective 14.1 is appropriate.

130. Beef and Lamb supports the intent outlined in Objective 14.1 but consider that the notified MEP does not achieve the desired balance between an 'enabling approach' and 'delivering on the purpose of the RMA'. They seek that the Council should introduce a method into the MEP that provides for and recognises the value of adopting farm environment plans as an alternate to prescriptive activity-based rules. I consider that the consideration of whether farm environment plans are an appropriate method for achieving the objective are a matter that should be considered within the water quality chapter. As such, I do not recommend that any amendments are made to this objective.

131. MFA (426.273) seeks that a new definition of 'Primary Production' be added to the MEP which reads as follows:

*'All forms of agriculture, horticulture, silviculture and aquaculture, whether on land or on sea, and includes the processing, preparation for market and sale of those products.'*

132. I consider that primary production is a term with a widely understood definition. As such, I do not consider a definition is required.

## Recommendation

133. I recommend that Objective 14.1 is amended as follows:

*Rural environments are maintained as a resource for primary production activities, enabling these activities to continue contributing to economic and social<sup>11</sup> wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.*

## Policy 14.1.1

134. Policy 14.1.1 reads:

*Enable the efficient use and development of rural environments for primary production.*

## Submissions and Assessment

135. There are a number of submitters<sup>12</sup> that generally support Policy 14.1.1 and seek that it be retained as notified.

136. Simcox Construction Limited (1151.002) seek that reference to quarries, and/or excavation for quarrying purposes should be included within the explanation to the policy. Fonterra (1251.099) consider that it is appropriate that rural industry activities, which are closely connected to primary production activities are also explicitly provided for in the rural environment. They seek an amendment to the policy to enable 'rural industrial activities'. They also seek an amendment to the explanation to recognise that 'associated processing activities' are undertaken in Marlborough rural environments. New Zealand Pork Industry (998.008) support the policy but seek an addition to the explanation which lists 'intensive farming' in the list of primary production activities that are undertaken in Marlborough rural environments. Beef and Lamb (459.028) support the intent of the policy but seek that an amendment is made to the policy which recognises farm environment

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<sup>11</sup> Federated Farmers (425.240)

<sup>12</sup> Federated Farmers (425.242), K Ioe (454.027), J Hickman (455.012), G Mehlhopt (456.012), Accolade Wines (457.034), Blind River Irrigation Limited (462.001), ME Taylor Limited (472.013), Delegat Limited (473.026) Clintondale Trust, Whyte Trustee Company Limited (484.041), Horticulture New Zealand (769.040), Flaxbourne Settlers Association (712.078), Villa Maria (1218.031), FANZ (1192.006), S Mackenzie (1124.047), Ravensdown Limited (1090.011), Pernod Ricard (1039.081), Middlehurst Station Limited (970.007), Longfield Farm Limited (909.031), Lion (1039.81), Indevin Estates Limited (776.021)

planning as a valid tool to deliver on positive environmental outcomes while maintaining land use flexibility.

137. I do not agree that an amendment to the policy is required. In relation to Fonterra's suggested wording, I note that Policy 14.1.3 of the MEP provides the direction that buildings in the rural environment should be linked to land based primary production activities. As such, I consider that the focus of Policy 14.1.1 should be on enabling primary production. In relation to Beef and Lamb's submission, I consider that this policy relates to enabling the use of the rural environment for primary production activities but does not extend to how the effects of primary production activities are to be managed. I note that the farm environment plans are discussed as part of the farming section within the rules below.
138. In relation to the additions to the explanation suggested by Simcox Construction Limited, I do not agree that the addition of 'quarrying' is appropriate. As noted above I consider that the intent of this policy is related specifically to primary production. I consider the merits of 'quarrying' are to be considered within Objective 14.3 and the associated policies, as these provisions provide direction on activities that are not related to primary production within the rural environment.
139. In relation to the suggested additions to the explanation sought by New Zealand Pork Industry's, I agree that 'intensive farming' is a primary production activity that is undertaken within the Marlborough rural environment and the controls within the MEP will manage the adverse effects associated with activity. As such, I agree that 'intensive farming' should be added to the explanation.

## Recommendation

140. I recommend that Policy 14.1.1 is retained as notified.
141. I recommended that the explanation associated with the policy is amended as follows:

*Currently, a wide range of primary productive land uses are undertaken in Marlborough's rural environments, from viticulture to extensive forestry, pastoral farming, dairy farming, intensive farming<sup>13</sup> and cropping.*

## Policy 14.1.2

142. Policy 14.1.2 reads:

*Parcel size in rural environments shall ensure there is adequate choice for primary production and avoids the fragmentation of land for primary productive use.*

## Submissions and Assessment

143. Federated Farmers (425.0243), and New Zealand Pork Industry Board (998.009) generally support Policy 14.1.2 and seek that it be retained as notified.
144. Nelson Marlborough DHB (280.024) seek an addition to the policy which explicitly recognises the importance of the 'location and density' of subdivisions in the rural environment. K Loe (454.028) and Flaxbourne Settlers Association (712.043) consider that in some circumstances it is appropriate to consider applications for subdivision to sizes smaller than 20ha in the Rural Environment Zone. The submitters consider that this needs to be clearly provided for within the objectives and policies to enable the continued economic use of the rural environment zone. They seek that an additional policy be included within the MEP to recognise this.
145. I note that Policies 14.4.1 – 14.4.11 provide the direction on the location, density, and scale of subdivision within the rural environment. I consider that the intent of Policy 14.1.2 is to achieve the direction within Objective 14.1.1, which is that rural environments are maintained as a resource for

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<sup>13</sup> New Zealand Pork Industry (998.008)

primary production activities. As such, I consider that this policy is not the appropriate place to be providing direction on the location, density, and scale of rural subdivision.

146. Rural Contractors New Zealand Incorporated (1096.001) seek an amendment to the policy to recognise and provide for activities and buildings that have a functional need to locate in rural environments. I disagree that an amendment is required. I consider that the intent of this policy relates to managing parcel sizes within the rural environment. I consider that Policy 14.1.3 is the appropriate policy to consider the types of activities and buildings that should be located within the Rural Environment Zone.

## Recommendation

147. I recommend that Policy 14.1.2 is retained as notified.

## Policy 14.1.3

148. Policy 14.1.3 reads:

*Activities and buildings in rural environments should be linked to land based primary production of Marlborough's rural resources and require a rural location.*

## Submissions and Assessment

149. There are a number of submitters<sup>14</sup> that generally support Policy 14.1.3 and seek that it be retained as notified.
150. Federated Farmers (425.244) support the policy but note they are unsure as to exactly what sort of buildings will be captured by this policy and suggest that this needs to be clarified. Their submission notes that they would expect that: packing houses for horticulture, greenhouses and wineries would be captured within this policy, and submit that this should be clearly articulated. They also consider that rural contractors also have an important role as a service industry ancillary to primary production. I note that the policy is not intended to provide a directive list as to which activities are expected within the rural environment and which are not. I note that this policy will act as a guide, in that it states that activities and buildings should be linked to primary production. As such, I consider that it provides suitable clarity as to what is expected within the rural environment, and this direction is then implemented through the rule framework, which set out the limits associated with establishing new buildings and structures within the rural environment.
151. Ministry of Education (974.009) considers that there needs to be a recognition within the policy that for primary production to occur in rural communities, there needs to be community facilities such as schools and early childcare/daycare centres. While I acknowledge that community facilities, schools, and early childhood centres are an important part of the rural community, I do not agree that these activities are 'linked' to primary production activities in the way that is directed by the policy. I consider that the relief sought by the submitter would be better discussed within Objective 14.3 and the associated policies, as these provisions provide direction on activities that are not related to primary production within the rural environment.
152. Transpower (1198.031) consider that the policy may inadvertently prioritise primary production over the National Grid. They seek amendments to the policy and explanation to confirm that it is appropriate and necessary for non-primary production activities to be located in the rural environment. They seek that the 'and' within the policy be replaced with 'or'. I agree with the suggested amendment. While I acknowledge that Objective 14.1 directs that the rural environments are maintained as a resource for primary production, I also consider that there are a range of other Objectives within the MEP such as Objective 4.3 which seeks to enable the efficient, effective and safe operation of regionally significant infrastructure. As such, I consider that it is

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<sup>14</sup> H Deacon (180.001) K Ioe (454.029), Flaxbourne Settlers Association (712.079), New Zealand Pork Industry Board (998.010), Pernod Ricard (1039.083), Ravensdown Limited (1090.012) and Rural Contractors New Zealand (1096.002).

appropriate an amendment is made to the policy to allow activities and buildings that are linked to primary production or requires a rural location such as buildings associated with national grid. I also note that the explanation associated with the policy refers to 'or' rather than 'and' which further supports the amendment sought by the submitter. Finally, I agree that an amendment to the explanation is appropriate as it supports the direction that linear infrastructure is appropriate within the rural environment.

153. Horticulture NZ (769.041) seeks that the term 'land based' be removed from the policy. I agree with Horticulture NZ, I consider that the term 'land based' adds confusion to the policy. I consider that the policy seeks to give effect to Objective 14.1.1 which refers to 'primary production'.

## Recommendation

154. I recommend that Policy 14.1.3 is amended as follows:

*Activities and buildings in rural environments should be linked to ~~land based~~<sup>15</sup> primary production of Marlborough's rural resources ~~and~~ or<sup>16</sup> require a rural location.*

### Explanation

*Policy 14.1.3 aims to ensure that the potential of rural environments for primary production options is not compromised by activities and/or buildings that do not need to be located within, traverse (such as linear infrastructure<sup>17</sup>, or have an association with rural environments, or which do not rely on the use of rural resources.*

## Policy 14.1.4

155. Policy 14.1.4 reads:

*Manage primary production activities to ensure they are carried out sustainably through the implementation of policies and methods (including rules establishing standards for permitted activities) to address potential adverse effects on:*

- (a) the life supporting capacity of soils, water, air and ecosystems;*
- (b) natural character of rivers, wetlands and lakes;*
- (c) water quality and water availability;*
- (d) areas with landscape significance;*
- (e) areas with significant indigenous vegetation and significant habitats of indigenous fauna;*
- (f) the values of the coastal environment as set out in Issue 13A of Chapter 13 - Use of the Coastal Environment; or*
- (g) the safe and efficient operation of the land transport network and Marlborough's airports.*

## Submissions and Assessment

156. There are a number of submitters<sup>18</sup> that generally support Policy 14.1.4 and seek that it be retained as notified.
157. NMDHB (280.021) seek that the policy be amended to address the potential adverse effects on the health and safety of people and the ability of adjacent landowners to enjoy their land. I consider that direction related to addressing potential nuisance effects is set out within Objective 14.4 and

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<sup>15</sup> Horticulture NZ (769.041)

<sup>16</sup> Transpower (1198.031)

<sup>17</sup> Transpower (1198.031)

<sup>18</sup> J Hickman (455.015), G Mehlhopt (456.013), K Ioe (454.030), Clintondale Trust (484.042), DOC (479.119), Flaxbourne Settlers Association (712.080), Forest and Bird (715.362), New Zealand Pork Industry Board (998.011), Pernod Ricard (1039.084), Ravensdown Limited (1090.012) and Rural Contractors New Zealand (1096.002).



associated policies, as such I disagree that an amendment is required to this policy as it would result in unnecessary duplication.

158. M Chapman (348.021) considers that this policy would affect all farming operations in Marlborough to some degree meaning resource consents would be necessary meaning farming is not a permitted activity but at the discretion of council. The submitter seeks that the policy is amended to provide financial assistance to primary producers/farmers for any resource consents required as a result of this policy. I disagree that this policy will require that a resource consent will be required for existing farming activities. I consider that the intent of the policy is ensure that the potential adverse effects of primary production is appropriately managed, and it expressly anticipates the use of permitted activities, with appropriate standards. I note that the 'Farming' is listed as a permitted activity within the Rural Environment and Coastal Environment Zones.
159. Federated Farmers (425.245) seek that the policy be deleted. They consider that the potential of adverse effects on the features listed in the policy are already appropriately managed through the other policies and provisions in the plan. NZTA oppose the relief sought by Federated Farmers as they consider that the policy ensures that the adverse effects of primary production activities on the safe and efficient operation of the land transport network are managed. They note that this direction is not specifically provided for elsewhere in Chapter 14. The Omaka Valley Group Incorporated also oppose this relief as they consider removal of this policy will undermine key elements of sustainable management in the district's rural areas. I agree that Policy 14.1.5 helps to achieve the direction set out within Objective 14.1.1 as it ensures that the adverse effects of primary production activities are appropriately managed, as such I do not agree that the policy should be deleted.
160. Fish and Game (509.154) seek that an additional subclause is added to the policy addressing potential adverse effects on the habitat of trout and salmon. I consider that any potential adverse effects on the habitat of trout and salmon can be considered as part of subsection (a) which ensures that the life supporting capacity of soils, water, air and ecosystem are considered. As such, I disagree that an amendment is required.
161. Te Atiawa (1186.084) seek an additional subclause is added to address the potential adverse effects on cultural values. Te Runanga o Toa Rangatira (166.029) consider that cultural values are visible in some parts of the MEP but not in all. They note that the Tangata Whenua chapter speaks about issues related to water, air, the coast but there is not much mention in the chapters related to coast and air.
162. Ngai Tahu (1189.099) note that primary production can have effects on the cultural values of Tangata Whenua Iwi. They seek an additional subclause is added to the policy as follows:

*(x) the relationship of Tangata Whenua Iwi with lands, waters, sites, wahi tapu and wahi taonga, and the ability of Tangata Whenua Iwi to exercise kaitiakitanga;*
163. Te Runanga a Rangitane o Wairau (1187.007) note that the first landing place in New Zealand dating back to 800AD is located within the Marlborough District. They consider that this site and the surrounding waterways need to be preserved for future generations.
164. In relation to the above submitters, I agree that an additional subclause should be added to Policy 14.1.4 which ensures that primary production activities address potential adverse effects on the cultural values of the rural environment. I consider that the amendment suggested by Ngai Tahu is appropriate as it will help to achieve the outcome sought within Objective 14.1 that the adverse effects of primary production activities are appropriately managed. I also consider that the relief sought by Ngai Tahu captures the relief sought by: Te Atiawa o Te Waka-a-Maui, Te Runanga o Toa Rangatira, and Te Runanga a Rangitane o Wairau.
165. Ravensdown Limited (1090.013) and FANZ (1192.007) support the overall intent of the policy but consider a minor wording amendment removing 'to' and replacing it with 'that' is required for clarity. I agree that the minor amendment adds clarity to the policy.

## Recommendation

166. I recommend that Policy 14.1.4 is amended as follows:

*Manage primary production activities to ensure they are carried out sustainably through the implementation of policies and methods (including rules establishing standards for permitted activities) ~~to~~ that<sup>19</sup> address potential adverse effects on:*

- (a) the life supporting capacity of soils, water, air and ecosystems;*
- (b) natural character of rivers, wetlands and lakes;*
- (c) water quality and water availability;*
- (d) areas with landscape significance;*
- (e) areas with significant indigenous vegetation and significant habitats of indigenous fauna;*
- (f) the values of the coastal environment as set out in Issue 13A of Chapter 13 - Use of the Coastal Environment; ~~or~~*
- (g) the safe and efficient operation of the land transport network and Marlborough's airports ~~and~~;*
- (h) the relationship of Tangata Whenua Iwi with lands, waters, sites, wahi tapu and wahi taonga, and the ability of Tangata Whenua Iwi to exercise kaitiakitanga<sup>20</sup>;*

## Policy 14.1.5

167. Policy 14.1.5 reads:

*Require rural subdivisions to provide a minimum of two cubic metres of drinkable water per new allotment, per day.*

## Submissions and Assessment

168. There are a number of submitters<sup>21</sup> that generally support Policy 14.1.5 and seek that it be retained as notified.
169. Fire Service (993.017) seeks that the policy be expanded to include a requirement for a firefighting water supply. They seek that an addition is made to the policy to ensure that adequate firefighting water supply is provided. I have reviewed the Section 42A report relating to subdivision and I understand that the supply of water for firefighting was discussed within the subdivision hearing. As such I do not wish to re-assess the issue. As the policies of the Rural Chapter provide direction for the rules and methods contained within subdivision chapter, if the Hearing Panel are of a mind to require that new lots in the Rural and Coastal Environment Zones are required to provide an adequate firefighting water supply then I consider that the suggested amendment would be appropriate.
170. NMDHB (280.026) questions whether some of the end uses listed in the explanation to the policy (including garden watering) require water to be of a drinking water standard. They consider that non-potable water could be provided for through a separate system. I consider that the overarching intent of the policy is that as part of a new rural subdivision, two cubic metres per day of potable water is required, as this is considered an appropriate amount for a residential dwelling. I do not agree that the explanation associated with the policy needs to include an explanation as to how this water should be used.

## Recommendation

171. I recommend that Policy 14.1.5 is amended as follows if the Hearing Panel agree that an amendment is required within the Subdivision Chapter:

*Require rural subdivisions to provide a minimum of two cubic metres of drinkable water per new allotment, per day and adequate firefighting water supply.<sup>22</sup>*

<sup>19</sup> Ravensdown Limited (1090.013) and FANZ (1192.007)

<sup>20</sup> Ngai Tahu (1189.099)

<sup>21</sup> K Loe (454.031), Horticulture New Zealand (769.042), Clintondale Trust (484.042), DOC (479.119), Flaxbourne Settlers Association (712.081), New Zealand Pork Industry Board (998.011).

### Explanation

*The Provisions of the MEP enable a dwelling house to be established on rural properties (including those in the coastal environment) as a permitted activity. This reasonably creates an expectation that there will be sufficient water of adequate quality on the property to provide for an individual's reasonable domestic needs and for firefighting purposes....<sup>23</sup>*

## Policy 14.1.7

172. Policy 14.1.7 reads:

*Recognise that primary production activities in rural environments may result in effects including noise, dust, smell and traffic generation, but that these will require mitigation where they have a significant adverse effect on the environment.*

## Submissions and Assessment

173. There are a number of submitters<sup>24</sup> that generally support Policy 14.1.7 and seek that it be retained as notified.

174. C Smith (592.009) notes that Wairau Valley township existed as a township before the intrusion of vineyards, and considers that any reverse sensitivity should be in favour of township residents, rather than vineyards. I note that Wairau Valley township contains a mixture of zones including: Business 2, Urban Residential 2 and Rural Living Zone. As such, I consider that the policies and methods of the MEP will ensure that the amenity of these areas is retained.

175. Fulton Hogan (717.045) consider that the policy should apply to all activities that are necessarily located in the rural environment and rely on the rural resource so as to provide protection from the reverse sensitivity effects. They seek the following amendment:

*Recognise that ~~primary production~~ activities that rely on the rural resource, and necessarily occur in rural environments may result in effects including noise, dust, smell and traffic generation, but these will require mitigation where they have a significant adverse effect on the environment.*

176. As noted in my assessment of Objective 14.1 above, I acknowledge that quarrying and mineral extraction activities are reliant on a rural resource and a rural location, and these activities are not considered 'primary production'. However as noted above, I consider that the relief sought would be better placed within Objective 14.3 and the associated policies. I note that Objective 14.1 and the associated policies are solely focused on enabling primary production activities. I consider that enabling additional activities that are not primary production activities within these policies would confuse the intent of the policy. As such, I disagree that an amendment to Policy 14.1.7 is appropriate.

177. Horticulture New Zealand (769.043) notes that the policy includes reference to odours and sprays, and as such they consider it should be a regional and district policy. I agree that this policy provides direction on both district and regional effects and as such, I support the suggested amendment.

178. Ravensdown Limited (1090.014) and FANZ (1192.008) seek a minor wording amendment replacing 'but' with 'and' to ensure clarity. I agree that the suggested amendment adds clarity to the policy.

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<sup>22</sup> Fire Service (993.017)

<sup>23</sup> Fire Service (993.017)

<sup>24</sup> Wine Marlborough (431.035), Nelson Marlborough District Health Board (280.067), Accolade Wines (457.034), Blind River Irrigation Limited (462.002), Delegat Limited (473.027), Clintondale Trust, Whyte Trustee Company Limited (484.043), Indevin Estates Limited (776.0212), Longfield Farm Limited (909.032), Middlehurst Station Limited (970.008), New Zealand Pork Industry Board (998.013), Pernod Ricard (1039.085), and Villa Maria (1218.032).

179. K Wilson (210.012) considers that existing rural business activities should not be restricted when adjoining land use changes away from rural use. M Chapman (348.020) seeks that the policy be deleted as the submitter considers that the rural environment is a working environment as opposed to an extension of the urban environment. Federated Farmers (425.246) state that noise, dust, smell and traffic should be both anticipated and expected in a rural environment. They seek that the policy be deleted and replaced with the following:

*“Recognise that primary production activities in rural environments may result in effects, including noise, dust, smell and traffic generation, but that these will be anticipated and are consistent with the character and use of the rural zone. These effects will only require mitigation where they have a significant adverse effect on the environment.”*

180. The Omaka Valley Group Incorporated opposes the relief sought by Federated Farmers. They consider that the rewording requested will reverse the intent of the policy, as they consider it would prioritise the ability of rural uses to cause adverse effects and would set a high bar in terms of management of adverse effects. They consider the notified policy is more in accordance with Section 17 of the RMA and is to be preferred. They also consider that the change sought by Federated Farmers does not recognise that the rural zone varies in terms of its quality and amenity. I agree with the further submission from Omaka Valley Group Incorporated. I consider that the policy wording aligns with the direction within Section 17 of the RMA, which states that every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment. As such, I do not consider an amendment is required.

## Recommendation

181. I recommend that Policy 14.1.7 is amended as follows:

*[R, <sup>25</sup>D]*

*Recognise that primary production activities in rural environments may result in effects including noise, dust, smell and traffic generation, ~~but~~ and<sup>26</sup> that these will require mitigation where they have a significant adverse effect on the environment.*

## Policy 14.1.8

182. Policy 14.1.8 reads

*Some management activities associated with primary production cause effects that may adversely affect the environment (including human health) and resource consent will be required to enable the Marlborough District Council to monitor effects.*

## Submissions and Assessment

183. There are a number of submitters<sup>27</sup> that generally support Policy 14.1.8 and seek that it be retained as notified.
184. Federated Farmers (425.247) seek that this policy be deleted. They consider that it does not provide the suitable clarity and that the direction is already adequately addressed elsewhere within the Plan. K Wilson (210.11) considers that existing rural business activities should not be restricted when the adjoining land use changes away from a rural use. I agree with Federated Farmers that the wording of the policy is unclear. I consider that the explanation to the policy explains that the intent of the policy relates to managing the adverse effects of bird scaring devices and frost fans through a consent process. I consider that Objective 14.4 and particularly Policies 14.4.5 and 14.4.10 policies include direction on managing the effects of noise, and reverse sensitivity effects. Accordingly, I

<sup>25</sup> Horticulture New Zealand (769.043)

<sup>26</sup> Ravensdown Limited (1090.014) and FANZ (1192.008)

<sup>27</sup> S MacKenzie (1124.048), Flaxbourne Settlers Association (712.082), K loe (454.032), Nelson Marlborough District Health Board (280.068)

consider that the utility of the policy is limited as the wording of the policy is vague. As such, I recommend that the policy be deleted.

## Recommendation

185. I recommend that Policy 14.1.8 is deleted<sup>28</sup>.

## Policy 14.1.9

186. Policy 14.1.9 reads

*Manage the effects of primary production activities to ensure the environmental qualities and amenity values in adjoining residential zones are not unreasonably degraded, bearing in mind their location adjacent to a primary production environment.*

## Submissions and Assessment

187. There are a number of submitters<sup>29</sup> that generally support Policy 14.1.9 and seek that it be retained as notified.

188. K Wilson (210.10) considers that existing rural business activities should not be restricted when the adjoining land use changes away from a rural use. Fonterra (1251.100) seek an amendment to the policy so that more emphasis is placed on the purpose of the rural zone to provide for primary production activities and ensuring they are not unduly restricted. They seek that the policy is amended as follows:

*Manage the interface effects of primary production activities in close proximity to ensure the environmental qualities and amenity values in adjoining residential zones, are not unreasonably degraded, bearing in mind their location adjacent to a primary production environment and the purpose of the rural environment to enable primary production activities and rural industry activities.*

189. Federated Farmers (425.248) consider that residences on the edge of residential zones, adjoining the primary production environment, need to expect the amenity values and character that come with a primary production area. They seek the policy is amended as follows:

*Give priority to and manage ~~Manage the reverse sensitivity effects of primary production activities by to ensure ensuring the environmental qualities and amenity values in adjoining residential zones are not unreasonably degraded, bearing in mind their location adjacent to a primary production environment that new activities in neighbouring zones anticipate the amenity values and character that come with locating near a primary production area.~~*

190. FANZ (1193.009) considers that the wording 'unreasonably degraded' in the policy is vague and open to interpretation. They note that the explanation associated with the policy refers to controlling activities at the interface to 'minimise potential conflict and protect amenity'. They consider this is not what the policy would achieve. FANZ seek that 'unreasonably degraded' is replaced with 'maintenance'. Ravensdown (1090.015) also seek similar amendments, as follows:

*Manage the adverse effects of primary production activities to ensure the ~~environmental qualities and amenity values~~ in adjoining residential zones are maintained not unreasonably degraded, bearing in mind their location adjacent to a primary production environment.*

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<sup>28</sup> Federated Farmers (425.247)

<sup>29</sup> Nelson Marlborough District Health Board (280.069) K Ioe (454.033), Flaxbourne Settlers Association (712.083), New Zealand Pork Industry Board (998.014), Pernod Ricard (1039.086),

191. Horticulture NZ (769.044) consider that it is generally the residential zones that have encroached onto primary production land so there needs to be the ability for primary production activities to continue. They seek that the policy is amended as follows:

*Manage the potential effects of primary production activities to ensure the environmental qualities and amenity values in on adjoining residential zones are not unreasonably degraded, bearing in mind their location adjacent to a primary production environment. by ensuring that adequate buffer distances are established within the residential zone.*

192. I agree in part with the submissions from: FANZ, Ravensdown, and Horticulture NZ. I agree that the term 'not unreasonably degraded' is vague and the replacing it with 'maintained' is more appropriate and understandable term and also better reflects the direct set out within Objective 14.1. I also agree with the suggestions that the 'potential' 'adverse' effects of primary production should be managed as I consider that the RMA and Objective 14.1 relate to managing 'adverse' effects, and managing 'potential adverse effects' is a more proactive direction which supports the use of buffer distances from new activities that may lead to adverse effects on residential zones.
193. In relation to the amendments suggested by Fonterra, K Wilson, Horticulture NZ and Federated Farmers, I consider that the intent of Policy 14.1.9 is to ensure that the adverse effects of primary production are managed near residential zones in order to maintain the amenity values of the residential environment, as directed by Objective 14.1. I consider that the changes sought by the above submitters seeks to duplicate the direction within Policy 14.1.7 which relates to recognising that primary production activities in rural environments may result in effects. As such, I do not agree that an amendment is required.

## Recommendation

194. I recommend that Policy 14.1.9 is amended as follows:

*Manage the potential<sup>30</sup> adverse<sup>31</sup> effects of primary production activities to ensure the environmental qualities and amenity values in adjoining residential zones are maintained not unreasonably degraded,<sup>32</sup> bearing in mind their location adjacent to a primary production environment.*

## New Policies

195. Federated Farmers (425.241) seek that a new policy is included within the MEP as follows:

*Recognise the importance of a thriving primary production sector that actively contributes to the region's social and economic wellbeing.*

I consider that this direction is provided for within Chapter 4 of the MEP through RPS Objective 4.1 which requires that Marlborough's primary production sector and tourism sector continue to be successful and thrive whilst ensuring the sustainability of natural resources. I consider that this is the appropriate place for high level enabling direction. As such, I disagree that the additional policy is required.

196. Fulton Hogan (717.044) considers that the rural chapter focuses heavily on primary production. They note that there are other uses, such as quarrying, that are significant contributors to the economic and social wellbeing of the region and need to be recognised to ensure that unintended or unnecessary regulatory barriers are not included in the plan. Fulton Hogan (717.046) also consider that the MEP provides little direction around the expectations in relation to activities that may be sensitive to the effects of rural activities but still wish to establish in this environment. They seek that the following policies are included within the MEP:

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<sup>30</sup> Ravensdown (1090.015)

<sup>31</sup> FANZ (1193.009)

<sup>32</sup> Ravensdown (1090.015)

*Enable the efficient use and development of rural environments for activities that rely on the rural resource and are necessarily located in the rural environment.*

*Ensure the design and location of new habitable buildings achieve adequate separation distances or adopt other on-site mitigation methods, including acoustic insulation, to mitigate potential reverse sensitivity effects with lawfully established productive rural activities.*

197. I disagree that these additional polices are required. I consider that this direction is already provided within Policy 14.1.3 which states that activities in rural environments should be linked to primary production or require a rural location. I also note that Objective 14.4 and the associated polices provide direction on managing reverse sensitive effects. As such I do not recommend that the additional policies are included within the MEP.

## **Recommendation**

198. I do agree that any additional polices are required.

## **No submissions**

199. No submissions were received on the following policies:

*Policy 14.1.6 – Recognise that the Southern Valleys and Redwood Pass are water short areas and that subdivision and residential activity in these areas needs to be assessed to determine the amount of water required and how it is to be sourced for domestic or stock water supply.*

*Policy 14.1.10 – Control water levels in the Marlborough District Council-administered drainage network by removing surplus water from the soils of the Lower Wairau Plain to enable primary production activities to continue.*

200. As such, I recommend that they are retained as notified.

## **Objective 14.2**

201. Objective 14.2 reads:

*The sustainability of Marlborough's rural economy is not adversely affected by the spread or introduction of pests.*

## **Submissions and Assessment**

202. There are a number of submitters<sup>33</sup> that generally support Objective 14.2 and seek that it be retained as notified.
203. M Chapman (348.019) seek that the objective is amended to recognise the local and central government monetary assistance required to control pests. I disagree that the suggested amendment is appropriate within an objective. I consider the objective should set out the overarching resource management goal that is sought. I consider that the relief sought by the submitter relates to providing monetary assistance which is not a matter consider by the MEP. As such, I do not agree an amendment is required.

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<sup>33</sup> W Lissaman (255.016), Federated farmers (425.250), Wine Marlborough (431.037), Accolade Wines (457.037), Blind River Irrigation Limited (462.004), M E Taylor Limited (472.014), Horticulture New Zealand (796.045), Delegat Limited (473.028), Indevin Estates Limited (776.023), Longfield Farm Limited (909.034), Middlehurst Station Limited (970.009), New Zealand Pork Industry Board (998.015), Pernod Ricard (1039.087), and Villa Maria (1218.034).

## Recommendation

204. I recommend that Objective 14.2 is retained as notified.

## Policies 14.2.1, 14.2.2, 14.2.3, and 14.2.4

205. Policies 14.2.1, 14.2.2, 14.2.3 and 14.2.4 read as follows:

### *Policy 14.2.1*

*The Marlborough District Council will support any national response to an incursion of a pest(s) where this occurs, if it has the potential to reach Marlborough or is already present and/or has the potential to affect Marlborough's primary production sector.*

### *Policy 14.2.2*

*A strategic approach will be developed and maintained to manage the containment/eradication of pests impacting on Marlborough's primary production sector in rural environments.*

### *Policy 14.2.3*

*Raising community awareness that all individuals have responsibilities in pest management, particularly land occupiers*

### *Policy 14.2.4*

*Recognise subdivision of land and more intensive development of rural areas increases the potential to spread pests and the Marlborough District Council will use a range of methods to reduce the risk of spread, including:*

- (a) where resource consent is required for subdivision or development, consideration will be given to measures to reduce the risk of spread;*
- (b) undertaking greater monitoring and surveillance of pests within areas where pests are present;*
- (c) being proactive in coordinating the various groups involved with earth moving equipment to develop protocols and practices to assist with the reduction in the spread of plant pests; and*
- (d) providing information for new rural landowners and people subdividing rural property about their responsibilities in pest management, including whether landowners have obligations for their property under regional or national pest management plans.*

## Submissions and Assessment

206. There are a number of submitters<sup>34</sup> that generally support Policies 14.2.1, 14.2.2, 14.2.3 and 14.2.4, and seek that they be retained as notified.

207. New Zealand Pork Industry (998.015) seek that Policy 14.2.1 is amended to relate to biosecurity risk(s) as well as pests. I note that the direction set out within Objective 14.2 relates to ensuring that Marlborough's rural economy is not adversely affected by the spread or introduction of pests. I consider that the management of biosecurity risks is better dealt with in the Marlborough District Council Biosecurity Strategy. As such, I do not agree that an amendment is required.

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<sup>34</sup> Federated farmers (425.251) (425.252) (425.253) (425.254), Wine Marlborough (431.038) (431.039) (431.040) Accolade Wines (457.038) (457.039) (457.040), Blind River Irrigation Limited (462.005) (462.006) (462.007), Delegat Limited (473.029) (473.030) (473.031), Horticulture New Zealand (769.047) M E Taylor Limited (472.014), Indevin Estates Limited (776.024) (776.025) (776.026), Longfield Farm Limited (909.035) (909.036) (909.037), Middlehurst Station Limited (970.010) (970.011) ( 970.012), New Zealand Pork Industry Board (998.017) (998.018) (998.19), Villa Maria (1218.035) (1218.036) (1218.037), W Lissaman (255.014).



208. W Lissaman (255.015) seek that Policy 14.2.2 is amended as follows:

*A strategic approach will be developed, in conjunction with landowners and recognising economic impact and resources community bring to the collective table and maintained to manage the containment/ eradication of pests impacting on Marlborough's primary production sector in rural environments.*

209. W Lissaman (255.013) also seeks that Policy 14.2.4 is amended as follows:

*Recognise subdivision of land and more intensive development of rural areas increases the potential to spread pests and the Marlborough District Council in collaboration with community groups will use a range of methods to reduce the risk of spread...*

210. In relation to Mr Lissaman suggested amendment to Policy 14.2.2, I note that the explanation to the policy states that:

*It is important to acknowledge that landowners (including statutory organisations) have a significant responsibility for controlling and managing pest animals and plants on their land. Often resources (technological or financial) do not exist to effectively manage pests across the entire District. In each case of incursion, the most effective and efficient approach will be used to target pests where containment or eradication are possible. This approach will rely on strong partnerships with landowners.*

211. As such, I consider that the 'strategic approach' required by the policy will include an acknowledgement that landowners and the community have a range of knowledge and resources that are valuable when managing pests impacting on Marlborough's primary production sector. I also note that the intent of the policy is to direct what is going to be done, the amendments sought by the submitters seeks to describe how things will be done. I do not consider this is required at the policy level. As such, I disagree that an amendment is required. In relation to Mr Lissaman suggested amendment to Policy 14.2.4, I note that Policy 14.2.4 relates to the management of pest spread as part of subdivision and land development which is consented by the MDC. I consider that the Marlborough District Pest Management review includes a public process in which community groups can comment of the pest management strategy. As such, I disagree that an amendment is required.

## Recommendation

212. I recommend that Policies 14.2.1, 14.2.2, 14.2.3, and 14.2.4 are retained as notified.

## Objective 14.3

213. Objective 14.3 reads:

*Activities that are not related to primary production are appropriate to be located within rural environments.*

## Submissions and Assessment

214. M E Taylor Limited (472.015) and Simcox Construction Limited (1151.003) generally support Objective 14.3 and seek that it be retained as notified.

215. There are also a number of submitters<sup>35</sup> who seek that the objective be redrafted as follows:

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<sup>35</sup> Wine Marlborough (431.041), Accolade Wines (457.041), Longfield Farm Limited (909.063), Blind River Irrigation Limited (462.004), M E Taylor Limited (472.014), Horticulture New Zealand (796.045), Delegat Limited (473.028), Indevin Estates Limited (776.023), Middlehurst Station Limited (970.009), New Zealand Pork Industry Board (998.015), Pernod Ricard (1039.088), and Villa Maria (1218.064).

*Activities that are not related to primary production are only located within rural environments if they are appropriate for that environment ~~appropriate to be located within rural environments.~~*

216. Federated Farmers (425.255) consider that there are a number of industries related to primary production activities that are of benefit to the primary sector by being located alongside primary production activities. They seek that the objective is amended as follows:

*Activities that are not related or ancillary to primary production may be appropriate to be located within rural environments.*

217. Fulton Hogan (717.047) supports the intent of the objective but seeks an amendment to the explanation which highlights that there are activities other than primary production activities such as quarrying, that are significant contributors to the economic and social wellbeing of the region and need to be recognised as activities that necessary and appropriately occur in the rural environment.

218. Horticulture New Zealand (769.048) seek that the objective is reworded as follows:

*Activities that are not related to primary production are generally not appropriate to be located in rural environments.*

219. MFIA (962.079) and Nelson Forests (990.226) seek that the word 'not' be removed from the objective. New Zealand Pork Industry (998.020) seek that the objective is reworded so that it prevents sensitive activities not related to primary production from establishing in areas where rural production activities could be adversely affected.

220. Trustpower (1201.096) support the objective in part but seek that it be amended to recognise and provide for activities that are not related to primary production but are appropriate to be in the rural environment for technical or logistical reasons.

*Recognise and provide for activities that are not related to primary production, but which are appropriate to be located within rural environments*

221. The overarching theme of the above submissions is that the submitters acknowledge that there are activities that are not related primary production, that can be appropriately located within the rural environment. I agree that this is the intent of the objective. I consider that this direction achieves the purpose set out within Part 2 of the RMA as it seeks to promote the sustainable management of natural and physical resources while avoiding, remedying, or mitigating any adverse effects of activities on the environment. In relation to whether this direction is accurately captured by the wording within the proposed Objective, I consider that amendments suggested by the group of submitters<sup>36</sup>, adds clarity to the objective as it is more explicit as to the direction that is sought. However, I note that the introduction of 'only' within the objective does shifts the focus of the objective slightly, as it requires that activities demonstrate that are appropriately located. When reading though the explanation associated with the objective and Policies 14.3.1 and 14.3.2, I consider that the amended wording is appropriate as these polices only enable activities that are small scale low intensity activities, and all other activities required a resource consent. As such I support the amendment sought by the group of submitters.

222. In relation to the amendment sought by Fulton Hogan, I agree that this is the appropriate place within the MEP to highlight that that there are activities other than primary production activities such as quarrying, that are significant contributors to the economic and social wellbeing of the region. As such, I support the amendment to the explanation sought.

223. In relation to MFIA (962.079) and Nelson Forests (990.226) submissions, I disagree with the relief sought, as I consider that the focus of the objective is providing direction on activities that are not

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<sup>36</sup> Wine Marlborough (431.041), Accolade Wines (457.041), Longfield Farm Limited (909.063), Blind River Irrigation Limited (462.004), M E Taylor Limited (472.014), Horticulture New Zealand (796.045), Delegat Limited (473.028), Indevin Estates Limited (776.023), Middlehurst Station Limited (970.009), New Zealand Pork Industry Board (998.015), Pernod Ricard (1039.088), and Villa Maria (1218.064).

related to primary production. I consider that Objective 14.1 and the associated policies provide direction in relation to primary production.

## Recommendation

224. I recommend that Objective 14.3 is amended as follows:

225. *Activities that are not related to primary production are only located within rural environments if they are appropriate within that environment ~~appropriate to be located within rural environments~~.*<sup>37</sup>

### Explanation

*Primary production activities use rural resources for economic gain and cannot be easily or appropriately carried out in urban environments. The continued use of rural environments in Marlborough for primary productive uses and other land and soil resource dependent, rural-based activities is important to the economic health and wellbeing of Marlborough. The use of rural environments for activities that are more appropriately located elsewhere reduces the availability of the resource and can increase pressure on existing activities through reverse sensitivity effects. The objective therefore seeks to ensure that the rural resource does not become so fragmented by activities not requiring a rural location that its attraction for legitimate rural uses requiring a rural setting is diminished. There are some instances however where activities not related to primary production, are reliant on the rural resource, and are significant contributors to the economic and social wellbeing of the region. These activities, also need to be recognised as activities that appropriate within the rural environment. can be located within rural environments and The subsequent policies sets out the circumstances when these activities are<sup>38</sup> ~~this is~~ considered appropriate.*

## Policies 14.3.1 and 14.3.2

226. Policies 14.3.1 and 14.3.2 read as follows:

### *Policy 14.3.1*

*Enable small scale and/or low intensity activities not relying on the primary production potential of Marlborough's rural environments, where the adverse effects on the environment are minor and the activity is one of the following:*

- (a) outdoor recreation; or*
- (b) events of a limited duration.*

### *Policy 14.3.2*

*Where an activity is not related to primary production and is not otherwise provided for as a permitted activity, a resource consent will be required and the following matters must be determined by decision makers in assessing the impacts on primary production before any assessment of other effects is undertaken:*

- (a) the extent to which the activity is related to primary production activities occurring at the site;*
- (b) the functional need for the activity to be located within a rural zone and why it is not more appropriately located within another zone;*
- (c) whether the proposed activity will result in a loss of land with primary production potential and the extent of this loss when considered in combination with other non-rural based activities; and*

<sup>37</sup> Wine Marlborough (431.041), Accolade Wines (457.041), Longfield Farm Limited (909.063), Blind River Irrigation Limited (462.004), M E Taylor Limited (472.014), Horticulture New Zealand (796.045), Delegat Limited (473.028), Indevin Estates Limited (776.023), Middlehurst Station Limited (970.009), New Zealand Pork Industry Board (998.015), Pernod Ricard (1039.088), and Villa Maria (1218.064).

<sup>38</sup> Fulton Hogan (717.047)

- (d) *the extent to which the proposed activity supports primary production activities, including the processing of agricultural, viticultural or horticultural produce.*

## Submissions and Assessment

### Policy 14.3.1

227. Te Runanga O Ngati Kuia (501.068) seek that 'home occupations' be added to the policy. I consider that the intent of Policy 14.3.1 is to enable specific activities that require a rural location and are known to have limited effect on the rural environment in every case, which is why these are listed as permitted activities. I consider the relief sought by Te Runanga O Ngati Kuia is appropriate as the MEP lists 'home occupations' within the Rural Environment and Rural Living Zone as a permitted the activity, and the activity is not enabled by other policies within rural chapter.
228. Ministry of Education (974.010) seek that the policy also enables educational and community facilities that serve the rural community. Ministry of Education (974.016) (974.020) (974.015) also seek that small early Childhood/Daycare facilities should be permitted activities in the Rural Environment, the Coastal Environment Zone, the Coastal Living Zone and the Rural Living Zone. They consider that an onerous consenting regime, coupled with high parking requirements and unsupportive policies, can push early childcare facilities into less suitable locations for children, such as business or industrial zones. They consider that early childhood centres, up to 10 children, are small enough be permitted as of right as they would have only minor effects, and they should be enabled within the community they serve.
229. I note that this relief was also sought within the urban environments chapter. In the assessment within the Urban Section 42A Report, it was considered that the policy framework was not unsupportive of early childhood and day care facilities and as such it was appropriate that these facilities required a resource consent as if the effects could be appropriately managed then the objective and policy direction would be achieved. In the context of the rural environment I consider that a similar approach can be taken. As noted above, I consider that the intent of Policy 14.3.1 is to enable the activities that require a rural location, and are known to have limited effects on the rural environment, which is then reflecting in them being listed as permitted activities within the MEP. In addition, the specified activities are not enabled by other MEP policies. In the case of small early Childhood/Daycare facilities I consider that the potential effects of these activities are appropriately considered with a consent framework. As such, I disagree that small early Childhood/Daycare facilities should be permitted within the Rural Environment or the Rural Living Zone, and these activities should be considered in the context of Policy 14.3.2. Further discussion is provided below on the whether any amendments to Policy 14.3.2 are appropriate.
230. In relation to whether small early Childhood/Daycare facilities should be permitted within the Coastal Living and Coastal environment zone, I consider that the same approach should be taken within these zones. I note that Policy 13.5.8 of the MEP provides direction that non-residential activities within the Coastal Living Zone will be allowed, where they do not detract from the existing character of the residential environment within which they are to be located, there is also a range of policies within Chapter 13 – Use of the Coastal Environment, that provides direction on development within the Coastal Environment. As such, I consider that requiring consent for early Childhood/Daycare facilities of any size in these zones will achieve the outcome sought within Objective 13.2, as the consent process will ensure that these activities are appropriately located within the coastal environment.
231. New Zealand Pork Industry (998.021) seek an amendment to the policy to ensure that adverse effects on rural production activities are avoided. MFIAI (962.080) consider that the risks of fire to property including plantation forest and life need to be considered and provided for in the assessment of adverse effects. Nelson Forests (990.227) seek an amendment to the explanation associated with the policy to ensure that the risks associated with the activities are managed. Te Atiawa o Te Waka-a-Maui (1186.085) seek that the policy is amended to include cultural values and resources to be included in the caveat of permitted activities.
232. In relation to the above submitters concerns, I note that the policy only enables small scale and/or low intensity activities, where the adverse effects on the environment are minor. As such, any activity

which results in adverse effects related to: rural production, fire risk, and cultural values will not, and are not intended to be enabled by this policy. As such, I do not recommend any amendments to the policy.

#### Policy 14.3.2

233. Federated Farmers (425.257) and Fonterra (1251.101) support the policy and seek it be retained as notified.
234. There are a number of submitters<sup>39</sup> that seek an additional subclause be added to the policy as follows:
- (x) The extent to which the proposed activity is likely to have reverse sensitivity effects on primary production activities.*
235. In relation to the amendment suggested above I agree that the effects of reverse sensitivity should also be considered at the time a new activity seeks to establish within the rural environment. I consider this addition helps to achieve the direction set within Objective 14.3 which requires that non-primary production activities are located in appropriate locations.
236. NZTA (1002.061) seek an additional subclause is added to the policy as follows:
- (x) the safe and efficient operation of the land transport network and Marlborough's airport.*
237. Ministry of Education (974.011) seek an amendment to the policy which recognises that educational and community facilities serving the rural community have a functional need to be located in the rural zone. I consider that the functional need for an educational to be located within the Rural Environment can be considered as part of subsection (b), as such I do not recommend that the suggested amendment is made to Policy 14.3.2.
238. In relation to both submissions, I consider that the intent of the policy is to ensure that the impacts on primary production are assessed. I note that any new activity in the rural environment will also need to be assessed against the direction set out within Objective 14.4 and the associated policies. I consider this is where the effects on the transport network, and the suitability of educational and community facilities is to be considered. As such, I do not recommend that either amendment is made.
239. Trustpower (1201.097) seek that subclause (a) is removed from the policy and subsection (b) is amendment to refer to 'the functional or technical need for the activity to be located within a rural zone...' I agree with the amendment suggested by Transpower, I consider that the technical requirements of utilities should be recognised within the policy in order to achieve the direction set within Objective 14.3. In relation to the suggestion that subclause (a) should be deleted. I consider that the matters listed within the policy seek to determine the potential impacts on primary production, I do not consider that a potential activity is required to be consistent with all matters list in order to be consistent with the direction of the policy. As such, I disagree that subclause (a) should be deleted

## **Recommendation**

240. I recommend that Policy 14.3.1 is amended as follows:

#### *Policy 14.3.1*

*Enable small scale and/or low intensity activities not relying on the primary production potential of Marlborough's rural environments, where the adverse effects on the environment are minor and the activity is one of the following:*

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<sup>39</sup> Wine Marlborough (431.074), Accolade Wines (457.042), Longfield Farm Limited (909.064), Horticulture New Zealand (796.049), New Zealand Pork Industry (998.022), Pernod Ricard (1039.089), and Villa Maria (1218.065).

- (a) *outdoor recreation; or*
- (b) *events of a limited duration; or*
- (c) *home occupations*<sup>40</sup>.

241. I recommend that Policy 14.3.2 is amended as follows:

*Policy 14.3.2*

*Where an activity is not related to primary production and is not otherwise provided for as a permitted activity, a resource consent will be required and the following matters must be determined by decision makers in assessing the impacts on primary production before any assessment of other effects is undertaken:*

- (a) *the extent to which the activity is related to primary production activities occurring at the site;*
- (b) *the functional or technical*<sup>41</sup> *need for the activity to be located within a rural zone and why it is not more appropriately located within another zone;*
- (c) *whether the proposed activity will result in a loss of land with primary production potential and the extent of this loss when considered in combination with other non-rural based activities; and*
- (d) *the extent to which the proposed activity supports primary production activities, including the processing of agricultural, viticultural or horticultural produce.*
- (e) *The extent to which the proposed activity is likely to have reverse sensitivity effects on primary production activities.*<sup>42</sup>

## New Policies

242. Federated Farmers (425.256) seek that the following policy be added to the MEP:

*Ensure that new activities locating in the rural area are of a nature, scale, intensity and location consistent with maintaining the character of the rural areas and to be undertaken in a manner which avoid, remedies or mitigates adverse effects on rural character, including rural productive values.*

243. I consider that the direction set out within the suggested policy is provided within Policy 14.4.1 and 14.4.2. As such, I do not recommend that an additional policy is added.

244. Fulton Hogan (717.048) seek that the following policy is added to the MEP:

*Enable the efficient use and development of rural environments for quarrying, while managing effects on:*

- (a) *the life supporting capacity of soils, water, air and ecosystems;*
- (b) *natural character of rivers, wetlands and lakes;*
- (c) *water quality and water availability;*
- (d) *areas with landscape significance;*
- (e) *areas with significant indigenous vegetation and significant habitats of indigenous fauna;*
- (f) *the values of the coastal environment as set out in Issue 13A of Chapter 13 - Use of the Coastal Environment; or*

<sup>40</sup> Te Runanga O Ngati Kuia (501.068)

<sup>41</sup> Trustpower (1201.097)

<sup>42</sup> Wine Marlborough (431.074), Accolade Wines (457.042), Longfield Farm Limited (909.064), Horticulture New Zealand (796.049), New Zealand Pork Industry (998.022), Pernod Ricard (1039.089), and Villa Maria (1218.065).

(g) the safe and efficient operation of the land transport network and Marlborough's airports.

245. As noted in my assessment of Objective 14.1 above, I acknowledge that quarrying and mineral extraction activities are reliant on a rural resource and a rural location, and these activities are not considered 'primary production' so have not been enabled by Objective 14.1 and the associated policies. As such, I agree that an additional policy is required within the MEP which manages quarrying activity provided it is established in appropriate locations, as directed by Objective 14.3. I consider that the suggested subclauses included within the proposed policy are appropriate, with the exception of (f), as I note that this policy will relate to quarry activities within the Rural Environment only. Activities within the Coastal Environment will need to achieve the Objective and Policy direction within Chapter 13 of the MEP. I am also unsure that 'enabling' quarrying is consistent with Objective 14.3. I consider it is more appropriate that the policy ensure that quarrying activities are located in appropriate locations. Finally, I note that the proposed policy does not include a requirement that the effects on the character and amenity values of the rural environment are managed. I consider that the assessment of these effects is essential if the policy is to achieve the direction within Objective 14.3. As such, I agree that the policy, with an additional subclause, should be included within the MEP.

246. Trustpower (1201.098) seek that a new policy is added to the MEP that explicitly recognises the need to establish energy and infrastructure developments within the Rural Environment Zone. They seek the following policy be added to the MEP:

Provide for the operation, maintenance and development of renewable energy and associated infrastructure developments that require a rural location, provided that adverse effects are avoided, remedied or mitigated.

I disagree that a specific policy is required within the rural chapter, as the direction relating to these activities is located within Volume 1, Chapter 18 - Energy. I also note that this consideration of the rule framework relating to renewable energy in the Rural Environment is discussed within the Topic 20 Section 42A report.

## Recommendation

247. I recommend that the following policy is included within the MEP:

Policy 14.3.3

Ensure that quarrying activities are located in appropriate locations by managing effects on:

- (a) the life supporting capacity of soils, water, air and ecosystems;
- (b) natural character of rivers, wetlands and lakes;
- (c) water quality and water availability;
- (d) areas with landscape significance;
- (e) areas with significant indigenous vegetation and significant habitats of indigenous fauna;
- (f) the safe and efficient operation of the land transport network and Marlborough's airports; and
- (g) the character and amenity of the rural environment (including: noise, dust, visual, and amenity effects).<sup>43</sup>

## Issue 14B

248. Issue 14B reads as follows:

*Inappropriate subdivision, land use and development can lead to the degradation of rural character and amenity values, as well as increased conflict with existing activities (reverse sensitivity).*

## Submissions and Assessment

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<sup>43</sup> Fulton Hogan (717.048)

249. Ravensdown Limited (1090.017), and Nelson Marlborough District Health Board (280.070) support the intent of Issue 14B and seek that it be retained as notified.
250. M Chapman (348.017) considers that Issue 14B does not reflect the values of a working rural environment. The submitter seeks that Issue 14B is amended to acknowledge that farms can be financially marginalised by rules and regulations. I consider that the issues statements within the MEP relate to environmental issues, as such I disagree that amendment to the issues is appropriate. Marlborough Chamber of Commerce (961.032) seek that Issues 14B be deleted and replaced with positive language. I consider that the wording suggested by the Marlborough Chamber of Commerce is drafted as a policy and not a resource management issue. As such, I do not agree that an amendment is required.
251. Fulton Hogan (717.049) seek that Issue 14B recognises that rural character is influenced heavily by the activities that occur within it. Horticulture NZ (769.050) supports the intent of Issue 14B, but they seek that it should refer to the potential for conflict with existing activities rather than increased conflicts. I agree with the above submitter that inappropriate development can lead to potential conflict with existing activities, I consider that the suggested amendment adds clarity to the issue statement.
252. New Zealand Institute of Surveyors (996.007) consider that Issue 14B is silent on: renewable energy generation facilities, network utilities infrastructure, mineral and gravel extraction, processing activities, and seasonal worker accommodation. I note that renewable energy is covered within the Volume 1, Chapter 18 of the MEP, gravel extraction has been considered in the assessment above, and all activities that seek to be established in the Rural Environment Zone will be assessed against the direction within Objectives 14.4 and 14.5 and their associated policies. As such, I do not agree that the provisions of the Rural Environment Zone are silent on these matters.
253. Pernod Ricard (1039.090) seek that a definition of reverse sensitivity be added to the MEP. I note that the concept of reverse sensitivity is discussed within the explanation to the issue. As such, I disagree that a definition is required.

## Recommendation

254. I recommend that Issue 14B is amended as follows:

*Inappropriate subdivision, land use and development can lead to the degradation of rural character and amenity values, as well as potential increased<sup>44</sup> conflict with existing activities (reverse sensitivity).*

## Objective 14.4

255. Objective 14.4 reads as follows:

*Rural character and amenity values are maintained and enhanced and reverse sensitivity effects are avoided.*

## Submissions and Assessment

256. KiwiRail Holdings Limited (873.061), Lion (908.013), Clintondale Trust (484.045), New Zealand Pork Industry (998.023) and Ravensdown (1090.018) support the objective and seek that it be retained as notified. Fulton Hogan (717.050) seek that the objective be retained but that its explanation be deleted as they consider it is heavily focused on primary production activities.
257. Fonterra (1251.103) consider that amenity values change over time, therefore they consider maintenance is problematic. They seek an amendment to the objective replacing 'maintain' with 'manage'. Horticulture New Zealand (769.051) seek that the term 'enhance' is removed from the objective. Federated Farmers (425.0258) consider that it is not clear whether the intent of the

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<sup>44</sup> Horticulture NZ (769.050)



objective is to limit primary production activities in order to avoid reverse sensitivity effects, or to ensure there are no onerous restrictions placed on normal and essential components of farming activities by new people subdividing and living in those areas. They seek amendments to clarify the objective to ensure that primary production activities in the rural environment are protected. I disagree that an amendment to the objective is required. As stated in the explanation associated with the objective, the intent of the objective is to achieve the direction set out within Section 7(c) and (f) of the RMA, which is to maintain and enhance amenity values, and the quality of the environment. As such, I consider that referring to maintaining and enhancing rural character and amenity values is appropriate.

258. M Batchelor (263.003) seeks that a new objective and policy is added to the MEP which maintains, preserves, enhances and increases the amenities of the rural environment. I consider this direction is already provided within Objective 14.4 and the associated policies. As such, I disagree that an amendment is required.
259. Marlborough Chamber of Commerce (961.041 – 048) has sought the addition of five new issues and five new objectives within the MEP which seek to encourage innovative development and integrated management of effects between subdivision and land use which results in better environmental outcomes than more conventional or traditional subdivision, use or development. I consider that the content of the issues within the MEP adequately address the issues faced in the rural environment in a general sense. As such, I disagree that the additional activity-specific issues statements are required. In relation to the additional objective proposed, I note that the five objectives sought are drafted as policies, not objectives, as they do not describe a desired outcome or goal but instead direct an action. I have reviewed each of the five suggested objectives, and I do not agree that they are required within the MEP as they do not appear to give effect to an RPS-level objective or policy in the MEP nor do they achieve the higher order direction set out within the RMA. They have also sought that Policies 14.4.2(c), 14.4.3, 14.4.4, 14.4.5, 14.4.6, 14.4.10, and 14.4.11 be deleted. The reason for deleting these policies is not clear. As such, I do not agree that these amendments to the MEP are required.
260. K Loe (454.035) also seeks an addition to the objective that recognises that subdivision creating an allotment smaller than 20 hectares may be a more efficient use of the Rural Environment Zone in certain situations. I consider that it is not appropriate for the objective to contain such specific direction. I consider that the objective should set out an overarching resource management outcome that is to be achieved through the policies, rules, and methods.

## Recommendation

261. I recommend that Objective 14.4 is retained as notified.

## Policy 14.4.1

262. Policy 14.4.1 reads as follows

*Subdivision, use and development of Marlborough's rural environments should be of a density, scale, intensity and location that individually and cumulatively recognises the following elements:*

- (a) a lack of buildings and structures;*
- (b) a very high ratio of open space in relation to areas covered by buildings;*
- (c) open space areas in pasture, trees, vineyards, crops or indigenous vegetation;*
- (d) areas with regenerating indigenous vegetation, particularly in the Marlborough Sounds;*
- (e) tracts of unmodified natural features, indigenous vegetation, streams, rivers and wetlands;*
- (f) farm animals and wildlife;*
- (g) noises, smells and sights of agriculture, viticulture, horticulture and forestry;*
- (h) post and wire fences, purpose-built farm buildings and scattered dwellings;*
- (i) low population density;*
- (j) the presence of Blenheim, Omaka and Koromiko airports;*
- (k) generally narrow carriageways within wide road reserves, often unsealed with open drains, low-speed geometry and low traffic volumes; and*

- (l) a general absence of urban-scale and urban-type infrastructure, such as roads with kerb and channel, footpaths, mown berms, street lights or advertising signs.

## Submissions and Assessment

263. There are a number of submitters<sup>45</sup> that support the intent of the policy and seek that it be retained as notified. Horticulture New Zealand (769.052) support the intent of the policy but note that the presence of buildings and structures for primary production is necessary in the rural environment. Federated Farmers (425.259) seek that the policy be deleted as they consider that it is unrealistic and overly prescriptive in nature. I agree with Horticulture New Zealand that referring to 'a lack of buildings and structures' in the rural environment is slightly confusing as there are a number of buildings and structures that are enabled within the MEP as permitted activities, and that approach aligns with the outcomes sought within the Objectives 14.1 and 14.3. As such, I suggest a minor wording change to subsection (a) which would direct that 'a general lack of building and structures' be achieved within the rural zone. While I acknowledge that this is still quite a vague statement, I consider that when read as part of the wider policy it provides the direction that some buildings and structures are appropriate provided there is a high ratio of open space to built form.
264. Fulton Hogan (717.051) seek that the policy is expanded to ensure that all elements that contribute to rural character and amenity are recognised by the policy and therefore can be considered when assessing resource consent applications. NZTA (1002.062) seek that the policy include an additional subclause to ensure that the safe and efficient operation of the land transport network is considered. Ravensdown (1090.019) considers there are also activities that support farming activities that should also be recognised. Simcox Construction Limited (1151.004) seek that a reference to enabling quarries should be added to the policy. In relation to the amendments suggested above, I disagree that any amendments are required to the policy, I consider that the policy accurately reflects what is expected within the Rural Environment Zone. In relation to the suggested addition sought by NZTA, I consider the transport section and the subdivision sections of the MEP more appropriately provide direction on this, and the addition does not in any case relate to achieving Objective 14.4.

## Recommendation

265. I recommend that Policy 14.4.1 is amended as follows:

*Subdivision, use and development of Marlborough's rural environments should be of a density, scale, intensity and location that individually and cumulatively recognises the following elements:*

- (a) a general<sup>46</sup> lack of buildings and structures;
- (b) a very high ratio of open space in relation to areas covered by buildings;
- (c) open space areas in pasture, trees, vineyards, crops or indigenous vegetation;
- (d) areas with regenerating indigenous vegetation, particularly in the Marlborough Sounds;
- (e) tracts of unmodified natural features, indigenous vegetation, streams, rivers and wetlands;
- (f) farm animals and wildlife;
- (g) noises, smells and sights of agriculture, viticulture, horticulture and forestry;
- (h) post and wire fences, purpose-built farm buildings and scattered dwellings;
- (i) low population density;
- (j) the presence of Blenheim, Omaka and Koromiko airports;
- (k) generally narrow carriageways within wide road reserves, often unsealed with open drains, low-speed geometry and low traffic volumes; and
- (l) a general absence of urban-scale and urban-type infrastructure, such as roads with kerb and channel, footpaths, mown berms, street lights or advertising signs.

<sup>45</sup> Wine Marlborough (431.043), Clintondale Trust (484.046) Accolade Wines (457.043), Longfield Farm Limited (909.038), Horticulture New Zealand (796.049), New Zealand Pork Industry (998.024), Pernod Ricard (1039.089), Delegat Limited (473.032) Blind River Irrigation Limited (462.008) K Loe (454.034) and Villa Maria (1218.038).

<sup>46</sup> Horticulture New Zealand (769.052).

## Policy 14.4.2

266. Policy 14.4.2 reads as follows:

*Retain an open and spacious character in Marlborough's rural environments with a dominance of open space and plantings over buildings by ensuring that the scale and siting of development is such that:*

- (a) it will not unreasonably detract from the privacy or outlook of neighbouring properties;*
- (b) sites remain open and with a rural character as viewed from roads and other publicly accessible places; and*
- (c) the character and scale of buildings is compatible with existing development within the surrounding rural area.*

## Submissions and Assessment

267. K Loe (454.036) and the Flaxbourne Settlers Association (712.046) have sought amendments to Policy 14.4.2 to recognise that subdivision creating an allotment smaller than 20ha may be a more efficient use of the Rural Environment Zone. I consider that the intent of this policy is to ensure that the Rural Environment retained a dominance of open space over buildings generally, it does not seek to provide direction on dwelling density specifically. I consider the direction on rural dwelling density is consider within Policy 14.5.3. As such, I do not recommend that an amendment is made to Policy 14.4.2.
268. Horticulture New Zealand (769.053) and S Laprida (218.014) consider that the policy needs to accept that some buildings and structures for primary production activities do exist in the environment. I agree with the above submitters that as proposed, this policy and particularly subsection (c), may be inconsistent with Objective 14.1. Sub section (c) states as that new buildings need to be compatible with existing development with the surrounding area. However, if a new building is proposed within an undeveloped paddock, it is unlikely that it will be compatible with existing development. As such, I consider that an amendment is required to subsection (c), so that it ensures that any new development is consistent with the character and scale of buildings in the wider rural area. I consider that this amendment would achieve the direction set out within Objective 14.45 as it would ensure that new buildings maintain the amenity values of the rural environment.
269. Federated Farmers (425.260) note that when land use changes occur, buildings may need to be established that are new to the area and may not be compatible with the existing development. They also note that the policy seeks that sites remain 'open', however, shelter belts are widely accepted as an important part of the farming operation. I consider that the direction of the policy needs to be read as a whole. I consider that this policy seeks a dominance of open space and plantings over buildings, which does not require the restriction of shelterbelts or forestry. As such, I do not consider an amendment is required.

## Recommendation

270. I recommend that Policy 14.4.2 is amended as follows:

*Retain an open and spacious character in Marlborough's rural environments with a dominance of open space and plantings over buildings by ensuring that the scale and siting of development is such that:*

- (a) it will not unreasonably detract from the privacy or outlook of neighbouring properties;*
- (b) sites remain open and with a rural character as viewed from roads and other publicly accessible places; and*
- (c) the character and scale of buildings is compatible with existing development within the surrounding<sup>47</sup> rural area.*

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<sup>47</sup> Horticulture New Zealand (769.053) and S Laprida (218.014).

## Policy 14.4.3

271. Policy 14.4.3 reads as follows:

*Ensure buildings are set back a sufficient distance from property boundaries and road frontages to:*

- (a) maintain privacy and outlook for people on adjoining allotments, including for existing houses on small allotments;*
- (b) encourage a sense of distance between buildings as well as between buildings and road boundaries; and*
- (c) maintain the pleasantness, coherence, openness and attractiveness of the site as viewed from the road and adjoining sites*

## Submissions and Assessment

272. K Loe (454.036), New Zealand Pork Industry (998.025), and KiwiRail (873.062) generally support Policy 14.4.3 and seek that it be retained as notified.

273. Horticulture New Zealand (769.054) seek amendment to subsection (b) to refer to 'side and rear boundaries' and also that an additional subclause is added to the policy to ensure that potential reverse sensitivity effects are avoided. Federated Farmers (425.261) seek that the policy is reframed so that it only applies to new residential buildings, as they consider that privacy and amenity policies should not adversely impact on farming activities. NZTA (1002.063) consider that reverse sensitivity gets lost in the explanation associated with the policy. They consider that it should be included in the policy text to ensure these important effects are assessed in applications for noise sensitive activities. They suggest that a number of amendments are made to the policy to provide more detail as to how reverse sensitivity will be managed in the MEP.

274. FANZ (1192.005) suggests that an additional policy should be added to the MEP that manages residential development within the rural zone and the potential for reverse sensitivity effects. They seek that the following policies are included within the MEP:

*Avoid the establishment of residential activities in close proximity to intensive farming or other rural activities, to manage reverse sensitivity effects that can be created by such activities i.e. noise, odour and dust.*

275. I agree in part with the suggestion by Federated Farmers. I consider that the construction of a new dwelling near a boundary will have a greater effect on privacy than the construction of a new farm shed near a boundary. However, I disagree that an amendment to the policy is required. I note that the policy refers to ensuring that there is sufficient distance between a building and a boundary to maintain amenity and privacy. As such, I consider that the direction within the policy is appropriate, and the standards of the MEP (Standards 3.2.12 and 4.2.10) related to building setbacks from boundaries and roads need to establish sufficient setback distances depending on the type of activity proposed.

276. I also agree in part with the amendment sought by FANZ and NZTA, I disagree that a new policy is required, but I consider that the direction sought within the suggested policy can be included within Policy 14.4.3. I consider that an addition to the policy that explicitly recognise the potential for reverse sensitivity effects is appropriate as it achieves the direction set within Objective 14.4.

277. In relation to the other amendment suggested by NZTA, I agree that the design of a building is important in ensuring that a building maintains privacy and reverse sensitivity effects are managed. However, I also note that the only standards within the MEP which mitigate reverse sensitivity effects relate to setback standards, there are no design standards within the MEP that require a specific building design to manage reverse sensitive effects. As such, the direction sought by the submitter will not be achieved through the permitted standards and will only be considered as part of a consent application. As such, I do not recommend that an amendment is made.

## Recommendation

I recommend that Policy 14.4.3 is amended as follows:

*Ensure buildings are set back a sufficient distance from property boundaries and road frontages to:*

- (a) maintain privacy and outlook for people on adjoining allotments, including for existing houses on small allotments;*
- (b) encourage a sense of distance between buildings as well as between buildings and road boundaries; ~~and~~*
- (c) maintain the pleasantness, coherence, openness and attractiveness of the site as viewed from the road and adjoining sites and;*
- (d) manage any potential reverse sensitivity effects<sup>48</sup>.*

## **Policy 14.4.4**

278. Policy 14.4.4 reads as follows:

*Ensure subdivision in rural areas:*

- (a) does not lead to a pattern of land uses that will adversely affect rural character and/or amenity values; and*
- (b) creates allotments of sufficient size for rural activities to predominate in rural areas from the road and adjoining sites*

## **Submissions and Assessment**

279. Federated Farmers (425.262) and Clintondale Trust (484.047) generally support Policy 14.4.4 and seek that it be retained as notified.

280. Ravensdown Limited (1090.020) and Lion (908.014) consider that the policy should address the issue of rural subdivision causing reverse sensitivity issues. New Zealand Pork Industry (998.026) seek an amendment to the policy to ensure that subdivision in rural areas does not compromise the productive capability of rural area. I disagree that an amendment to the policy is required. I consider that the amendment recommended to Policy 14.4.3 will ensure that any potential sensitivity effects are appropriately managed, and I consider that sub clause (b) will ensure that allotments are of a sufficient size that the productive capability of rural area is not affected.

## **Recommendation**

281. I recommend that Policy 14.4.4 is retained as notified.

## **Policies 14.4.5, 14.4.6, 14.4.7, and 14.4.9**

282. Policies 14.4.5, 14.4.6, 14.4.7, and 14.4.9 read as follows:

### Policy 14.4.5

*Noise limits consistent with the character and amenity of the Rural and Coastal Environment Zones have been established to provide for the protection of community health and welfare*

### Policy 14.4.6

*Mitigate nuisance effects on adjoining dwellings or adjoining properties caused by dust from earthworks or stockpiled material.*

### Policy 14.4.7

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<sup>48</sup> NZTA (1002.063).

*Ensure significant adverse odour effects from rural activities are avoided or mitigated to protect lawfully established land uses.*

Policy 14.4.9

*Encourage the consolidation of information signs by supporting the establishment of “Welcome to” signs and information laybys at the entrance to Marlborough’s larger towns, in order to reduce the effects of directional and commercial signs on visual amenity*

## **Submissions and Assessment**

Policy 14.4.5

283. NMDHB (280.071) generally supports the policy and seek that it be retained as notified. Federated Farmers (425.263) Fonterra (1251.104) and Horticulture New Zealand (769.055) seek various amendments to the policy which seek that the noise limits enable primary production, rural industry, and quarrying activities within the Rural and Coastal Environment Zones. I consider that the policy seeks to ensure that the noise standards set out in the Rural and Coastal Environment Zones are at a level that is consistent with the character and amenity, while also maintaining the health and welfare of the community. I disagree that the policy should be amendment to enable primary production activities to the detriment of the community’s health and welfare.

Policy 14.4.6

284. Federated Farmers (425.264) seek that the policy is deleted as they consider that it will not always be possible or practicable to mitigate the effects of dust, particularly in a dry, drought-prone region. MFIA (962.081) seek clarification that it does not included roads. Nelson Forests (990.228) note that the MEP does not contain a definition of earthworks. They seek that the policy be amended so that it does require interpretation. Simcox Construction Limited (1151.006) seek that the policy is amended to recognise that there may be dust and other disturbance associated with quarrying and that it may be difficult to mitigate the dust associated with quarrying.
285. I do not agree that an amendment to the policy is required, I consider that the policy as notified helps to achieve the direction set within Objective 14.4. I consider that the amendments sought by Federated Farmers and Simcox Construction Limited seek to remove or water down the intent of the policy which will not achieve the direction within Objective 14.4. In relation to the submitters that have sought clarification as to what is captured by the policy, I note that the policy is focussed on dust and managing its effects. How it is implemented i.e. including through provisions relating to ‘earthworks’ needs to be considered within the implementation of the policy.

Policy 14.4.7

286. New Zealand Pork Industry (998.027) support the policy. Federated Farmers (425.265) seek that the policy is deleted as they consider that odour is difficult to objectively measure. I disagree that the policy should be removed, I consider that managing odour effects help to achieve the direction within Objective 14.4. Fonterra (998.027) consider that the policy should refer to “offensive and objectionable effects”, rather than “nuisance effects” as they note that offensive and objectionable are effects that are able to be measured through consideration of the FIDOL factors (Frequency, Intensity, Duration, [Odour] character, Location). They also consider that the policy should be both a District and Regional policy.
287. I agree with the amendments sought by Fonterra, I agree that referring to ‘offensive or objectionable’ effects is appropriate. I note that these terms are widely used within planning documents and these are the terms used within Section 17((3) of the RMA. I also agree that the policy should be both a District and Regional policy as odour effects can be considered an amenity issue managed under the district plan provisions or as a discharge to air managed by regional plan provisions. Furthermore, the permitted activity standards within the MEP applies to both regional and district

Policy 14.4.9

288. NZTA (1002.064) notes that “Welcome to” signs have the potential to create a safety hazard for road users and they seek a minor change to the policy to recognise this. I support the suggested change as I consider the amendment helps to achieve the direction set within Objective 14.3 as these signs will be required to be located in appropriate locations.

## Recommendation

289. I recommend that Policies 14.4.5 and 14.4.6 are retained as notified.

290. I recommend that Policy 14.4.7 and 14.4.9 be amended as follows:

*[D, R]*<sup>49</sup>

*Policy 14.4.7*

*Ensure ~~significant adverse offensive or objectionable~~<sup>50</sup> odour effects from rural activities are avoided or mitigated to protect lawfully established land uses.*

*Policy 14.4.8*

*Encourage the consolidation of information signs by supporting the establishment of “Welcome to” signs and information laybys at the entrance to Marlborough’s larger towns, in order to reduce the effects of directional and commercial signs on visual amenity- and road safety.<sup>51</sup>*

## Policies 14.4.10 and 14.4.11

291. Policies 14.4.10 and 14.4.11 reads as follows:

*Policy 14.4.10*

*Control the establishment of residential activity within rural environments as a means of avoiding conflict between rural and residential amenity expectations.*

*Policy 14.4.11*

*The cumulative adverse effects of subdivision and/or development on rural character and amenity values are to be avoided.*

## Submissions and Assessment

292. There are a number of submitters<sup>52</sup> that generally support Policies 14.4.10 and 14.4.11 and seek that they be retained as notified.

*Policy 14.4.10*

293. Horticulture New Zealand (769.056) seek that policy should apply to all sensitive activities, not just residential activities. They have also sought that a definition of ‘sensitive activities’ is added to the MEP as follows:

*Sensitive activities are:*

- a) Habitable buildings*
- b) Education facilities*
- c) Correctional facilities*

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<sup>49</sup> Fonterra (998.027)

<sup>50</sup> Fonterra (998.027)

<sup>51</sup> NZTA (1002.064)

<sup>52</sup> Federated Farmers (425.266), Flaxbourne Settlers Association (712.084) (712.085), KiwiRail (873.063) Lion (908.015), Ravensdown (1090.021), K Loe (454.039), and Clintondale Trust (484.048).

- d) *Public places and amenity areas where people congregate*
- e) *Public road.*

294. I consider that the sensitive activities listed within the suggested definition do not match the intent of the policy. I note that the policy seeks to control residential activities within rural environments as a means of avoiding conflict between rural and residential amenity expectations. The activities list in the proposed definition (i.e. public roads, or correctional facilities) will not require the same residential amenity expectations that are sought to be managed by the policy. I consider that suggested amendment is not appropriate within this policy. I do not consider that the suggested amendment is required in order to achieve the direction set within Objective 14.4.
295. Fonterra (1251.106), Pernod Ricard (1039.091), seek that the policy explicitly recognise the need to avoid reverse sensitivity effects in the rural environment. I disagree that an amendment is required, I consider that the policy and explanation, is clear that reverse sensitive effects are to be managed. I also note that Policy 14.4.3 provides the direction that reverse sensitivity effects are to be managed within the Rural Zone.
296. New Zealand Pork Industry (998.028) seek an amendment to the policy replacing 'control' with 'constrain'. I consider that the term 'control' within the policy is appropriate. I note that to 'constrain' the establishment of residential activity implies that there is an upper limit as to what appropriate, which is not the intent of the policy. I consider that the policy achieves the direction within Objectives 14.4 and 14.5, as it ensures that reverse sensitivity effects are avoided, and ensures that residential activity takes place within appropriate locations and limits.
297. Fulton Hogan (717.052) seek that the policy is amended to include reference to all activities that are necessarily located in the rural environment and rely on the rural resource. I note that the policy refers to avoiding conflict between rural and residential amenity expectations in general. It does not seek to explicitly list the types of rural activities that may be affected by the establishment of new residential activities. I consider that this level of detail is provided for within the standards that implement the policy direction (i.e. setback from activities, or minimum areas requirements for dwellings). As such I do not recommend an amendment is made to the policy.

#### Policy 14.4.11

298. Federated farmers (425.267) seek that the policy be deleted. No rationale was provided as to why the policy should be deleted. I consider that the policy helps to achieve the direction within Objective 14.4, as such I do not agree it should be deleted.

## **Recommendation**

299. I recommend that Policies 14.4.10 and 14.4.11 are retained as notified.

## **Policies 14.4.12 and 14.4.13 – Omaka Valley**

300. Policies 14.4.12 and 14.4.13 read as follows:

#### Policy 14.4.12

*The Omaka Valley is characterised by the following:*

- (a) low, broad ridges, parts of which have been identified as having high amenity value and are included in the mapped Wairau Dry Hills Landscape;*
- (b) limited building on ridgelines;*
- (c) open character due to a lack of tall vegetation within the valley;*
- (d) meandering watercourse patterns and topographical variation in the upper valley;*
- (e) viticulture is a dominant land use;*
- (f) with the exception of times around grape harvest, it is generally a low volume traffic environment;*
- (g) lack of through roads;*



- (h) a mix of land uses towards the lower valley where a more domesticated rural character is evident; and
- (i) roads located close to the broad ridges, giving a contained nature to the valley

#### Policy 14.4.13

The Omaka Valley has been recognised as having specific amenity and rural character values that are to be maintained and enhanced as follows:

- (a) enabling primary production activities as provided for in the underlying Rural Environment Zone;
- (b) requiring resource consent for commercial forestry, to enable an assessment of this activity on the confined nature of the valleys in the Omaka Valley Area;
- (c) including the ridgelines along the valleys within the Wairau Dry Hills Landscape;
- (d) avoiding development in the form of buildings on the ridgelines surrounding the valleys;
- (e) reducing the potential for 'industrialisation' within the Omaka Valley Area through controls on the height and scale of buildings associated with primary production activities;
- (f) other than as provided for in Policy 14.3.1 and Policy 14.5.4, other activities not related to primary production in the Omaka Valley Area are to be avoided;
- (g) maintaining a low volume traffic environment to maintain a peaceful and quiet environment within the Omaka Valley Area; and

## Submissions and Assessment

- 301. There are a large number of submitters<sup>53</sup> that generally support Policies 14.4.12 and 14.4.13 and seek that they be retained as notified.
- 302. R McLean (187.001) and LA Smith and BJ Green (379.002) do not support subsection (b) of Policy 14.4.12 as they consider buildings should be enabled on ridgelines. I note that these policies seek to achieve the direction set out within Objective 14.4 that the rural character and amenity values of the rural environment are maintained and enhanced. In the Omaka Valley part of the character of the area is that the ridgelines contain limited buildings. As such I disagree that an amendment to the policy is required.
- 303. Simcox Construction Limited (1151.008) seek that an amendment is made to Policies 14.4.12, and 14.4.13, as they consider that the Barrack's Road Quarry is a significant part of the Omaka Valley area. The Omaka Valley Group Incorporated have opposed this relief as they consider that rewording sought is seeking to consolidate and ensure acceptance of current levels of traffic

<sup>53</sup>S. Zuefle (31.001) (31.002), K. McConnell (32.001) (31.002), R. Lane (33.001) (33.002), P. Deacon (39.001) (39.002), A. Dwyer (58.001) (58.002), J. Dwyer (59.001) (59.002), R. Julian & M. J. Potez (60.001) (60.002), Bike Walk Renwick (62.001) (62.002), S. Shields (63.001) (63.002), B. Gray (84.001), G. Burns (86.001) (86.002), J. Kershaw (95.001) (95.002), J. Buckman (96.001) (96.002), P. Lamb (107.001) (107.002), G. Kerr (122.001), L. S. Kelly (128.003) (128.004), G. & I. McAlpine (153.001) (153.002), M. Gray (156.001), N. Sowman (164.001) (164.002), H. Deacon (180.002), N. Bright (205.001) (205.002), T. Westend (239.001) (239.002), K. Nicholls (252.001) (252.002), L. Halliday (265.003), J. Buckman (284.018) (284.019), S. R Kennington (362.003) (362.004), A. M. Kennington (363.003) (363.004), I. B. Mitchell (364.162) (364.164), LA Smith & BJ Green Partnership (379.001), R. S. Wilson (438.003) (438.004), Beconbrae Farm (452.001) (452.002), Bike Walk Marlborough Trust (471.005), New Zealand Walking Access Commission (481.022), A. & H. Dunne (511.001) (511.002), C. Naus (596.003) (596.004), D. M. Allan (639.001) (639.002), Dog Point Vineyard (683.001) (683.002), E. A. MacDonald (685.001) (685.002), Hawkesbury Farm Limited (767.003) (767.004), E. E. Goodwin (690.001) (690.002), I. & M. Sutherland (772.001), J. A. Faloon (779.001), J. M. Mayson (816.003) (816.004), K. Sutherland & S. Planthaber (846.001) (846.002), K. P. Judd (858.003) (858.004), K. Judd (872.003) (872.004), M. D. M. Clark (917.001) (917.002), M. Cresswell (919.001) (919.002), M. Just (937.001) (937.002), M. MacDonald (939.001) (939.002), M. Naus (944.003) (944.004), M. Sutherland (949.001), Omaka Valley Group Incorporated (1005.001) (1005.002), P. A. V. Goodwin (1009.001) (1009.002), P. Banks (1011.007) (1011.008), Wildacres Limited (1015.001), Penrod Ricard Winemakers New Zealand Limited (1039.092) (1039.093), The Bell Tower on Dog Point (1191.001) (1191.002).

(including quarry traffic). They also noted that the quarry activity has short-term consents only and the policy and explanation should remain as in the proposed plan. I disagree that an addition to the policy is required. I note that the policy sets out the broad rural characteristics and amenity values of the Omaka Valley area and does not seek to acknowledge the existence or suitability of specific activities within this environment.

304. Ravensdown (1090.022) seek that the Policy 14.4.12 be deleted as they consider that it is not drafted as a policy, as it does not outline the pathway to be taken to implement an objective. I agree in part with the submitter. I agree that the policy does not provide a course of action and so does not help to achieve an objective. However, I disagree that the policy should be deleted. I consider that the policy provides a useful description of the rural characteristics and amenity values of the Omaka Valley area. As such, I recommend that a slight amendment is made to the policy to include the words 'Recognise that'. I consider this slight amendment will ensure that the rural characteristics and amenity values of the Omaka Valley area listed within the policy are recognised within the MEP which helps to achieve Objective 14.4.

## Recommendation

305. I recommend that Policy 14.4.12 is amended as follows:

*Recognise that ~~the~~<sup>54</sup> Omaka Valley is characterised by the following:*

- (a) low, broad ridges, parts of which have been identified as having high amenity value and are included in the mapped Wairau Dry Hills Landscape;*
- (b) limited building on ridgelines;*
- (c) open character due to a lack of tall vegetation within the valley;*
- (d) meandering watercourse patterns and topographical variation in the upper valley;*
- (e) viticulture is a dominant land use;*
- (f) with the exception of times around grape harvest, it is generally a low volume traffic environment;*
- (g) lack of through roads;*
- (h) a mix of land uses towards the lower valley where a more domesticated rural character is evident; and*
- (i) roads located close to the broad ridges, giving a contained nature to the valley*

306. I recommend that Policy 14.4.13 is retained as notified.

## Policies 14.4.14 and 14.4.15

307. Policies 14.4.14 and 14.4.15 reads as follows:

*Policy 14.4.14*

*The Wairau Plain is characterised by the following:*

- (a) a highly productive land resource and the most intensively developed and farmed rural area in Marlborough;*
- (b) an extensive area of flat land available for primary production;*
- (c) an extensive floodplain and drainage network;*
- (d) the large, braided Wairau River and its tributaries, floodplain terraces, associated backswamp wetlands, streams, coastal swamp deposits and minor inland sand dunes;*
- (e) ground-fed springs in the lower plain;*
- (f) viticulture as a dominant land use;*
- (g) open character across the plain;*
- (h) encompassing Marlborough's main urban centre of Blenheim;*
- (i) the arterial roading network traversing the plain; and*
- (j) a centrally located regional airport and New Zealand Defence Force airbase*

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<sup>54</sup> Ravensdown (1090.022)

#### Policy 14.4.15

*The Wairau Plain has been recognised as having particular amenity and rural character values that are to be maintained and enhanced by:*

- (a) enabling primary production activities as provided for in the underlying Rural Environment Zone;*
- (b) avoiding subdivision below eight hectares to help retain primary production options and retain a sense of openness within the Wairau Plain Area;*
- (c) controlling residential activity, other than that associated with primary production, to avoid conflict between rural and residential amenity expectations;*
- (d) managing the establishment of subdivision, use and development to avoid, remedy or mitigate effects on the safety, functioning and efficiency of the arterial road network; and*
- (e) ensuring that other than as provided for in Policies 14.3.1, 14.5.3 and 14.5.4, activities not related to primary production in the Wairau Plain Area are to be avoided.*

## **Submissions and Assessment**

308. Pernod Ricard (1039.094) (1039.095) support Polices 14.4.14 and 14.4.15 and seek that they be retained as notified. Ravensdown Limited (1090.023) seek that Policy 14.4.14 be deleted as they consider the policy reads like a description of the Wairau Plains rather than a policy. As with Policy 14.4.12 above, I recommend that a slight amendment is made to the policy to include the words 'Recognise that'. I consider this slight amendment will ensure that the rural characteristics and amenity values of the Wairau Plain area listed within the policy are recognised within the MEP which helps to achieve Objective 14.4.
309. NZTA seek an amendment to Policy 14.4.15 which acknowledges that the cumulative effects on the road network should also be avoided. I disagree with the amendment sought by NZTA. I consider that the cumulative effects on the transport system is as part of managing effects on the safety, functioning and efficiency of the road network.
310. Horticulture New Zealand (769.057) seek an amendment to subsection (c) to ensure that 'other sensitive activities' are also controlled. As noted in the assessment of Policy 14.4.10 above, I consider that the sensitive activities listed within the suggested definition do not match the intent of the policy. I note that the policy seeks to control residential activities within rural environments as a means of avoiding conflict between rural and residential amenity expectations. The activities list in the proposed definition (i.e. public roads, or correctional facilities) will not require the same residential amenity expectations that are sought to be managed by the policy. I consider that suggested amendment is not appropriate within this policy.
311. Fulton Hogan (717.053) consider that Policy 14.4.15 is far too narrow in its focus. They consider that the policy needs to be reviewed and expanded so as to ensure that they do not prevent other activities that rely on the rural resource from occurring in the rural environment. They seek an amendment to subsection (a) of the policy to also enable activities the rely on the rural resource. I note that sub-section (e) of this policy is reasonably restrictive as it directs that non-primary production activities (with the exception of temporary events, outdoor recreation, limited residential activities, and workers accommodation) a are to be avoided within the Wairua Plain. The explanation associated with the policy provides the rationale behind sub-section (e):

*In terms of 14.4.15(e), it is important to enable activities that do not rely on the primary productive potential of the rural resource but that are appropriate in rural environments. However, it is considered that other activities not covered by the policies referred to in (e) should be avoided in the Wairau Plain Area. Such activities, which can include residential, commercial or industrial activities, have an option of locating within the urban centres of Renwick and Blenheim, which are centrally located. Some limited provision has been made for rural living on larger lots on the periphery of Blenheim (Urban Residential 3 Zone). Commercial and industrial activities are more appropriately located in the relevant urban zones, where these activities are not related to primary production activities.*

312. Given that subsection (a) of Policy 14.4.14 and the associated explanation states that the Wairau Valley is a highly productive land resource with rich alluvial soils, I consider that the intention of the

policy appears to be that activities such as quarrying are avoided within this area as a means of achieving Objective 14.4. As such, I disagree that an amendment is appropriate.

313. If the panel were of a mind to agree to the relief sought by the submitter, I consider that an addition could be made to subsection (e) of Policy 14.4.5, to refer to Policy 14.1.3. As recommended within this report, this would allow activities that require a rural resource are provided for in the Wairau Plain Area.

## Recommendation

314. I recommend that Policy 14.4.14 is amended as follows:

*Recognise that ~~the~~ Wairau Plain is characterised by the following:*

- (a) a highly productive land resource and the most intensively developed and farmed rural area in Marlborough;*
- (b) an extensive area of flat land available for primary production;*
- (c) an extensive floodplain and drainage network;*
- (d) the large, braided Wairau River and its tributaries, floodplain terraces, associated backswamp wetlands, streams, coastal swamp deposits and minor inland sand dunes;*
- (e) ground-fed springs in the lower plain;*
- (f) viticulture as a dominant land use;*
- (g) open character across the plain;*
- (h) encompassing Marlborough's main urban centre of Blenheim;*
- (i) the arterial roading network traversing the plain; and*
- (j) a centrally located regional airport and New Zealand Defence Force airbase*

315. I recommend that Policy 14.4.15 is retained as notified.

## New Policies

316. Fonterra (1251.103) seek the following policy be added to the MEP:

*Avoid reverse sensitivity effects by:*

- (a) avoiding sensitive activities that are not related to primary production to locate in an appropriate zone;*
- (b) discouraging residential activities at a density greater than one dwelling per property from locating in rural environments; and*
- (c) require sensitive activities to be appropriately setback and designed to manage adverse effects that are inherent to rural environments.*

I disagree that the above policy is required, I consider that the direction set out within this policy is already set out in policies 14.4.1, 14.4.3, and 14.5.3, and repeating this direction does not add any value to the MEP.

317. Flaxbourne Settlers Association (712.044) seek an additional policy be included in the MEP which seeks to recognise that subdivision creating an allotment smaller than 20ha may be a more efficient use of the Rural Environment Zone. I consider that the merits of this policy are most appropriately considered as part of the consideration of Policy 14.5.3.

## Issue 14C

318. Issue 14C reads as follows:

*Responding to pressure to use, develop and subdivide land within rural environments for residential uses.*

## Submissions and Assessment

319. One submission was received on Issue 14C. NZTA (1002.066) seek an amendment to the explanation associated with the issue which acknowledges that the issue relates to all roads in the district, not just local roads. I support the relief sought as I agree that the issue relates to all roads not just local roads.

## Recommendation

320. I recommend that Issue 14C is retained as notified. I recommend that the following bullet point included within the explanation associated with the issue is amended as follows:

- *traffic issues, where ~~local~~ the roads network<sup>55</sup> cannot safely handle increases in traffic. This is made worse when traffic from lifestyle blocks meets heavy vehicles, such as those from extractive industries;*

## Objective 14.5

321. Objective 14.5 reads as follows:

*Residential activity takes place within appropriate locations and limits within rural environments.*

## Submissions and Assessment

322. There are a number of submitters<sup>56</sup> that generally support Objective 14.5.1 and seek that it be retained as notified.

323. There are also a number of submitters<sup>57</sup> that have sought a change to the objective so that it states that residential activity should “only” take place within appropriate locations and limits. Federated Farmers (425.268) consider that it is important that residential activity and subdivision is considered distinct from the need for dwellings and accommodation associated with primary production and farming activities, which are intended to be sustained through these policies.

324. I consider that the wording within the objective is appropriate I note that the Objective provides direction on the development residential activities in the wider rural area, not just the Rural Environment Zone. Polices 14.5.2, 14.5.5, and 14.5.6 direct that residential activities should take place within the: Rural Living, Coastal Living, Urban Residential 2 at Marlborough Ridge and Urban Residential 3. As such, I consider that it is appropriate that objective conveys an enabling direction rather than a restrictive direction as sought by the above submitters.

## Recommendation

325. I recommend that Objective 14.5 is retained as notified

## Policies 14.5.1 and 14.5.2

326. Policy 14.5.1 and 14.5.2 reads as follows:

*Policy 14.5.1*

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<sup>55</sup> NZTA (1002.066)

<sup>56</sup> Lion (908.016), Levide Capital Limited (907.024), New Zealand Pork Industry (988.029)

<sup>57</sup> Wine Marlborough (431.075), Villa Maria (1218.067), Pernod Ricard (1039.096), Longfield Farm Limited (909.065), Accolade Wines New Zealand Limited (457.044)

Identify areas within rural environments where residential activity is appropriate.

#### Policy 14.5.2

Residential activity and subdivision for residential purposes within rural environments should take place within land zoned Rural Living, Coastal Living, Urban Residential 2 at Marlborough Ridge and Urban Residential 3, to:

- (a) protect primary production options;
- (b) protect rural character and amenity values;
- (c) avoid sprawling or sporadic patterns of residential development;
- (d) avoid any further over-allocation of water resources;
- (e) avoid adverse effects on water quality and soil quality;
- (f) reduce the potential for the spread of pest organisms;
- (g) reduce impacts on the land transport network;
- (h) protect landscape, natural character and indigenous biodiversity values; and
- (i) provide a transition from urban to rural environments

## Submissions and Assessment

327. There are a number of submitters<sup>58</sup> that generally support Policy 14.5.1 and 14.5.2 and seek that they be retained as notified.
328. Levide Capital Limited (907.025) seek an amendment to the explanation associated with Policy 14.5.1 as follows: *'These areas ~~have been recognised historically as providing~~ provide a rural lifestyle on a range of allotment sizes in a range of locations.'*
329. Heritage New Zealand (768.51) note that inappropriate subdivision and development has the potential to adversely affect historic heritage values that require protection. As such they seek that an additional subsection is added to Policy 14.5.2 as follows:
- (a) *protect the historic heritage values of heritage resources identified in Appendix 13.*
330. I note that the intent of the policy is to direct development to areas zoned for further development, to ensure that the values of the Rural Environment are maintained. It appears as though the majority of the heritage items listed within Appendix 13 of the MEP relate to buildings located within the urban areas of Marlborough, as such I do not consider that that the addition suggested is required to protect the heritage values of the Rural Environment.
331. Horticulture New Zealand (769.058) also seek an additional sub subsection is added to Policy 14.5.2 related to avoiding reverse sensitivity effects. I disagree that an amendment is required. I consider that the Rural Living, Coastal Living, Urban Residential 2 at Marlborough Ridge and Urban Residential 3 areas have been established to cater for residential activities, and as such within this zone new development should not be required to consider effects on reverse sensitivity.

## Recommendation

332. I recommend that Policy 14.5.1 and 14.5.2 are retained as notified.

## Policies 14.5.3 and 14.5.4

333. I note that the Policies 14.5.3 and 14.5.4 relating to dwelling density and workers accommodation have been assessed in the rules section below.

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<sup>58</sup> Ministry of Education (974.012) (974.013), New Zealand Pork Industry (988.030) (988.031), Levide Capital Limited (907.026) (907.028), NZTA (1002.067) Trelawne Farm Limited (445.002), K Loe (454.042), Flaxbourne Settlers Association (712.086).

## Policies 14.5.5 and 14.5.6

334. Policies 14.5.5 and 14.5.6 read as follows:

### Policy 14.5.5

*Maintain the character and amenity values of land zoned Rural Living by the setting of standards that reflect the following:*

- (a) predominance of residential activity by enabling one dwelling per Computer Register;*
- (b) low building density;*
- (c) relatively quiet background noise levels;*
- (d) privacy between individual properties;*
- (e) ample sunlight to buildings;*
- (f) minimal advertising signs;*
- (g) views to the surrounding environment;*
- (h) low building height; and*
- (i) limited infrastructure and services and low volumes of road traffic*

### Policy 14.5.6

*Where resource consent is required within the Rural Living Zone, ensure that residential development and/or subdivision is undertaken in a manner that:*

- (a) is consistent with the matters set out in Policy 14.5.5;*
- (b) is appropriate to the character of the locality in which the property is to be subdivided;*
- (c) maintains and/or enhances the recreational values of the area for the wider community;*
- (d) ensures the site can assimilate the disposal of domestic wastewater; and*
- (e) ensures the effects of any natural hazards are able to be avoided, remedied or mitigated.*

## Submissions and Assessment

335. Levide Capital Limited (907.027) (907.028) generally support these policies and seek that they be retained as notified.

336. Chorus and Spark (464.028) (1158.026) seek that Policy 14.5.5(i) is amended to refer to 'appropriate' as opposed to 'limited'. NMDHB (280.072) seek that Policy 14.5.5(c) is amended to remove the term 'background noise levels' and replace it with 'background sound levels'. I support the amendment sought by Chorus and Spark as I consider that it is important that rural environments are supported by an appropriate level of infrastructure. In relation to the amendment sought by the Nelson Marlborough District Health Board, I disagree that an amendment is required. I note that throughout the MEP the term 'noise level' is used.

## Recommendation

337. I recommend that Policy 14.5.5 is amended as follows:

### Policy 14.5.5

*Maintain the character and amenity values of land zoned Rural Living by the setting of standards that reflect the following:*

- (a) predominance of residential activity by enabling one dwelling per Computer Register;*
- (b) low building density;*
- (c) relatively quiet background noise levels;*
- (d) privacy between individual properties;*
- (e) ample sunlight to buildings;*
- (f) minimal advertising signs;*
- (g) views to the surrounding environment;*

- (h) low building height; and
- (i) ~~limited~~ appropriate<sup>59</sup> infrastructure and services and low volumes of road traffic.

338. I recommend that Policy 14.5.6 is retained as notified.

## Methods of implementation

339. Chapter 14 sets out seven methods of implementation as follows:

*14.M.1 Zoning*

*14.M.2 Area overlays*

*14.M.3 Regional and district rules*

*14.M.4 Regional Pest Management Plan and Biosecurity Strategy*

*14.M.5 Information on pests*

*14.M.6 Monitoring animal and plant pests*

*14.M.7 Council works*

## Submissions and Assessment

340. The New Zealand Pork Industry (998.033) seek an amendment to 14.M.3 to replace 'factory farming' with 'intensive farming'. I support this amendment as the term 'insensitive farming' is used elsewhere in the MEP.
341. W Lissaman (255.012) (255.011), (255.010) seek amendments to 14.M.4 which would require that pests of national and regional importance are identified. The submitter also seeks that 14.M.5 is amendment to ensure that methods are developed using best practice guidelines in conjunction with community groups. Finally, the submitter notes that Council's role is not only to monitor but also to take action on reported sightings and communicate the findings to pest management community groups. D and C Robbins (640.009), G Robb 738.012), and M Robb (935.009) seek an addition to 14.M.6 which requires that Council will implement plans to trap possums in all areas of Marlborough. I note that the details of how pest management will be undertaken sit within the Marlborough Regional Pest Management Plan, as such I do not consider any additional amendments are required to the MEP.
342. MDC (91.136) seek a minor amendment to 14.M.7 replacing 'drainage network' with 'Drainage Channel Network' to provide consistency with the terms used across the MEP. I support the proposed amendment as it ensures consistency of terms throughout the MEP.

## Recommendation

343. I recommend that 14.M.1 to 14.M.6 are retained as notified.
344. I recommend the 14.M.7 Council works is amended as follows:

*The Council has historically maintained the Drainage Channel Network ~~drainage network~~<sup>60</sup> on the Wairau Plain in a hydraulically efficient state to ensure primary production activities can continue to occur. The works involved include the following:*

*(a) establishing a range of acceptable water levels for the drains and small rivers that make up the Council administered Drainage Channel Network ~~drainage network~~<sup>61</sup>;*

<sup>59</sup> Chorus and Spark (464.028) (1158.026

<sup>60</sup> MDC (91.136)



(b) as necessary, removing aquatic vegetation and sediment from the drains and small rivers to achieve the acceptable water levels; and

(c) where necessary, installing and using pumps to assist with the removal of excess water.

The determination of acceptable water levels for each of the drains and small rivers allows for more efficient control of water levels. This will effectively provide triggers for active intervention and in doing so minimise the cost of drainage maintenance work. The use of acceptable water levels will also provide criteria for determining when further intervention such as pumping is required to control water levels.

The drains and small rivers that make up the Drainage Channel Network ~~drainage network~~ also provide habitat for indigenous flora and fauna and provide opportunities for the development of ecological corridors. The development and use of triggers for drain maintenance will help to mitigate the impact of the works on the habitat that the Drainage Channel Network ~~drainage network~~<sup>62</sup> provides. It may also be appropriate to undertake drain maintenance works in a certain manner to further mitigate any adverse effect on habitat values; see Chapter 8 - Indigenous Biodiversity for further details.

## Anticipated environmental result

345. Chapter 14 sets out seven anticipated environmental results as follows:

*14.AER.1 The productive capacity of the rural land resource is retained.*

*14.AER.2 Rural properties retain their productive potential.*

*14.AER.3 Development of a range of primary production activities within the rural environment.*

*14.AER.4 Subdivision, use and development of the rural environment is located in appropriate places and within appropriate limits.*

*14.AER.5 The rural character and amenity values are maintained or enhanced.*

*14.AER.6 Conflicts between residential activity and primary production within the rural environment are minimised*

*14.AER.7 The spread of existing pests is prevented and no new pests are introduced.*

## Submissions and Assessment

346. Ravensdown Limited (1090.024)(1090.025)(1090.26), FANZ (1192.011)(1192.012) generally support the anticipated environmental results and seek that they be retained as notified.

347. MDC (91.160) (91.101) seek the following amendments to AER 14.3 and 14.7. They seek that a new AER is added to AER 3 as follows:

*Land use change to alternative land uses as recorded in the Land Cover Database and resource consents.*

348. They also seek a minor amendment to AER 14.7 which clarifies that the extent and distribution of pest numbers are reported. I support both the amendments sought by the MDC as I consider that they provide additional clarity as to what the monitoring of the AER's seek to achieve.

349. Marlborough Environment Centre Incorporated (1193.011) seek that control of wilding pines in South Marlborough is added to 14.AER.7. I disagree that an amendment is required. I consider that those

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<sup>61</sup> MDC (91.136)

<sup>62</sup> MDC (91.136)

pinus considered pests in South Marlborough will be captured by the existing wording of AER 14.7. Te Atiawa (1186.086) seek that an additional AER is added to the MEP related to monitoring criteria for cultural values. I consider that specific monitoring criteria for cultural values would be better suited with Chapter 3 - Marlborough's tangata whenua iwi of the MEP.

## Recommendation

350. I recommend the following amendments to the anticipated environmental results 14.3 and 14.7:

<i>Anticipated environmental result</i>	<i>Monitoring effectiveness</i>
<p>14.AER.3</p> <p><i>Development of a range of primary production activities within the rural environment.</i></p>	<p><i>The number and nature of complaints regarding non-primary production activities occurring in the rural environment. The number of resource consents for non-primary production activities occurring in the rural environment.</i></p> <p><u><i>Land use change to alternative land uses as recorded in the Land Cover Database and resource consents.</i></u><sup>63</sup></p>
<p>14.AER.7</p> <p><i>The spread of existing pests is prevented and no new pests are introduced.</i></p>	<p><i>The <u>extent and distribution status</u><sup>64</sup> of pest numbers and location(s) is reported.</i></p>

<sup>63</sup> MDC (91.160)

<sup>64</sup> MDC (91.101)

## **Rural Environment Zone Rules (Vol Two, Chp 3.)**

## **Coastal Environment Zone Rules (Vol Two, Chp 4.)**

## **Coastal Living Zone (Vol Two, Chp 7.)**

## **Rural Living Zone (Vol Two, Chp 8.)**

### **Introduction**

351. The proposed rules within the Rural Environment, Coastal Environment, Coastal Living, and Rural Living Zones contain a range of different permitted activities depending on the character of the zone. For example, activities such as 'Residential activities', 'Relocated buildings', 'Home occupation', and 'Homestays' are permitted across all four zones. The standards for permitted activities are also common across all four zones. Conversely, there are activities such as 'Farming', 'Woodlots', 'Cattery or kennels', and 'Parks or reserves' which are permitted in some zone and not others. The table at the start of this report provides a summary of which rules are common across each of the zones.
352. The following section will list the relevant rule or standard in the heading and also an abbreviation to make it easier for readers understand which chapter the rule is associated with, i.e. Rural Environment (RE), Coastal Environment (CE), Coastal Living (CL), and Rural Living (RL).
353. Approximately 657 submission points were received on the following rules, standards, and appendices.

### **General Support**

354. Pernod Ricard (1039.112) supports the approach taken within Rule 3.1 of the MEP as they consider it provides for a wide array of activities as permitted activities. The Marlborough Environment Centre Incorporated (1193.02) support the permitted activities, that manage erosion and sedimentation on freshwater and marine environments as long as the standards are pro-actively monitored and met. KCSRA (869.027) support the approach taken within Rule 4.1 of the MEP and seek that it be retained.

### **Farming (RE 3.1.1, 3.3.1.1, CE 4.1.1, 4.3.1.1, and RL 8.1.7 and 8.3.6)**

355. Rules 3.1.1, 4.1.1, and 8.1.7 list '*Farming*' as a permitted activity. This is subject to meeting the permitted activity standards (Standards 3.1.1.1, 4.1.1.1, and 8.3.6) which are as follows:

*'The farming must not include a dairy farm established after 9 June 2016.'*

356. Standards 3.6.8 and 4.6.8 states that '*Dairy farming established after 9 June 2016*' is a discretionary activity.

357. The MEP includes a definition of '*Farming*' as follows:

*Farming means a land based activity, having as its primary purpose the commercial production and sale of any livestock or vegetative matter. Farming does not include intensive farming, forestry, and in the case of vegetative matter, does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the farming unit.*

### **Submissions and Assessment**

Rules 3.1.1, 4.1.1, 8.1.7, and Standards 3.3.1.1 4.3.1.1 and 8.3.6.1

358. A wide variety of submission were received on the farming provisions and definitions. The submission points have been grouped into four broad categories related to:
- Support for the provisions as drafted
  - Submitters seeking amendments to the 'farming' definition or standards
  - Submitter seeking that farming is managed through a farm management plan
  - Submitter seeking a more restrictive framework

#### Support for provisions

359. There are a number of submitters<sup>65</sup> who support Rule 3.1.1 and the definition of 'Farming' and seek that it be retained as notified. Ravensdown Limited (1090.090) support Rule 4.1.1 and seek that it be retained as notified. In relation to the Rural Living Zone, FANZ (1192.082) seek that standards 8.1.7, 8.3.6 and 8.4.6 are retained as notified.

#### Amendments to the 'farming' definition or standard

360. Federated Farmers (425.517) (425.640) support the provision of farming as a permitted activity. They seek that the definition of farming should also include accessory buildings. They also consider that earthworks associated with farming such as: fence post holes, track formation, tree removal and infill around troughs and gates should be included as part of the definition of farming. They seek that Rule 3.1.1 is amended as follows:

*"Farming, including earthworks ancillary to farming."*

361. In relation to Federated Farmers suggested amendments, I disagree that an amendment to the permitted activity is appropriate. I note that the rules and standards within the Rural Environment Zone (3.1.14 and 3.3.14) and Coastal Environment Zone (4.1.13 and 4.3.13) enable excavation, and the standards manage the effects of excavation regardless of the type of activity that is being undertaken. I disagree that earthworks ancillary to farming should be exempt from these standards.
362. Middlehurst Station Limited (970.015) and WilkesRM (359.042) support the permitted activity rule, however they consider that the definition of farming needs to be re-drafted to make it certain that home slaughter of animals for personal consumption falls within the definition of farming and is therefore permitted. I note that there is a definition of 'meat processing' within the MEP which is intended to capture industrial meat processing activities as opposed to the home slaughter of animals for personal consumption. There is also a rule within the industrial chapter that relates to the establishment of 'meat processing' activities. However, the definition does not distinguish between industrial operations and farm scale operations. As such, if the Hearing Panel consider this distinction needs to be made explicit within the MEP, I consider that the following could be added the definition of farming *'For clarity farming includes the slaughtering and processing of animals for personal consumption but not for sale purposes'*.
363. The New Zealand Pork Industry seeks that an amendment is made to the definition of farming to include reference to 'outdoor (extensive) pig farming'. I disagree that an amendment is appropriate. I note that all pig farming is captured by the intensive farming definition, as it is considered pig farming activities have the potential to create adverse effects that need to be managed in accordance with Policy 14.4.7.
364. P Rene (1023.005) seek that a range of new permitted activities are listed within the MEP related specifically to activities on D'Urville Island. I consider that the permitted activities proposed within the Coastal Environment Chapter are appropriate on D'Urville Island, I do not consider that the additional permitted standards are required. Mt Zion (515.005) seeks that 'farm quarries' be added to the

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<sup>65</sup> Fish and Game (509.324), Wine Marlborough (431.053); J Hickman (455.039); G Mehlhopt (456.039); Accolade Wines (457.053); Blind River Irrigation Limited (462.015); Delegat Limited (473.039); Clintondale Trust (484.057), Whyte Trustee Company Limited (484.057); Constellation Brands New Zealand Limited (631.026); Friends of NH and TB (716.189), Indevin Estates Limited (776.033); Longfield Farm Limited (909.044); FANZ (1192.050)( 1192.081), Ravensdown Limited (1090.060) (1090.093); Villa Maria (1218.044); Yealands Estate Limited (1242.024).

definition. I consider that farm quarries will be managed by the excavation standards of the MEP. As such I do not consider an amendment should be made to the definition of farming.

365. In relation to Rules 3.1.1.1 and 4.1.1.1, MDC (91.212) state that the existing wording is not clear whether the expansion of a dairy farm of some nature would be captured by the standards. They seek an amendment, as follows, to provide clarity and which reflects the approach taken in the WARMP and MSRMP:

*The farming must not include a dairy farm established after 9 June 2016, this includes the expansion of an existing dairy farm where there is an increase in the area or intensity of the farming operation resulting in an additional area of dairy shed.*

366. Ngai Tahu (1189.120) (1189.121) support the requirement for any dairy farm established after 9 June 2016 to obtain a resource consent as a discretionary activity. However, they note that there is no definition for 'Dairy Farm', and as such they consider that the rule should be clarified to ensure that the rule also captures 'dairy support activities'. DairyNZ (674.126) consider that they are not in a position to comment on the rule with any certainty in the absence of the term 'Dairy Farm' being defined. Mt Zion (515.009) oppose the proposed rule and seek that dairy farming after 9 June 2016 be permitted.

367. Federated Farmers also seek that a definition of 'Dairy Farming' should be added to that MEP as follows:

*'means the establishment of a new milking plant and surrounding land for the farming of dairy cattle for milk production. Excludes additional land brought into an existing dairy farm.'*

368. I note that these standard supports the direction within Policy 15.1.33 of the MEP which states that the establishment and operation of any new dairy farm will require a land use consent, and Policy 15.1.33 which states that land use consents will be approved for new dairy farms where the proposed farming would have no more than minor adverse effects on ground or surface water quality or on significant wetlands. I note that the submissions on these policies will be considered as part of Topic 13 - Resource Quality – Water, but when considering the merits of the above submissions I consider it is important to understand what Standards 3.3.1.1 4.3.1.1 and 8.3.6.1 seek to achieve.

369. In relation to the above submissions, I agree with MDC that the proposed standard requires additional clarification as to the types of activities that are to be captured by the standard. Given Policy 15.1.34 seeks to manage adverse effects on ground or surface water quality or on significant wetlands I consider that Standards 3.3.1.1 4.3.1.1 and 8.3.6.1 need to capture new farming activities that have the potential to adversely effect ground or surface water quality or on significant wetlands. As such, I consider that it is appropriate that the expansion of existing dairy farms are also controlled by the standard. I consider this addition will also provide greater clarification as to what is considered a dairy farm.

370. In relation to the submission from Mt Zion, I consider that the proposed standards are required in order to achieve the water quality outcomes sought within the objectives of the Chapter 15 – Resource Quality (Water, Air, Soil) and Policies 15.1.33 and 15.1.34 of the MEP.

371. As noted above, Policies 15.1.33 -15.1.34 provide direction on the establishment of new dairy farms. These polices will be considered within the Topic 13 - Resource Quality – Water Section 42A report, where the relief sought by Ngai Tahu, Federated Farmers and by Dairy NZ will be considered as part of the wider resource quality framework. As such, I consider that the recommendation made within this report will need to be re-considered as part of this chapter.

#### Farm Management Plans

372. Beef and Lamb (459.029) (459.030) (359.031) seek that the permitted standards are replaced with a farm environment plan permitted activity rule, or additional that clauses are added to the standard which allow farmers to choose between:

- adhering to the permitted activity rules and standards outlined in the MEP; or

- developing and implementing a farm environment plan that would negate the need to comply with other permitted activity rules and standards.
373. They consider this amendment will encourage farmer driven environmental gains and increase land management flexibility for farmers who are effective stewards of their land. Beef and Lamb note that they have worked with a number of regional councils to develop regionally specific Farm Environment Plan templates and would welcome the opportunity to work with Marlborough District Council to do the same.
374. Federated Farmers (425.518) (425.697) (425.614) also oppose the exclusion of new dairy farming from the permitted activity standards. They seek that farming is retained as a permitted activity with the requirement for the development of a farm environment plan. They consider that resource consents for dairy farming activities continue to get more complex and expensive, for applicants and Council. They consider that new or expanded dairy farming should be a permitted activity, with the requirement for the development of a farm environment plan. They consider this would clarify the information needs of Council and make the process more efficient and cost-effective. Ravensdown Limited (1090.089) (1090.112) seek that the discretionary rule is amended to a restricted discretionary rule with the matter of discretion related to the preparation and implementation of a Farm Environment Plan.
375. FANZ (1192.053) (1192.054) is opposed to regulation targeting specific land uses and prefers to see 'effects' based regulation. They also recognise current regulation requires consent for a new dairy farm and this rule represents the status quo until catchment accounting based on the FMU is understood. FANZ (1192.067) (1192.070) also seeks that the establishment of a new dairy farm should be a restricted discretionary activity. They have included within their submission a proposed restricted discretionary rule and the matters of discretion have been centred around the requirement to prepare and implement a Farm Management Plan. They consider this is an appropriate activity status as the matters of discretion can be well defined and the Council can decline any application if required.
376. In relation to amendments sought by Beef and Lamb and Federated Farmers to the permitted standard, I note that the MEP explains within Policy 15.1.3 that there will be a progressive implementation of the NPSFM. Further, Method of implementation 15.M.3 states that catchment-specific research to establish the capacity of fresh waterbodies to assimilate total contaminant loads from within each catchment will be undertaken. MDC have also released a '*Staged Programme for Giving Effect to Policy A1 of the NPSFM*' which sets out a three-stage program which includes progressively working towards the preparation and notification of plan changes to introduce cumulative limits. As a response to the catchment specific research, the introduction of Farm Management Plan may be an appropriate response. However, decisions on the most efficient and effective approach will need to be considered as part of this process. As such, I do not consider that any amendment to the standards are required at this stage.

#### Further restrictions on farming

377. P Gilbert (1017.004) considers that farming is the source of a significant amount of regular sedimentation, he considers that modern farming techniques in New Zealand are depleting soil fertility and de-stabilising land, particularly on steep marginal-fertility land with fragile soils. He suggests that a number of the commercial forestry harvesting rules should also be adapted for farming within the Rural Environment and Coastal Environment Zones. He suggests that a range of standards should be introduced these suggested additions include:
- managing farming activities on slopes and between 20 and 35 degrees;
  - requiring Annual Farming Plans;
  - requiring that farming activities are setback from rivers, wetlands, and the coastal marine area;
  - requiring that farming activities must not cause any conspicuous change in the colour or visual clarity of a flowing river.

A full list of the suggested changes can be found in P Gilbert's submission.

378. In relation to P Gilbert's suggestion that additional standard should be included within the MEP to ensure that farming activities are managed in a similar manner to forestry activities, I note that the

MEP contains a wide range of standards that manage farming activities such as: cultivation, excavation, the application of chemicals and fertiliser, the discharge of waste and many others. I consider that it is these standards that ensure that the potential adverse effects of farming are appropriately managed. As such I disagree that the suggested amendment is required.

379. MEC (1193.60) (1193.076) oppose a permitted activity for farming. They consider that industries benefitting from the use of natural resources should pay for any monitoring rather than ratepayers. They consider that the activity status of a number of the permitted activities listed should be amended to a controlled activity. Failing this they seek that the standards attached to permitted activity consents should be more rigorous, and farmers should be required to carry out annual, independently audited, annual monitoring of farming activities and effects at their own rather than ratepayer expense. They support the discretionary rule.
380. In relation to MEC's submission, I disagree that a controlled activity standard should be included within the MEP in order to ensure that monitoring can be paid for. I consider that the policies and rules of the MEP need to manage the effects of activities in a manner that ensures that the objectives of the MEP are being achieved in the most efficient and effective manner possible. I note that Objective 14.1 of the MEP seeks to enable primary production within the rural environment whilst ensuring the adverse effect of these activities are appropriately managed. As noted above, I consider that the standard included within the MEP (and the associated amendment discussed above) will achieve the direction set out within Objective 14.1, and I do not consider that a controlled activity will be more efficient or effective at achieving this outcome.
381. In relation to who should be paying for the monitoring of activities, I note that the Long-Term Plan manages how rates are spent within the district, and if the submitter has concerns about how ratepayer money is being spent then a submission on the Long-Term Plan may be a more appropriate avenue to raise these concerns.

## Recommendation

382. I recommend that Rule 3.1.1 and 4.1.1 are retained as notified.
383. I recommend that Standards 3.3.1.1 4.3.1.1 and 8.3.6.1 and the definition of 'farming' are amended as follows:

*The farming must not include:*

- (a) a dairy farm established after 9 June 2016; or*  
*(b) the expansion of an existing dairy farm where there is an increase in the area or intensity of the farming operation resulting in an additional area of dairy shed.<sup>66</sup>*

*Farming means a land based activity, having as its primary purpose the commercial production and sale of any livestock or vegetative matter. Farming does not include intensive farming, forestry, and in the case of vegetative matter, does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the farming unit. For clarity farming includes the slaughtering and processing of animals for personal consumption but not for sale purposes<sup>67</sup>.*

## Farm airstrip (RE 3.1.2, 3.3.2, and CR 4.1.2, 4.3.2)

384. Rules 3.1.2 and 4.1.2 list 'Farm airstrip' as a permitted activity, subject to meeting Standard 3.3.2.1 and 4.3.2.1, respectively, which are as follows:

*The airstrip or helipad must be integral to the use of the land on which the airstrip or helipad is located for farming.*

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<sup>66</sup> MDC (91.212)

<sup>67</sup> Middlehurst Station Limited (970.015) and WilkesRM (359.042)

The MEP also contains a definition of 'Farm airstrip and Helipad which reads as follows:

*'means a facility for the use of aircraft or helicopters integral to the farming use of the land.*

## Submissions and Assessment

385. Blind River Irrigation Limited (462.020) and Horticulture NZ (769.97) (769.121) support the proposed rule and definition and seek that it be retained. Federated Farmers (425.519) supports the provision for a farm airstrip or farm helipad as a permitted activity but consider it may be more appropriate that the airstrip or helipad is ancillary to the primary production on the land. As such, they seek the following amendment:

*The airstrip or helipad must be ~~integral~~ ancillary to the use of the land for primary production on which the airstrip or helipad is located for farming.*

386. Nelson Forests Limited (990.128) consider that there is no justification to distinguish between an airstrip or helipad used in a farming operation as compared to a forestry operation. They suggest the following wording:

*The airstrip or helipad must be integral to the use of the land on which the airstrip or helipad is located for farming or forestry land and operations.*

387. In relation to Federated Farmers submission, I consider that replacing the term 'integral' with 'ancillary' is appropriate, as I consider that it is difficult within a permitted standard, to clearly determine whether an airstrip or helipad is 'integral' to the farming activity. I disagree that the introduction of 'primary production' adds value to the standard.

388. In relation to Nelson Forests Limited's submission, I acknowledge that Objective 14.1 and Policy 14.1.1 seek to enable the efficient use and development of rural environment for primary production while ensuring that the adverse effects of the activity are adequately managed. As such, I consider that the relief sought by Nelson Forests Limited does have merit when considering the enabling intent set out within the objectives and policies of the Rural Chapter for primary production activities beyond farming alone. However, I also note that the adverse effects of an activity are to be adequately managed. I consider that airstrips or helipads for farming purposes generally have minor effects, as often there is a very low frequency of flights, flights occur seasonally, and the airstrip or helipad will be part of a wider farming operation, which I understand is why the MSRMP and now the MEP have included a permitted activity for such activities.

389. In contrast, I consider that the frequency and timing of flights associated with an airstrip or helipad associated with a forestry activity is not known and has not been described within the submission. As such, without understanding the potential effects associated with the activity, I do not consider that an amendment is appropriate. If the submitter can provide additional detail as to the nature of an airstrip or helipad associated with a forestry activity or can suggest appropriate permitted activity standards to ensure effects are minor, I consider that the suggested amendment may be appropriate.

## Recommendation

390. I recommend that Rules 3.1.2 and 4.1.2 are retained as notified, and Standards 3.3.2 and 4.3.2 are amended as follows:

*The airstrip or helipad must be ~~integral~~ ancillary to the use of the land on which the airstrip or helipad is located for farming.*



## Relocated buildings (RE 3.1.3, 3.3.3, CE 4.1.3, 4.3.3, CL 7.1.5, 7.3.4 and RL 8.1.5, 8.3.4)

391. Rules 3.1.3, 4.1.3, 7.1.5, and 8.1.5 list 'Relocated building' as a permitted activity. Rules 3.3.3, 4.3.3, 7.3.4 and 8.3.4 (and associated standards) are as follows:

### 3.3.3 Relocated building

3.3.3.1 *A building intended for use as a dwelling must have previously been designed, built and used as a dwelling.*

3.3.3.2 *All work required to reinstate the exterior must be completed within 6 months of the building being delivered to the site. This includes providing connections to all infrastructure services and closing in and ventilation of the foundations. The owner of the land on which the relocated building is to be located must certify to the Council, before the building is relocated, that the reinstatement work will be completed within the 6 month period.*

3.3.3.3 *The siting of the relocated building must also comply with Standards 3.2.1.1 to 3.2.1.18 (inclusive).*

## Submissions and Assessment

392. Both Coffey House Removals 2007 Ltd (365.001) and House Movers Inc (770.002) support relocatable dwellings being permitted in the Rural Zone, the Coastal Living Zone and the Rural Environment Zone and seek that the rules be retained. Coffey House Removals 2007 Ltd seek that Rule 3.3.3.2 is amended to allow a 12-month period in which the reinstatement work will be completed, rather than the 6 months proposed. No reason is provided for the increased timeframe sought.

393. House Movers Inc (770.007) (770.014) (770.017) seek a number of amendments to the proposed relocated building standards. The proposed amendments are sought in order to reflect the purpose and intentions of resource management legislation as expressed in the decision of the Environment Court in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council*. These amendments are as follows:

3.3.3.1. *Any relocated building* ~~*A building intended for use as a dwelling must have previously been designed, built and used as a dwelling.*~~

3.3.3.2. ~~*All work required to reinstate the exterior must be completed within 6 months of the building being delivered to the site. This includes providing connections to all infrastructure services and closing in and ventilation of the foundations. The owner of the land on which the relocated building is to be located must certify to the Council, before the building is relocated, that the reinstatement work will be completed within the 6 month period.*~~

3.3.3.2 *A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building.*

3.3.3.3 *The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.*

3.3.3.4 *All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting 3.3.3.4 reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.*

3.3.3.5 The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the 12 month period.

3.3.3.36 The siting of the relocated building must also comply with Standards 3.2.1.1 to 3.2.1.18 (inclusive).

394. They also seek that relocated buildings that do not comply with the performance standards should be considered restricted discretionary activities. Finally, they seek the following definitions are included within the MEP:

*Relocated Building means any previously used building which is transported in whole or in parts and re-located from its original site to its destination site; but excludes any prefabricated building which is delivered dismantled to a site for erection on that site.*

*Removal of a Building means the shifting of a building off a site.*

*Relocation of a Building means the placement of a relocated building on its destination site.*

*Re-siting of a Building means shifting a building within a site.*

395. I agree in part with the amendments suggested by House Movers Inc. I support the addition of proposed Standards 3.3.3.2, 3.3.3.3, 3.3.3.4, and 3.3.3.5. I consider that the requirement to provide a building pre-inspection report with the building consent application will ensure that Council receive a site-specific report associated with the application outlining the reinstatement works that are to be completed to the exterior of the building. This will ensure that the relocated building will be required to achieve a certain level of amenity. I consider this is an effective method of ensuring that relocated buildings are reinstated to a high standard.
396. I acknowledge that the suggested standards are linked to a pre-inspection report being provided through the building consent process, and that this may raise some questions as to the certainty and enforceability of these standards as a permitted activity. However, I have reviewed the Environment Court Decision mentioned in the submission and can confirm that the permitted standards are consistent with the judgement, and as such, I am satisfied that the proposed approach is suitably enforceable.
397. In relation to the suggestion that the timeframes for completing the reinstatement work should be increased from 6-months to 12-months, I note that the Environment Court Decision referred to above provided a 6-month timeframe. However, I also note that it has been recommended within the Topic 10 Urban Environment Section 42A Report that a 12-month timeframe would be appropriate, I consider that the time frame should be consistent across both zones, and if a 12 months timeframe is agreed to for the urban zones, then this should be reflected within the rural and coastal environments.
398. S and J Peoples submit that they would like the MEP to include restrictions on sight/compatibility/appearance of relocated buildings in the Rural Living Zone. I note that in the above discussion I have supported the House Movers Inc's suggestion that a building pre-inspection report is required as part of the permitted standard. This will require that all works to reinstate the exterior of any relocated dwelling shall be completed within 6 months of the building being delivered to the site. I consider this will ensure the external appearance of the building is appropriate. In relation to the building being compatible to other buildings in the immediate vicinity, I note that the building will need to comply with the bulk and location requirements that any other building will need to. In relation to the landscaping requirements, I note that there is no requirement in the MEP to landscape a relocated dwelling, just as there is no requirement to landscape a new dwelling. The Environment Court Decision in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* Environment referred above, found that there is no objective reason to treat relocatable housing differently from an in-situ house. As such, I do not consider any further permitted standards are required.
399. In relation to the suggestion that a breach of the permitted standard should default to a restricted discretionary activity, I consider that the proposed fully discretionary activity status is appropriate. I

note that the drafting style of the MEP is such that the majority of activities default to a discretionary activity status when the permitted standard is breached. In the context of a relocatable home, I consider that there are a range potential effects that made need to be considered through the consent process. As such, I do not recommend that the activity status for relocated buildings is amended.

400. Following a review of the Urban Environment Section 42A report, I note that the below amendments recommended are consistent with the relief recommend within Urban Environment.

## Recommendation

401. I recommend that Rules 3.1.3, 4.1.3, 7.1.5, and 8.1.5, are retained as notified.
402. I recommend that Standards 3.3.3, 4.3.3, 7.3.4 and 8.3.4 (and associated standards) be amended as follows:
- 3.3.3.1. *A relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.*
- ~~3.3.3.2. *All work required to reinstate the exterior must be completed within 6 months of the building being delivered to the site. This includes providing connections to all infrastructure services and closing in and ventilation of the foundations. The owner of the land on which the relocated building is to be located must certify to the Council, before the building is relocated, that the reinstatement work will be completed within the 6 month period.*~~
- 3.3.3.2 *A report shall accompany the application for a building consent for the destination site that identifies all reinstatement works that are to be completed to the exterior of the building.*
- 3.3.3.3 *The building shall be located on permanent foundations approved by building consent, no later than 2 months from when the building is moved to the site.*
- 3.3.3.4 *All other reinstatement work required by the report referred to in 3.3.3.2 and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting 3.3.3.5, reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.*
- 3.3.3.5. *The owner of the land on which the building is to be located must certify to the Council, before the building is relocated, that the reinstatement work will be completed within the 12 month period.*<sup>68</sup>
- 3.3.3.36 *The siting of the relocated building must also comply with Standards 3.2.1.1 to 3.2.1.18 (inclusive).*

## Temporary structure, or unmodified shipping container (CE 3.1.4, 3.3.4, RE 4.1.4, 4.3.4, CL 7.1.6, 7.3.5, RL 8.1.6, and 8.3.5)

403. Rules 3.1.4, 4.1.4, 7.1.6, and 8.1.6 list 'Temporary structure, or unmodified shipping container' as a permitted activity. Standards 3.3.4, 4.3.4, 7.3.5, and 8.3.5 (and associated standards) are as follows:
- 3.3.4.1. *For a temporary building or structure, or an unmodified shipping container, ancillary to a building or construction project the building, structure or container must not:*
- (a) exceed 40m<sup>2</sup> in area;

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<sup>68</sup> House Movers Inc (770.007)

(b) remain on the site for longer than the duration of the project or 12 months, whichever is the lesser.

3.3.4.2. A temporary building or structure, or an unmodified shipping container, on site for a purpose other than those specified in Standard 3.3.4.1 (such as the storage of goods or materials, or a gala, market or public meeting) must not remain on site longer than 1 month.

3.3.4.3. A temporary building or structure, or an unmodified shipping container, on site for a purpose other than those specified in Standard 3.3.4.1 must not be located between the front boundary and the dwelling, and must also comply with Standards 3.2.1.4 and 3.2.1.12.

## Submissions and Assessment

404. S and J People (450.009) support the permitted activity rule within the Rural Living Zone.
405. Federated Farmers (425.520)(425.521)(425.522) note that farmers often use shipping containers for storage of materials, woodsheds, and as workshops and shelters. They consider that as these are legitimate uses of shipping containers, they should not be subject to the need for a resource consent when they are on site for over one month. They question what resource management issue is trying to be solved with this rule. They seek that these standards in both the Rural Environment Zone and the Coastal Environment Zone are not applied to shipping containers and the requirement for them to not be located between the front boundary and the dwelling is removed.
406. I consider that the rule and standard has been introduced to ensure the character and amenity of both the Rural Environment and Coastal Environment Zones are maintained in accordance with the intent of Objective 13.2 and Objective 14.4. As such, I disagree that standards managing shipping containers should be removed from the MEP. However, given the proposed standards seek to protect the amenity of these zones, I consider that amendment to the standards could be introduced to permit the permanent siting of unmodified shipping containers in the Rural Environment Zone and the Coastal Environment Zones provided they are appropriately setback from neighbouring boundaries and the road frontage, or that they are screened from adjoining sites and the road to ensure that the amenity of the zone is maintained.
407. The submitters may wish to comment on whether an additional setback or screening standard within the Rural and Coastal Environments Zones would satisfy their concerns, and if so they may like to provide suggested drafting. At this stage, I have not recommended any wording for such a change.

## Recommendation

408. I recommend that Rules 3.1.4, 4.1.4, 7.1.6, 8.1.6 and Standards 3.3.4, 4.3.4, 7.3.5, 8.3.5 are retained as notified, acknowledging that additional standards associated with Standards 3.3.4 and 4.3.4 may be appropriate.

## Audible bird-scaring device (RE 3.1.5, 3.3.5 and CE 4.1.5, 4.3.5)

409. An 'Audible bird scaring device' is defined within the MEP as:

*any device that generates audible sound waves used for the scaring of birds. Devices fall into one of two categories:*

1. *Category A are percussive or explosive devices (but excluding firearms as defined by the Arms Act 1983, or any Act amending or replacing that Act). For the purpose of this Plan, 'percussive or explosive device' means any device that is used to scare or disturb birds by generating a shock wave from percussion or an explosion thereby emitting noise.*
2. *Category B are other devices (but excluding firearms as defined by the Arms Act 1983 or any Act amending or replacing that Act). For the purpose of this Plan, 'other devices' shall*

*mean any other device (not in Category A) that generates noise that is used to scare or disturb birds.*

410. Rules 3.1.5 and 4.1.5 list 'Audible bird-scaring device' as a permitted activity. Standards 3.3.5 and 4.3.5 read as follows:

3.3.5.1. A Category A or Category B device must not be operated:

- (a) *between 8.00 pm and 7.00 am the following day if the device is within 2km of a noise sensitive activity;*
- (b) *within 800m of any rest home, public or private hospital;*
- (c) *within 160m of the boundary or notional boundary of the nearest dwelling, visitor accommodation or other habitable building (except a dwelling, visitor accommodation or other habitable building on the same property as the audible bird-scaring device);*
- (e) *closer than 250m to any other audible bird-scaring device.*

3.3.5.2. A Category A device must not be operated:

- (a) *within 100m of a public road;*
- (b) *at any greater frequency than 4 events in any period of one hour. An event is defined as 3 discharges within a 30 second period;*
- (c) *at a greater density than one device per five hectares of land in any single land holding, except where the land is less than five hectares in area, one device shall be permitted.*

3.3.5.3. A Category B device must not be operated for any continuous period exceeding two seconds, or at a frequency greater than 10 times in any hour.

3.3.5.4. The device must only be operated where a crop is at risk from bird damage.

3.3.5.5. Noise must be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

411. I note that Standard 3.3.5.1(d) will be assessed within the Topic 18 - Nuisance Effects Section 42A Report.

## Submissions and Assessment

### Permitted activity rule

412. There are 11<sup>69</sup> submitters who support Rule 3.1.5 and seek that it be retained as notified.
413. Nelson Marlborough District Health Board (280.139) support the majority of the proposed permitted activity standards. However, they have suggested one amendment to the proposed rule as they consider that the phrase '*measured at or within the boundary*' is not best practice as it is legally uncertain. They suggest that the standard should be amended for consistency with phrases used elsewhere in plan. They have suggested the following wording:

- (d) *such that sound is emitted at a level greater than 65 dB LAE, measured at ~~or~~ any point within the boundary (Urban Residential 1, Urban Residential 2 (including Greenfields) or Urban Residential 3 Zones, and Coastal Living and Rural Living Zones) or notional boundary (Rural Environment or Coastal Environment Zones) of the nearest dwelling, visitor accommodation or other habitable building (except a dwelling, visitor accommodation or other habitable building on the same property as the audible bird-scaring device).*

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<sup>69</sup> Wine Marlborough (431.054), Accolade Wines New Zealand Limited (457.054), Blind River Irrigation Limited (462.016), Delegat Limited (473.040), Clintondale Trust, Whyte Trustee Company Limited (484.058), Constellation Brands New Zealand Limited (631.027), Indevin Estates Limited (776.034), Longfield Farm Limited (909.045), Villa Maria (1218.045), Yealands Estate Limited (1242.025)

414. C Smith (592.010) considers that there are there are better methods of scaring birds, for example: nets, visual tapes, chemicals, static scares, falcons, ultrasonic devices. I note that the MEP seeks to control activities that may have an adverse effect of the environment, which is why audible bird-scaring devices are managed. The MEP does not restrict the use of other bird scaring methods. As such, if there are other methods of bird scaring that are more effective, it is up to landowners to implement, while ensuring the adverse effects of audible devices are appropriately managed.

#### Seek a prohibited activity rule

415. E. Driver (6.001) considers that the current rules for the control of audible bird scaring devices do not work for adjacent residential properties. He has listed a number of issues with the current rules (it is not clear whether he is referring to the proposed MEP rules or the rules within the MSRMP). He has included a link to a Massey University study which indicates that there are more effective and cost efficient methods of bird control than the use of gas guns. He seeks that all gas guns be banned from use with immediate effect. D. Wilson (290.009) notes that the rule does not have any noise levels for the nearest neighbour. He seeks that the South Australian EPA guideline be adopted to ensure that appropriate noise levels for neighbours or that the use of audible bird scaring devices are banned.
416. Ugbrooke Country Estate Limited (8.001) seek the abolishment of audible bird scaring devices. C. Smith (592.005) lists a range of issues with the audible bird-scaring devices. His suggested amendments include the following:
- the permitted activity rule should be amended to a controlled or discretionary activity when audible bird-scaring devices are used in the immediate vicinity of Wairau Valley Township and elsewhere when adjacent to land zoned Rural Environment.
  - the level of fines for non-compliance should be reviewed.
  - consider the complete banning of mobile audible bird-scaring devices and fixed audible bird-scaring devices where this creates a noise nuisance.
417. In my view, to the extent that the submitters seek a ban on the use of audible bird scaring devices, I disagree that this is the most efficient and effective way of ensuring that the objectives of the MEP are achieved. I note that Objectives 14.1 and 14.4 of the MEP seek that:

*Rural environments are maintained as a resource for primary production activities, enabling these activities to continue contributing to economic wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.*

*Rural character and amenity values are maintained and enhanced and reverse sensitivity effects are avoided.*

418. I consider that the use of audible bird-scaring devices are part of a primary production activity, and as such this activity should be enabled, while ensuring that the adverse effect are appropriately managed. As such, I consider that in order to achieve Objectives 14.1 and 14.4, the permitted activity status for audible bird-scaring devices is appropriate, provided the permitted activity standards ensure that the adverse effects of these activities are appropriately managed. I also note that fines for non-compliance are a matter that is dealt with outside the control of the MEP. To the extent that these submitters seek additional or amended standards, I address these below.

#### Standard 3.3.5.1(a)

419. Clintondale Trust, Whyte Trustee Company Limited (484.066) note that the WARMP (Rule 30.1.4.2.2) allows Category A devices to be operated from 6.30 am prior to the introduction of daylight savings. They consider that vulnerable crops are at particular risk in the period around dawn. They consider that a restriction up to 7.00 am would expose the crop to foreseeable risk which could be alleviated by retaining the 6.30 am operating time. They also note that the definition of 'Noise Sensitive Activity' includes dwellings and the definition and standard make no reference to an exception for dwellings on the same property as the device. They also note that the definition includes 'structures for the purpose of, or activities involving public assembly.' They consider that this definition is too vague and could include a bus stop or a coffee cart.

420. They seek the following amendments:

*3.3.5.1 A Category A or B device must not be operated:*

*(a) between 8.00 pm and ~~7:00~~6.30 am the following day if the device is within a ~~noise sensitive activity~~ residential dwelling (excluding a residential dwelling on the same property as the audible bird scaring device).*

421. Ugbrooke Country Estate Limited (8.001) seek that Rule 3.3.5.1(a) is amended to ensure that devices must operate no earlier than 7.30 am and not later than 7.00pm (including Daylight Saving), and that devices are turned off overnight. Horticulture NZ (769.098) seek that (a) is deleted and replaced with “after sunset and before sunrise”.

422. I note that the MSRMP and the WARMP restrict all bird-scaring devices between 1900 hours and 0630 hours prior to the introduction of daylight saving and 2000 hours and 0700 hours during daylight saving hours. I also note that the general noise standards within the MEP include tighter noise limits between the hours of 10pm and 7am. In order to provide consistency across the MEP I consider that the proposed 7 am restriction all year is an appropriate standard, and applications to breach this rule can be considered on a case by case basis through the consent process.

423. In relation to the definition of a sensitive environment, I note that this definition will be assessed as part of the Nuisance Effects section of the MEP, and as such will not be considered here.

Standards 3.3.5.1(b) and (c)

424. Horticulture NZ (769.098) seek that these sub-clauses be removed from the rule in favour of the simplified version of the rule discussed below. C. Smith (592.005) seeks that the density of audible bird-scaring devices should be reviewed, particularly in the vicinity of farms, schools, residences, businesses, campgrounds, livestock, and golf courses. The Wairau Valley Ratepayers and Residents' Association (1235.003) seek that audible bird scaring devices are not located within 500 metres of the boundary of the township.

425. K. Duff (360.001), considers that at the current minimum distance of 160 metres that the noise from an audible bird scaring devices is felt in vibration throughout the dwelling. He seeks that this distance be increased to a minimum of 500 metres. The Rarangi District Residents Association (1089.016) support Rule 3.3.3.1 in part, however they seek that Rule 3.3.5.1(c) is amended to ensure that audible bird-scaring devices are not operated within 300 metres of the boundary or notional boundary of the nearest dwelling, as opposed to the 160 metres proposed.

426. In contrast, P. Neal (331.001) considers that the 160 metres setback proposed can leave half a vineyard unprotected as audible bird scaring devices used in conjunction with other bird scaring devices are very effective. He seeks that the setback be reduced to 100 metres.

427. In relation to the setback distance set out within Rule 3.3.5.1(c), I note that the alternate setback distances sought by submitters vary between 100m, 160m, 300m, and 500m. No expert acoustic evidence has been provided to support any of the suggested setback distances. I note that the 160m setback distance has been carried over from the WARMP. Council Officers have advised that the 160m setback distance was introduced following noise testing which demonstrated that a particular type of audible bird scaring device complied with the operative noise standard at a distance of 160m. I consider that the 160m setback distance is an appropriate setback distance that has been developed using noise testing. As no submitter has provided specialist noise evidence supporting a change to the distance, I recommend that it be retained as notified.

Standard 3.3.5.1(e)

428. Horticulture NZ (769.098) note that it is difficult to determine that the device is not closer than 250m to any other audible bird scaring device as an operator does not have control over where a neighbour locates devices. They seek that this sub-clause be deleted.

429. I acknowledge that it may be difficult to determine whether a device on a neighbouring property is not within 250m, particularly given that these devices are mobile. I consider that the intent of the rule is to manage the cumulative effects of noise created by bird scaring devices. I note that if the rule is deleted there will be no rule managing cumulative effects. As such, I consider this rule is required in order to achieve the direction within Objective 14.1 which seeks that the adverse effect of primary production activities are appropriately managed. Furthermore, I note that this rule has been carried over from the BMSRMP and the WARMP, and as such the landowners who come in contact with this rule will be familiar with complying with this rule, which will make the implementation of the rule easier. As such, I recommend that the rule be retained.

#### Standard 3.3.5.2

430. Ken Duff (360.002) seeks an amendment to Rule 3.3.5.2(b) which would define an event as 1 discharge within 30 seconds instead of 3 discharges in 30 seconds. He considers that living near these devices is like living in a war zone, especially when there is up to 20 events within one hour as was recorded last Autumn. I consider that the first part of the rule restricts devices to four events per hour, which means that this should result in a maximum of 12 discharges in one hour. I consider that the 20 events in one hour described by the submitter is not a permitted activity and is an enforcement issue rather than problem with the proposed rule. As such, I recommend that the rule be retained.
431. Clintondale Trust, Whyte Trustee Company Limited (484.067) note that Category A devices are frequently mounted on a vehicle and the bird scaring activity may travel through a number of blocks over a large area. To avoid doubt, they consider that this standard needs to explicitly state Category A devices include devices mounted and operated on a mobile platform. I note that the definition of a Category A device is not restricted to static devices, as such I do not consider the amendment is required.
432. C. Smith (592.007) suggests that a separation from legal rights of way should also be included within the rule. I consider that increasing the scope of the rule to include rights of way is not required. I consider that the standards that require setbacks from: road boundaries, rest homes, hospitals, and dwellings provide adequate protection.

#### Standard 3.3.5.3

433. There are nine submitters<sup>70</sup> that note that the definition of a Category B device is such that the use of a vehicle (including a quad or motor bike) horn is included. They consider that the use of a vehicle horn should not be limited to a frequency of use of less than 10 times per hour and that the standard as drafted with regards to vehicle horns is overly restrictive and unenforceable. They seek the following amendment:

*3.3.5.3 A Category B device must not be operated for any continuous period exceeding two seconds, or at a frequency greater than 10 times in any hour for each 5ha block that the device is being operated over.*

434. I acknowledge that restricting the use of a motorbike horn will be a difficult rule to enforce, I also note that the definition of a Category B device includes the requirement that the noise generated must be used to scare or disturb birds. As such, the enforcement would need to be able to separate the bird scaring noise from the general use of a horn. Conversely, I note that this standard has been included within the MEP in order manage the adverse effects of a primary production activity which is required to achieve the direction within Objective 14.1. In relation to the amendment suggested by the submitters, I consider that there would be merit in including some form of area measurement to the standard to allow large land holdings to use a device across a large area. I consider the effects of this addition to the standard would be minor as the noise of a device would not be audible as the device moves from one the 5-hectare block to the next. I consider that the 5-hectare restriction aligns

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<sup>70</sup> Wine Marlborough (431.079), Trelawne Farm Limited (445.015), Accolade Wines New Zealand Limited (457.081), Blind River Irrigation Limited (462.034), Delegat Limited (473.060), Clintondale Trust, Whyte Trustee Company Limited (484.068), Indevin Estates Limited (776.047), Longfield Farm Limited (909.071), Villa Maria (1218.073)



with the 5-hectare limits set out in (c) of the standard. As such, I generally support the submitters addition to the rule, however I acknowledge that including this addition adds another layer of difficulty when attempting to enforce the rule.

## Definitions

435. Horticulture NZ (769.116) assume that Category B devices are intended to include siren type devices which emit sound at a high frequency. They consider that the definition should be clear that such devices are Category B. I disagree that an amendment is required, I note that the definition of a Category B devices includes any other device that generates noise that is used to scare or disturb birds. As such, if a siren generates a noise that is used to scare or disturb birds it will be considered a Category B device.

## **Recommendation**

436. I recommend that Standard 3.3.5 is amended as follows:

*3.3.5.1. A Category A or Category B device must not be operated:*

- (a) between 8.00 pm and 7.00 am the following day if the device is within 2km of a noise sensitive activity;*
- (b) within 800m of any rest home, public or private hospital;*
- (c) within 160m of the boundary or notional boundary of the nearest dwelling, visitor accommodation or other habitable building (except a dwelling, visitor accommodation or other habitable building on the same property as the audible bird-scaring device);*
- (e) closer than 250m to any other audible bird-scaring device.*

*3.3.5.2. A Category A device must not be operated:*

- (a) within 100m of a public road;*
- (b) at any greater frequency than 4 events in any period of one hour. An event is defined as 3 discharges within a 30 second period;*
- (c) at a greater density than one device per five hectares of land in any single land holding, except where the land is less than five hectares in area, one device shall be permitted.*

*3.3.5.3. A Category B device must not be operated for any continuous period exceeding two seconds, or at a frequency greater than 10 times in any hour for each 5ha block that the device is being operated over.<sup>71</sup>*

*3.3.5.4. The device must only be operated where a crop is at risk from bird damage.*

*3.3.5.5. Noise must be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.*

## **Woodlot forestry planting (CE 3.1.8, 3.3.8 RE 4.1.7, 4.3.7, and RL 8.1.8, 8.3.7)**

437. Rules 3.1.8, 4.1.7, and 8.1.8 list: 'Woodlot forestry planting' as a permitted activity. Standards 3.3.8.1, 3.3.8.3, and 4.3.7.1 and 4.3.7.3 are as follows:

*3.3.8.1. The following species must not be planted:*

- (a) Douglas fir (*Pseudotsuga menziesii*);*

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<sup>71</sup> Wine Marlborough (431.079), Trelawne Farm Limited (445.015), Accolade Wines New Zealand Limited (457.081), Blind River Irrigation Limited (462.034), Delegat Limited (473.060), Clintondale Trust, Whyte Trustee Company Limited (484.068), Indevin Estates Limited (776.047), Longfield Farm Limited (909.071), Villa Maria (1218.073).

- (b) Lodgepole pine (*Pinus contorta*);
- (c) Muricata pine (*Pinus muricata*);
- (d) European larch (*Larix decidua*);
- (e) Scots pine (*Pinus sylvestris*);
- (f) Mountain or dwarf pine (*Pinus mugo*);
- (g) Corsican pine (*Pinus nigra*).

3.3.8.3. *Planting must not be within such proximity to any abstraction point for a drinking water supply registered under section 69J of the Health Act 1956 as to cause contamination of that water supply*

Rules 3.7.1, 4.7.1, 7.5.1, and 8.5.1 list the following as a prohibited activity:

*woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established woodlot forestry*

‘Woodlot forestry’ is defined in the MEP as:

*‘the planting, replanting and maintenance of indigenous or exotic trees for non-commercial purposes provided that no more than 2 hectares or 5% of land, whichever is greater, is planted on land within any one Computer Register.’*

438. Note: Standards 3.3.8.2, 4.3.7.2, 8.3.7.2 are considered within the Significant Wetlands Chapter.

## Submissions and Assessment

### NES Forestry Plantation

439. On the 31st July 2017, the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (NESPF) were introduced in accordance with Sections 43 and 43A of the Resource Management Act 1991 (RMA). The NESPF comes into effect on 1 May 2018.
440. Section 44A of the RMA requires that if the MEP contains a rule that duplicates or conflicts with a provision in the NESPF, the Council must amend the MEP to remove the duplication or conflict, without using the process in Schedule 1 of the RMA, and as soon as practicable after the date on which the standard comes into force, in this case being 1 May 2018.
441. MDC are undertaking an alignment exercise in terms of the content of the MEP relative to the NESPF, and the submissions related to the NESPF will be considered as part of the forestry topic.
442. The NESPF contains a definition of ‘plantation forest’ or ‘plantation forestry’ which is as follows:
- means a forest deliberately established for commercial purposes, being—*
- (a) *at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and*
  - (b) *includes all associated forestry infrastructure; but*
  - (c) *does not include—*
    - i. *a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or*
    - ii. *forest species in urban areas; or*
    - iii. *nurseries and seed orchards; or*
    - iv. *trees grown for fruit or nuts; or*
    - v. *long-term ecological restoration planting of forest species; or*
    - vi. *willows and poplars space planted for soil conservation purposes*

443. As noted above the ‘Woodlot forestry’ is defined in the MEP as relating to the ‘*the planting, replanting and maintenance of indigenous or exotic trees for non-commercial purposes*’. Given that the definitions of plantation forestry, and woodlot forestry do not result in a duplication (as one manages

commercial forests and one manages non-commercial forests), I consider that the assessment of submissions related to woodlot forestry can proceed concurrently with the NESPF / MEP alignment exercise. I note that the Panel may wish to revisit the recommendations associated with woodlot forestry within the Topic 22: Commercial Forestry hearing to ensure consistency across the MEP.

Rules 3.1.8, 4.1.7, 8.1.8, 3.3.8.1, 4.3.7.1, and 8.3.7.1

444. There are a range of views on the standards that seek to manage woodlot forestry planting within the Rural Environment Zone, Coastal Environment Zone, and the Rural Living Zone. The standards related to woodlot forestry planting are the same across each of the three zones, and the submissions received have generally sought the same relief across all three zones. As such, I have grouped these views in to 5 broad categories and assessed the merits of the suggested relief as a whole, with the exception of a few submitters who sought specific relief within the Coastal Environment Zone.

Support the rule

445. There are 5 submitters<sup>72</sup> that support the permitted activity rules within the Rural, Coastal, and Rural Living Zones, and seek that they are retained as notified. DOC (479.193) (479.222) support the proposed rules. They note that excluding the tree species with a significant risk of wilding spread from the permitted activity rule is supported as a mechanism for ensuring new wilding tree incursions do not occur as a result of these activities.
446. There are 11 submitters<sup>73</sup> that support the Woodlot forestry standards 3.3.8.1, 4.3.7.1, and 8.3.7.1 in the Rural, Coastal, and Rural Living Zones and seek that they be retained as notified.

Seek amendments to the definition of 'Woodlot Forestry'

447. K Loe (454.079) supports the definition of woodlot forestry and seeks that it be retained as notified. Federated Farmers (425.832) (425.432) seek that the definition of woodlot forestry is deleted as they consider that the definition of, woodlot forestry will include any trees planted for non-commercial purposes, including for the purposes of erosion control, use for firewood, shelterbelts and along riparian margins. They see no purpose for rules that dictate the planting of woodlot forestry. They consider that these activities should be considered a normal part of farming.
448. I note that the planting of woodlot forestry seeks to capture the planting and replanting of trees not used for commercial purposes. I note the MEP also provides a permitted activity status for the 'Conservation planting' which is defined as:

*'the management and planning of areas of shrubs and vegetation, of which the primary purpose is for amenity and landscape, soil conservation purposes and/or other conservation purposes'*.

As such, I consider that trees planted for non-commercial purposes, which are to be permanently established such as for the purposes of: erosion control, shelterbelts and along riparian margins would be considered 'conservation planting' as they are vegetation planted for the purpose of soil conservation. The standards that manage 'conservation planting' seek to ensure that the risk of wilding spread is managed, and the risks to road safety and buildings are controlled. But the standards do not have the same setback requirements that are listed within the woodlot forestry standards. I consider this framework is an appropriate way to achieve the direction within Objectives 14.1 and 14.2 as it ensures that the planting of permanent trees for soil conservation is enabled, while also ensuring that trees that with a high risk of wilding spread are appropriately managed. As such, I do not consider that the definition of 'woodlot forestry' requires amendment.

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<sup>72</sup> MECI (1193.005), Flaxbourne Settlers Association (712.094), South Marlborough Landscape Restoration Trust (476.003) (476.008) (476.014) (476.15), PF Olsen Ltd (149.046), and K, Loe (454.075).

<sup>73</sup> E Beech (41.005) (41.002) (41.009), C Shaw (423.005) (423.006), J Oswald (439.006) (439.009), (439.002), Pinder Family Trust (578.041), Guardians of the Sounds (752.041), Sea Shepherd New Zealand (1146.041), T Stein (1179.007) (1179.006), BMCRRAI (1190.003), MECI (1193.015), J, Fowler (1250.007) (1250.003) (1250.010), and the QEII Trust (1265.003) (1265.002).

#### Seek the removal of the standards

449. Federated Farmers (425.646) consider that woodlot forestry will be of lesser scale and have less potential for adverse effects compared to forestry. They seek that woodlot forestry be a permitted activity providing for both planting, maintenance and harvesting. They seek that standards 3.3.8.1, 3.3.8.2 and 3.3.8.3 are deleted.
450. Federated Farmers (425.528) also note that as defined in the MEP, 'woodlot forestry' will include any trees planted for non-commercial purposes, including for the purposes of erosion control, use for firewood, shelterbelts and along riparian margins. They see no purpose for rules that dictate the planting of woodlot forestry. They suggest that there are no adverse effects that require the regulation of the planting of trees for non-commercial use to be managed. Federated Farmers seek that all policies, provisions and definitions relating to woodlot forestry in the Coastal Environment, Rural Environment and Rural Living Zones are deleted. This relief is supported by R Osborne (1074.001) who does not consider that the woodlot forestry provisions are required within the MEP. He considers that the complexity of the MEP rules could be reduced by removing the woodlot forestry definitions and rules.
451. I consider that the intent of the rules managing wood lot forestry within the MEP is to ensure that the adverse effects of wilding tree spread are managed. I consider that the Council needs to retain some control over woodlot forestry in order to ensure that the direction set out within Objective 14.2 is achieved. I note that Objective 14.2 seeks the sustainability of Marlborough's rural economy is not adversely affected by the spread or introduction of pests. As such, I do not recommend that the rules are deleted.

#### Seek that the restrictions are left to the Pest Management Strategy

452. Beef and Lamb (459.043) (459.045) consider that elements of these standards appear to be at variance with the region's pest management regulation. They query why some softwood species are not permitted under this standard but are not restricted under the Regional Pest Management Strategy, or the pest management section of the MEP, Appendix 25. The conifer species listed in these standards are not recognized as pests within the region's RPMS. Beef and Lamb submits that Council should use its Regional Pest Management Strategy (RPMS), not the MEP to control species establishment. They also consider that defaulting to a discretionary activity for non-compliance with the permitted standards appears to be overly cautious in some situations. For example, they consider that the environmental risk of woodlot establishment within 90 metres of a rural living zone should not require a consent as a discretionary activity. They seek that the tree species listed in the standard be removed and the RPMS be relied on to manage pest species. They also seek that the standards be amended to manage the environmental effects of woodlot establishment. Finally, they seek that the environmental risk of these standards be re-evaluated and where environmental risk is low, amend so the standards default to a controlled or restricted discretionary activity status, not discretionary.
453. I note that the RPMS and the MEP have different focuses when it comes to managing pests. The RPMS does not manage planting of trees in order to avoid them establishing as wilding pines, instead it manages wilding pines once they are considered pests. The MEP takes a more proactive approach as Objective 14.2 seeks that Marlborough's rural economy is not adversely effects by the spread or introduction of pests. As such, provisions within the MEP includes provisions that seek to avoid pest from establishing. So while I agree that the RPMS will provide a good indication of the types of species that a currently considered pests, it is also important to note that the two plans do have different functions and control different things, and as such alignment may not be required.
454. In relation to Beef and Lamb's submission, while I disagree that both the MEP and the RPMS need to be aligned, I consider that there should be an element of consistency between the two documents. I note that the operative 2012 Marlborough Pest Management Strategy is currently being reviewed. As part of this review the MDC have released a discussion document on wilding conifers. The discussion document states that some species of conifers could be listed within the pest management strategy in order for them to be declared a pest in both wilding and planted states. This list includes that following species:

Table 5: Species declared pests:

- Lodgepole or contorta pine (*Pinus contorta*)
- Scots pine (*Pinus sylvestris*)
- Dwarf mountain pine and mountain pine (*Pinus mugo* and *P. uncinata*)
- European larch\* (*Larix decidua*)

\* Excludes sterile hybrids

455. I consider that the Table 5 list of species, which are species of conifer which are considered pests in both wilding and planted states, is a good starting point for species that should be included within the MEP. There are three other species not listed in the Pest Management Strategy that are included within the MEP. These are as follows:

- (a) Douglas fir (*Pseudotsuga menziesii*);
- (c) Muricata pine (*Pinus muricata*);
- (g) Corsican pine (*Pinus nigra*).

456. These species were added to the MEP as Council staff advised that these species have a well-documented history of spreading within Marlborough. As such it was considered appropriate that a resource consent was required to plant these species, to ensure that the risk of wilding spread could be fully assessed on a site-by-site basis. While these species are not currently listed as a pest in wilding form in the RPMS, because there are known issues with them spreading, there is a risk that if they are not restricted in the MEP they may allow them to further spread, which would then require them to be managed under the PMS in the future. I consider that managing these species in the MEP reduces the risk of wilding spread occurring, therefore avoiding or reducing any subsequent need to regulate management of wildings. Given the risk of wilding spread discussed above, I consider that it is appropriate that these species are managed within the MEP.

#### Seek amendments to the list of species within the standard

457. South Marlborough Landscape Restoration Trust (476.009) (476.004) support Rules 3.3.8.1, 4.3.7.1 and 8.3.7.1, but seek that the following species are added to the list of trees that are not to be planted in the Rural Environment, Coastal Environment, or the Rural Living Zone:

- All larches (*Larix* spp);
- Radiata pine (*Pinus radiata*);
- Ponderosa pine (*P. ponderosa*);
- Eastern white pine (*P. monticola*);
- Maritime pine (*P. pinaster*);
- All birches (*Betula* spp);
- All elms (*Ulmus* spp);
- All alders (*Alnus* spp);
- All willows (*Salix* spp);
- Sycamore (*Acer pseudoplatanus*);
- Rowan (*Sorbus* spp);
- Wild cherry (*Prunus avium*).

458. M and K Gerard (424.148) consider that the list of species included within Rule 4.3.7.1 is not restrictive enough. They seek the following species are added:

- all pine species;
- all wattle species;
- sycamores;
- robinias.

459. There are five submitters<sup>74</sup> who seek that Douglas Fir be removed from the standard as they consider that is useful to plant for the purpose of providing wood for house framing and internal woodwork because of its durable nature. They also consider that Douglas Fir seeds very poorly in the Coastal Environment Zone, and the standard should only include species known to spread rapidly in the Coastal Environment. S MacKenzie (1124.023) also considers that Corsican Pine is a useful wood for creating fencing posts. As such, he considers that these species should be removed from the woodlot standard.
460. B and C Leov (340.006) object to the restriction of European Larch in the Rai Valley. They consider that they have seen no evidence of it spreading in the wet climate. They consider that the standard should be specific to the differing climatic areas within Marlborough. M Chapman (348.034) seeks that the standard is rewritten as he considers that wilding pines are a problem in the high country but not the lowlands. Forest and Bird (496.087) support the proposed standards but consider that there are occasions where other species may also cause issues, e.g. Pinus radiata. J and J Hellstorm (688.179) also seek that Pinus radiata is included within the standard. They consider that the management of wilding trees, including Pinus radiata, is by far the main problem historically and currently in the Marlborough Sounds.
461. In relation to the above submitters who seek to add or remove species from the proposed standards, I consider that the standards seek to achieve the direction set out within Objective 14.1 related to maintaining rural environments as a resource for primary production activities, and the also direction set out within Objective 14.2 related to ensuring that the rural economy is not adversely affected by the spread or introduction of pests. In order to achieve this, I consider that the MEP needs to ensure that pest species are actively managed, while also ensuring that growing and harvesting of woodlot forestry (which is a primary production activity within Marlborough) is not unduly restricted. As noted above, the recently reviewed pest management strategy has identified four species that are considered pests, which have been restricted by the standard within the MEP. Also, three additional species were added by Council for the reason discussed above. I therefore do not agree with removing any of these species from the standards. I also consider that further justification from submitters is required in order to demonstrate why the additional species should be added to the MEP.
462. J and J Hellstorm (688.179) support Rule 4.3.7, however they seek that further provisions are added to the MPE relating to the management of commercial forest species causing wilding issues. They consider that the MEP should include the requirement to control re-growth and manage these areas back into permanent native cover for long term landscape benefits. They also seek that the MEP include the requirement that the coastal set-back areas are replanted in indigenous forest. H Ballinger (351.16) seek that additional provisions are included within the MEP relating to the management of commercial forest species that cause wilding issues.
463. I note that woodlot planting is defined in the MEP and relates to forestry planted for non-commercial purposes and is restricted to no more than 2 hectares or 5% of land per site. As such, I consider that the scale and therefore the effects of woodlot forestry are limited by the definition included within the MEP. As such, I consider that woodlot forestry does not require a significant level of management in order to ensure that the adverse effects of the activity are appropriately managed. Furthermore, I note that the standards associated with the woodlot forestry require that planting must not occur on steep erosion-prone land mapped within the MEP, or within specified proximity to: roads, rivers, wetlands, or the coastal marine area. As such, I consider the standards included within the MEP adequately manage any potential effects associated with woodlot forestry.
464. Te Atiawa o Te Waka-a-Maui (1186.117) (1186.144) consider that woodlot forestry should not be allowed to be planted on or within 5 metres of urupa, wahi tapu or other sacred sites. The submitter has not provided details as to what the other scared sites would be, nor have they identified the specific effects their proposed standard is required to manage. Finally, the submitter has not provided information as to why the 5 metre setback will avoid these effects. I consider this information is required in order to assess whether the proposed amendment is required.

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<sup>74</sup> S MacKenzie (1124.023), A Harvey (388.006), D Hemphill (648.043), MFIAI (962.195) I Bond (469.011).

465. PF Olsen Ltd (149.32) have sought that the woodlot rules are aligned with the NESPF. They seek that replanting of Douglas fir, Muricata, or Larch only should be allowed if the use of the wilding spread calculator indicates a low risk of spread. As noted above, Douglas fir, Muricata, and Larch have been restricted within the woodlot forestry standard given their wilding risk within Marlborough. I consider that if an applicant can show that the risk of wilding spread is low, then this can be assessed through a resource consent process on a case by case basis. As such, I do not consider an amendment is required.

#### Prohibited activity status

466. G Robb (738.047), and M Robb (935.047), seek that any prohibited activities related to woodlot planting and harvesting be deleted or changed to discretionary. Beef and Lamb (459.047) consider that a prohibited status is too severe for this activity. They consider that there are times when woodlot establishment may be appropriate on steep erosion prone land, especially given that this rule manages forest establishment, not harvesting. D and C Robbins (640.033) G and V Robb (738.036) and M Robb (935.033) seek that the planting of the tree species listed under Standard 3.3.8.1 is a discretionary activity and all reference to prohibiting woodlot forestry be removed.
467. I note that the area identified as 'steep erosion prone land' is mapped within the MEP overlays, and only includes the most erosion prone areas of the Marlborough District. As such, the intent of the rules are to ensure that within these sensitive areas, any disturbance that is likely to cause erosion is prohibited. I also note that the proposed prohibited activity rules only relate to woodlot forestry planting that has not previously been planted in lawfully established woodlot forestry. As such, these prohibited activity rules only capture new areas of woodlot forestry. Finally, I note that if a landowner wishes to plant these areas permanently this is permitted within 'Conservation planting' rules and standards (3.1.10, 4.109, 3.3.10 and 4.3.9).
468. I acknowledge that a prohibited activity status is the highest form of restriction within the RMA, and there is a slim possibility there may be circumstances where the potential adverse effects of new woodlot forestry in steep erosion prone land could be mitigated to a level that will achieve the resource quality direction set within Objective 15.4 which seeks to maintain and enhance the quality of Marlborough's soil resource. Particularly, as the scale of woodlot forestry included within the definition will limit the amount of disturbance when compared to the disturbance caused by planting commercial forestry. However, the submissions in my view have not provided examples or evidence to demonstrate this.
469. As such, on balance, given the limitations as to where these rules apply (steep erosion prone land), what is managed by the prohibited activity rules (only new areas of woodlot forestry), I consider that the activity status is an appropriate method of achieving Objective 15.4 which seeks to maintain and enhance the quality of Marlborough's soil resource, and also achieves the water quality objectives listed within Chapter 15 of the MEP.
470. I note that these rules will be discussed within the Topic 22 - Forestry, in relation to commercial forestry operations. If amendments are made to the commercial forestry provisions, I consider that it would be appropriate to re-consider the activity status for woodlot forestry.

#### Drinking water protection standard

471. Ernslaw One Limited (505.043) consider that there is no evidence of planted forests contaminating an aquifer or other source water body used for human drinking water. The submitter considers that the MEP needs to give better effect to the NES for Sources of Human Drinking Water (2007) by strengthening the Plan's permitted activity conditions or resource consent conditions to better protect all known aquifer systems from which drinking water is abstracted. The submitter has sought the same relief for the commercial forestry harvesting rule. I consider that the merit of this standard will be discussed within the Topic 13 Resource Quality – Water Section 42A Report, and as such I consider the outcome of that assessment should be reflected within this standard.

## **Recommendation**

472. I recommend that Rules: 3.1.8, 4.1.7, 8.1.8, and Standards: 4.3.7.1, 4.3.7.3, 3.3.8.1, 3.3.8.3 and 8.3.7.1 are retained as notified.

## **Woodlot forestry harvesting (RE 3.1.9, 3.3.9, CE 4.1.8, 4.3.8, 4.7.2 and 8.1.9 and 8.3.8)**

473. Standards [R, D]3.1.9, 4.1.8, 8.1.9 list: 'Woodlot forestry harvesting' as a permitted activity. Rules 3.3.9.2, 3.3.9.3, 3.3.9.4, 3.3.9.5, 3.3.9.6, and 3.3.9.12 are as follows:

*3.3.9.2. Harvesting must not be within such proximity to any abstraction point for a drinking water supply registered under section 69J of the Health Act 1956 as to cause contamination of that water supply.*

*3.3.9.3. No excavation or filling in excess of 1000m<sup>3</sup> must occur on any land with a slope greater than 20° within any 24 month period.*

*3.3.9.4. No excavation must occur on any land with a slope greater than 35°.*

*3.3.9.5. Batters and filled areas must be designed and constructed to ensure they are stable and remain effective after completion of harvesting.*

*3.3.9.6. Water control measures and sediment control measures must be constructed and maintained in all areas disturbed by any excavation or filling undertaken on the land such that all areas are stable.*

*3.3.9.12. Water control measures must be designed and implemented to ensure they remain effective after completion of harvesting.*

Woodlot forestry harvesting is defined as:

*means the felling of trees for the purposes of Woodlot Forestry and includes excavation and/or filling to prepare the land for harvesting, de-limbing, trimming and cutting to length of felled trees and recovery of windfall and other fallen trees.*

474. The same permitted standards are repeated in the Coastal Environment and Rural Living Zone.

475. Rules 4.7.2, 7.5.2, and 8.5.2 list the following as a prohibited activity:

*The harvesting of woodlot forestry plantings on land identified as Steep Erosion-Prone Land, which has not been lawfully established.*

## **Submissions and Assessment**

### Standards 3.1.9, 4.1.8, 3.3.9 and 4.3.8

476. DOC (479.195) (479.196) and MECI (1193.006) support Rule 3.1.9 and seek that it is retained as notified. Federated Farmers (425.529) (425.372) (425.647) seek that all policies, provisions and definitions relating to woodlot forestry in both the Coastal and Rural Environment Zones are deleted. Federated Farmers (425.374) also note that woodlot forestry is of lesser scale to commercial forestry and therefore should have less regulation. They seek that woodlot forestry be a permitted activity providing for both planting, maintenance and harvesting. Beef and Lamb (459.051) (459.052) consider that the standards in both the Rural and Coastal Environment zones must manage the effects of actions. Currently, they consider that the standards attempt to control actions that may (or may not) cause environmental degradation. They consider that this approach is impractical and will not necessarily result in the best environmental outcomes.

477. I consider that the rules related to woodlot forestry are required within the MEP in order to achieve the direction within Objective 15.4 which seeks to maintain and enhance the quality of Marlborough's soil resource, and also achieves the water quality objectives within Chapter 15 of the MEP. I note



that Policy 15.4.3 seek to control land disturbance activities to retain topsoil and minimise the potential for eroded soil to degrade water quality in lakes, rivers, significant wetlands and coastal waters. I consider that the standards included within the woodlot harvesting rules seek to ensure this direction is achieved.

478. NZTA (1002.178) (1002.187) (1002.194) consider woodlot forestry harvesting can affect the safe and efficient operation of the road network and potentially damage the road surface. They consider that woodlot forestry that directly accesses a State Highway or that accesses a road that intersects a State Highway should be considered by a consent process, so that effects on the State Highway and the Transport Agency can be fully assessed and the effects appropriately managed. They seek the following amendments to both the Rural and Coastal Environment chapters:

3.3.9.13. Forestry vehicles must not directly access the State Highway or access a road that leads to a State Highway.

3.3.9.14. Notification must be given to Council and the New Zealand Transport Agency not more than 60 working days and not less than 20 working days before harvesting commences.

3.3.9.15. Forestry vehicles must not cart loads on unsealed public roads within 24 hours of a rain event where more than 20 mm of rain has fallen on that road within any 24 hour period.

479. While I understand the effects raised by NZTA, I note that woodlot forestry means the planting, replanting and maintenance of indigenous or exotic trees for non-commercial purposes provided that no more than 2 hectares or 5% of land. As such, based on this definition I consider that it is unlikely that non-commercial woodlot would require forestry vehicles. As I understand the definition and rule, these provisions seek to enable rural and coastal land holdings to grow a stand of trees for personal use. If these trees were to be removed from the site, I consider that it would be very infrequent, and would be less frequent than seasonal contractors accessing the site for agricultural purposes. As such, I do not consider that the amendments are required.
480. In relation to woodlot forestry harvesting in the Coastal Environment Zone specifically, DOC (479.224) support the permitted activity standards for woodlot forestry harvesting, particularly those with the intent of limiting sedimentation or other disturbance of waterways and the coastal marine area. T Marshall (137.001) would like to see the definition of woodlot forestry harvesting altered so that small scale thinning for private use i.e. firewood within the coastal zone is a permitted activity. He considers that exceptions could be added to the Rules 4.3.8.1 to excluded thinning and harvesting for non-commercial uses i.e. firewood for personal use.
481. In relation to the definition of 'woodlot forestry harvesting' I agree part with the above submitters. I consider that the intent of the woodlot forestry harvesting provisions is to ensure that the harvesting does not result in sedimentation that adversely effects the environment. However, I consider that the felling or trimming of a few trees within a woodlot for private use i.e for firewood is not likely to cause a significant impact on the environment. As such, I consider that the direction it would be appropriate that definition of 'woodlot forestry harvesting' is amended to allow the felling of trees that are to be used for domestic purposes on the same property the trees were grown.
482. Pinder Family Trust (578.035), Sea Shepherd New Zealand (1146.035), The Marlborough Environment Centre Incorporated (1193.033) and Guardians of the Sounds (752.035) seek that the recommendations from the MDC Technical Report Mitigating Fine Sediment from Forestry in the Coastal Waters of the Marlborough Sounds (Nov 2015) are implemented. They seek that additional harvesting controls are included within the MEP to manage forestry in the Rai/Pelorus River catchment, which feeds into the Pelorus Sound. Guardians of the Sounds (751.003) seek additional standards be added to the woodlot harvesting provisions related to harvesting controls and earthworks requirements. B Walton (558.002) seeks that when harvesting is undertaken, siltation stations are set up in streams to lessen siltation into rivers. The submitter also seeks that a buffer zone of 500m is made around all streams wider than 1m for harvesting and clearing of all hills. Marlborough Underwater (630.002) seek that a larger buffer zone on forestry in the Sounds, with the possibility of a slow phasing out and return to native bush. I note that the additional standards suggested relate to commercial scale forestry harvesting. I consider that the scale of woodlot forestry included within the definition will limit the scale of effects associated with harvesting of these areas

when compared to the effects associated with the harvesting of commercial forestry. As such, I disagree that the additional controls sought by the above submitters would not be required in order to achieve the maintenance and enhancement of the quality of Marlborough's soil resource required by Objective 15.4.

## Recommendation

483. I recommend that Rules 3.1.8., 4.1.5 and Standards 3.3.8, and 4.3.7 are retained as notified.

484. I recommend that the definition of 'Woodlot forestry harvesting' is amended as follows:

*Woodlot forestry harvesting means the felling of trees for the purposes of Woodlot Forestry, and includes excavation and/or filling to prepare the land for harvesting, de-limbing, trimming and cutting to length of felled trees and recovery of windfall and other fallen trees, but does not include thinning felling of trees that are to be used for domestic purposes on the same property the trees were grown<sup>75</sup>.*

## Conservation planting and carbon sequestration forestry planting (permanent) (3.1.10, 3.3.10, 4.1.9, 4.3.9, and 8.1.10, 8.3.9)

485. Rule 3.1.10 lists 'Conservation planting and carbon sequestration forestry planting (permanent)' as a permitted activity. Rules 3.1.10, 4.1.9, and 8.1.10 list 'Conservation planting' as a permitted activity.

*3.3.10.1. The following species must not be planted:*

- (a) Douglas fir (Pseudotsuga menziesii);*
- (b) Lodgepole pine (Pinus contorta);*
- (c) Muricata pine (Pinus muricata);*
- (d) European larch (Larix decidua);*
- (e) Scots pine (Pinus sylvestris);*
- (f) Mountain or dwarf pine (Pinus mugo);*
- (g) Corsican pine (Pinus nigra).*

*3.3.10.2. There must be no planting of vegetation which will mature to a height exceeding 6m within 30m of a formed and sealed road.*

*3.3.10.4. There must be no planting within the Wairau Dry Hills Landscape.*

486. Rule 3.7.3 states that carbon sequestration forestry (permanent) harvesting is a prohibited activity.

487. The MEP also includes a definition of 'Conservation planting' and 'Carbon sequestration forestry planting (permanent)' which read as follows:

*Conservation planting means the management and planning of areas of shrubs and vegetation, of which the primary purpose is for amenity and landscape, soil conservation purposes and/or other conservation purposes.*

*Carbon sequestration forestry planting (permanent) means a planting that will never be harvested.*

488. Note: The submissions associated with Rule 3.3.10.2 and 3.3.10.5 are being considered within Topic 22 - Conservation Planting, Carbon Sequestration Forestry. The same rules apply within the Coastal Environment Zones with the exception of Rule 3.3.10.4.

## Submissions and Assessment

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<sup>75</sup> T Marshall (137.001)

## Definition

489. Fish and Game (509.001) note that there is an error in the definition of conservation planting as it relates to: “the management and planning of areas...”. They consider it should only relate to the ‘planting’. I agree and recommend that the definition is amended.

## Standards 3.1.10, 4.1.9, and 8.1.10

490. Federated Farmers (425.530) (425.648) consider that it is inappropriate for conservation planting and carbon sequestration forestry planting to be managed through regulation of this manner. They seek that that all provisions are deleted. South Marlborough Landscape Restoration Trust (476.005) (476.010) (476.016) support the permitted activity subject to the suggested amendments to Rule 3.3.10.1. DOC (479.226) consider that the permitted activity standards are appropriate, particularly the limitations on the species planted and the requirement for indigenous vegetation adjacent to significant wetlands. I consider that the standards that manage conservation planting and carbon sequestration forestry planting (permanent) seek to ensure that: the risk of wilding spread is managed, and the effects associated with road safety, amenity of sensitive landscapes, and the sensitivity of significant wetlands are appropriately managed. I consider this framework is an appropriate way to achieve the direction within Objectives 14.2 and 15.4 of the MEP as it ensures that trees that with a high risk of wilding spread are appropriately managed while also ensuring that the planting of permanent trees for soil conservation is enabled. As such, I do not consider that the standards associated with conservation planting and carbon sequestration forestry planting (permanent) should be removed.

## Standards 3.3.10.1, 4.3.9.1 and 8.3.9.1

491. Three submitters<sup>76</sup> support Standards 3.3.10.1 and 4.3.9.1 and seek that they be retained as notified. A number of submitters<sup>77</sup> sought the same changes as sought to woodlot forestry section above. My analysis above applies equally to conservation planting and carbon sequestration forestry planting and I do not repeat it again here.

## Standards 3.3.10.2 and 4.3.9.2

492. C Shaw (423.031) (423.029) (423.030) the QE II Trust (1265.005) (1265.006) (1265.007) and T Stein (1179.027) (1179.028) (1179.029) seek that this standard that requires that there must be no vegetation planted within 30 metres of a formed and sealed road that will mature to a height exceeding 6 metres should not apply to restoration planting of indigenous species across the Rural Environment, Coastal Environment, and Rural Living Zones.
493. Nelson Forests Limited (990.044) (990.045) seek that vegetation planting in the Rural Environment and Coastal Environment should not occur where vegetation could shade a formed and sealed public road between 10 am and 2 pm on the shortest day of the year and icing is likely to occur, except where topography already causes shading.
494. While I acknowledge that this standard will restrict restoration planting of indigenous species across the district, I consider that the intent of the rule is to ensure that vegetation is not established in locations that will lead to adverse effects on the safety and function of the road network. I consider the effects of shading are the same regardless of whether the planting is for the purpose of restoration planting or not. As such, I consider that the intent of the standard should be retained. In relation to the relief sought by Nelson Forests Limited which only restricts vegetation that could shade a formed and sealed public road between 10 am and 2 pm on the shortest day of the year, I consider that this standard will be more effective than the proposed standard, as it ensures that only vegetation that will shade the road carriageway is restricted. However, I also note that the relief sought by Nelson Forests Limited will be difficult to enforce, as it requires a measurement to be

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<sup>76</sup> E Beech (41.003) (41.006) (41.010), J Oswald (439.005), (439.003) (439.010), J Fowler (1250.006) (1250.009) (1250.002)

<sup>77</sup> PF Olsen Ltd (149.034), B and C Leov (340.007), SMLRT (476.006) (476.017), T Hawke (369.006) Beef and Lamb (459.046) Forest and Bird (496.092)

taken on the shortest day of the year. I consider that the simplicity and ease of enforceability of the proposed standard outweighs the inefficiencies of the standard.

495. In order to add some flexibility to the standard, I consider that an addition could be made to allow vegetation to be planted within the 30 metre setback provided the vegetation is trimmed to a height of 6 metres. I consider this will ensure the safety of the road network is maintained while also allowing a greater range of species to be planted.

## Recommendation

496. I recommend that Rules 3.1.10, 4.1.9, Standards 3.3.10, 4.3.9, and the definition of Carbon sequestration forestry planting (permanent) are retained as notified.
497. I recommend that Standards 3.3.10.2, 4.3.9.2, and the definition of 'Conservation planting' are amended as follows:

~~*There must be no planting of vegetation which will mature to a height exceeding 6m within 30m of a formed and sealed road.*~~

*That the planting of vegetation within 30m of a formed and sealed road does not exceed 6m in height on maturity, or is kept trimmed to no more than 6m in height.*<sup>78</sup>

*Conservation planting means the management and planting planning<sup>79</sup> of areas of shrubs and vegetation, of which the primary purpose is for amenity and landscape, soil conservation purposes and/or other conservation purposes.*

## Home occupation (RE 3.1.45, 3.3.43, CE 4.1.44, 4.3.42, CL 7.1.2, 7.3.1, RL 8.1.2 and 8.3.1)

498. Rules 3.1.45, 4.1.44, 7.1.2 and 8.1.2 list: 'Home occupation' as a permitted activity. Standards 3.3.43, 4.3.42, 7.3.1, and 8.3.1 are as follows:

*3.3.43.1. The home occupation must be undertaken by a person(s) residing on the site and employ/contract no more than 1 additional person.*

*3.3.43.2. For home occupation activities that generate traffic, hours of operation must only occur during the following hours:*

*8.00 am – 6.00 pm Monday to Friday*

*9.00 am – 12.00 pm Saturday*

*3.3.43.3. The home occupation must be carried out wholly within the dwelling or within an accessory building.*

*3.3.43.4. Only goods produced, repaired, renovated or restored on the site may be retailed from the site.*

'Home occupation' is defined within the MEP as:

*means any occupation, business, trade, craft or profession, the primary purpose of which is to derive income. Excluded from this definition are any activities involving escort agencies, brothels, massage parlours, homestays, retail sales, panel beating, spray painting, motor vehicle repairs, heavy trade vehicles, fibre-glassing, sheet metal work, wrecking of motor vehicles, bottle and scrap metal storage, rubbish collection service, wrought iron work, fish processing, motor body building*

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<sup>78</sup> QE II Trust (1265.008),

<sup>79</sup> Fish and Game (509.001)

*and any process that involves continual use of power tools and drilling or hammering or any other activity that would detract from the amenities of the neighbourhood or locality*

## Submissions and Assessment

499. No submissions were received on Rules 3.1.45, 3.3.43, 4.1.44, 7.1.2, 7.3.1, 8.1.2 and 8.3.1.
500. One submission was received in relation to Rule 4.3.42. E Jorgensen (404.045) suggests that the permitted hours of operation should include Sunday 9:00am - 4:00pm. No reasons were given as to why the hours of operation should be extended. I consider that the hours of operation included within the home occupation standards seek to achieve the direction set out within Objective 13.2 and Policy 13.2.5 which seeks that ensure that the amenity values of the Coastal Environment Zone are maintained and enhanced. As such, I do not support the proposed addition.
501. Federated Farmers (425.402) seek that the definition of home occupation is amended to exclude primary production. They note that if farming is included within this definition it will be subject to hours of operation listed within the standard. I agree that primary production activities should be excluded from the home occupation standards.

## Recommendation

502. I recommend that Rules 3.1.45, 3.3.43, 4.1.44, 4.3.427.1.2, 7.3.1, 8.1.2 and 8.3.1 are retained as notified.
503. I recommend that the definition of 'home occupation' is amended as follows:

*means any occupation, business, trade, craft or profession, the primary purpose of which is to derive income. Excluded from this definition are any activities involving escort agencies, brothels, massage parlours, homestays, retail sales, panel beating, spray painting, motor vehicle repairs, heavy trade vehicles, fibre-glassing, sheet metal work, wrecking of motor vehicles, bottle and scrap metal storage, rubbish collection service, wrought iron work, fish processing, primary production<sup>80</sup>, motor body building and any process that involves continual use of power tools and drilling or hammering or any other activity that would detract from the amenities of the neighbourhood or locality*

## Workers accommodation (Policy 14.5.4 CE 3.1.48, 3.3.45)

504. Policy 14.5.4 states:
- Residential activity directly associated with primary production activity occurring on the same land, seasonal worker accommodation in remote locations and homestays, will be enabled.*
505. Rules 3.1.48, list: 'Workers accommodation' as a permitted activity. Standard 3.3.45 reads as follows:
- 3.3.45.1. The worker accommodation must not be located within a Worker Accommodation Exclusion Area as identified in Appendix 24.*
506. The definition of 'worker accommodation' in Volume 2, Chapter 25 states:
- 'means the use of land and buildings for accommodating the short term labour requirements of a farming activity where the accommodation is provided on the property on which the farming activity occurs.'*
507. Appendix 24 – Workers Accommodation Exclusion Area, includes a map of the Blenheim and Seddon area where workers accommodation is excluded from the permitted activity standard.

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<sup>80</sup> Federated Farmers (425.402)

## Submissions and Assessment

### Policy 14.5.4

508. Trelawne Farm Limited (445.002), K Loe (454.042), Flaxbourne Settlers Association (712.086), support the policy and seek that it be retained as notified.
509. Federated Farmers seek that Policy 14.5.4 is amended as follows:
- Residential activity directly associated with primary production activity occurring on the same land, seasonal worker accommodation in remote locations and homestays, will be enabled.*
510. I disagree with the relief sought by Federated farmers, I consider that the intent of the policy is to enable residential activity, worker accommodation, and homestays in the rural environment provided they take place within appropriate locations and within appropriate limits as directed by Objective 14.5. I consider that the limits included within the policy (that a residential dwelling is to be located on the same site as a primary production activity and seasonal worker accommodation shall be located in remote locations) are then implemented through the permitted activity standards.
511. Horticulture New Zealand (769.059) note that the policy refers to seasonal worker accommodation. However, the defined term is 'worker accommodation'. They seek that seasonal is removed from the policy. They also consider that Worker accommodation should not be limited to 'remote locations' as it is required throughout the district. I agree that the term 'seasonal' should be removed from the policy to ensure consistency with the rest of the MEP. In relation to whether workers accommodation should be limited to 'remote areas', I have considered these submissions in the assessment of Appendix 24 below.
512. Marlborough Chamber of Commerce (961.049) seek that 'in remote locations' is removed from Policy 14.5.4. Fonterra (1251.033) note that many dairy farms employ staff that, due to the nature of the work, need to be located on the farm. Depending on the size of the farm this can involve a number of staff and their families. They consider that Policy 14.5.4 enables worker's houses to be located on the farm they are working on, while Policy 14.5.3 limits housing to one dwelling per Computer Register. To comply with both policies farm worker houses would need to be scattered across the farm. For many reasons this may not be effective or efficient method for achieving Objective 14.5. They seek that the MEP and clarify that Policy 14.5.4 takes precedence over Policy 14.5.3 where the houses directly relate to the primary production activity. I acknowledge the conflict raised by Fonterra. However, as noted in the assessment of Policy 14.5.3 below, I consider that with the recommended amendment to Policy 14.5.3, which allow more than one dwelling per title, I consider this will provide the relief sought by the submitter. As such, I do not recommend an amendment is made to Policy 14.5.4.

### Support for provisions

513. K. Loe (454.115) (454.116) (454.117) supports Rules 3.1.48 and 3.3.45 and the definition of workers accommodation. Trelawne Farm Limited (445.012) support Rule 3.1.48 but seek an amendment to Appendix 24 discussed below.

### Definition of 'Workers accommodation'

514. The Flaxbourne Settlers Association (712.038) are seeking clarity as to what is considered as workers accommodation and what is considered a second residential dwelling on a property. They consider that farming styles are changing and a second or third farm worker is necessary in conjunction with the primary farmer. They state that to encourage young people and families to work on farms it is necessary to provide them with accommodation. They note that while Rule 3.1.48 permits worker accommodation in the Rural Environment Zone (except for in the Worker Exclusion Zone around Blenheim) this is defined as short-term accommodation only. Rule 3.1.44 permits residential activity, however the relevant standards set out that only one residential unit is permitted per computer register. They note that this does not allow for a dwelling to accommodate a permanent worker and family to live and work on the farm, providing uncertainty to landowners as to

whether they can provide sufficient accommodation to attract farm workers to the area, creating a shortage of good quality labour.

515. Federated Farmers (425.610) consider that the definition for worker accommodation is unclear whether it refers to lodging for temporary or seasonal workers for a few days or weeks, or dwellings for permanent employees who consider this their primary place of residence. They seek an amendment to the definition as follows:

*means the use of land and buildings for accommodating the short term temporary labour requirements of a seasonal farming activity ~~where the accommodation is provided on the property on which the farming activity occurs.~~*

516. Horticulture NZ (769.134) supports the definition in part but notes that the definition is limited to land used for farming activities. They state that there are situations where worker accommodation may be provided adjacent to a pack house facility, and this should be provided for.

517. The explanation to Policy 14.5.4 provides commentary on the rationale behind enabling workers accommodation. It states that:

*It is also recognised that in some areas, especially in remote locations, it is necessary to provide seasonal worker accommodation. Provision must be made to house the labour force for a time period between that considered short term and permanent. The opportunity for the workforce to be accommodated in the same environment as the primary production activity needs to be considered, where it can be incorporated without undue degradation to the amenity of the rural environment and without adverse effects associated with servicing, dispersed housing patterns, reverse sensitivity and land fragmentation.*

518. I consider that the above explanations highlights that the policy and rule seeks to enable seasonal workers accommodation. I consider building an additional dwelling on a farm would not be considered to be seasonal workers accommodation in accordance with the definition above. In relation to the relief sought by the Flaxbourne Settlers Association, I note that an assessment of whether additional dwellings on large rural titles should be enabled within the MEP is included within the dwelling density discussion below.

519. In relation to the relief sought by Federated Farmers, I disagree that the addition of 'temporary' is required, I consider that the definition clearly states that workers accommodation seek to provide for the short term labour requirements of an activity. In relation to Horticulture NZ's suggested amendment, I note that Policy 15.5.4 provides clear direction that it only enables workers accommodation on the same land as the primary production activity. As such, I do not recommend that the amendment is made.

#### Rule 3.1.48 and Standard 3.3.45

520. In relation to the permitted Standard 3.3.45, there are a number of submitter that consider that the MEP should allow landowners to house permeant workers on-site. Hall Family Farms Ltd consider they have the right to accommodate their employee and his family in the cottage they provide. They seek that the MEP allows staff to live in accommodation that meets a proper living standard. Trelawne Farm Limited (445.014) seek that the standard be redrafted to apply to remote on-site seasonal worker accommodation. S and S White (93.013) oppose being zoned in a Work Accommodation Exclusion Zone, they accommodate their staff on their property, as they consider this is the most practical and prudent solution to on going care and welfare of their livestock, particularly in their absence. They consider that being within the Workers Accommodation Exclusion Zone may make it very hard to attract staff. This is supported by S Tripe (207.001) who questions where workers in this area are to live and questions the need for the rule. He seeks that the rule be deleted.

521. Federated Farmers consider that the workers accommodation rule needs to provide for housing directly associated with primary production where ever this activity may take place, not just in what is considered remote locations. They consider that farmers may require multiple workers on a dairy

farm or cropping farm, and there are multiple reasons why accommodating workers on farm is safer and more practical for the operation of the business.

522. As noted above, I consider that the definition of 'workers accommodation' is clear that it relates to accommodating that the short-term labour requirements. I note that an assessment of whether additional dwellings on large rural titles should be enabled within the MEP to allow for permanent workers accommodation is included within the dwelling density discussion below. As such, I disagree that an amendment to Rule 3.1.48 is required.

#### Additional Rule

523. East Bay Conservation Society (100.026) consider that workers accommodation should be a permitted activity within the Coastal Environment Zone. They consider that the Coastal Environment Zone encompasses land that is currently zoned rural. They consider these large properties need to provide appropriate accommodation for workers as there are few other options on these remote properties. I note that Policy 13.5.5 of the MEP provide clear direction that workers accommodation is to be enabled within the Coastal Environment, as such I agree with the submitter that an additional permitted activity and permitted standard should be included within the MEP that permits workers accommodation, as it does in Rural Environment Zone.

#### Appendix 24

524. In relation to Appendix 24, Trelawne Farm Limited (445.0142) seek an inclusive approach with the purpose of providing a permitted activity status. They consider that the intent of Policy 14.5.4 is to enable seasonal worker accommodation in remote locations through a permitted activity rule rather than using an "exclusion zone" approach. They seek that the map within Appendix 24 is amended to identify the area where seasonal worker accommodation is a permitted activity instead of the area where seasonal worker accommodation is not a permitted activity. The Oil Companies (1004.098) consider that it is inappropriate and unnecessary to have the exclusion overlay apply to sites for which there are no corresponding restrictions or rules. They consider that the industrial and business zones comprise large areas of the region and amendment to the maps to have them removed would be a simple exercise.
525. I agree with the relief sought by both Trelawne Farm Limited and the Oil Companies. I agree that title of Appendix 24 and the associated map should be amended to refer the areas where workers accommodation is a permitted activity, as this is the enabling direction provided with Policy 14.5.4. I note that the 'Worker Accommodation Exclusion Area' only relates to the area within 15km of Blenheim and Renwick and within 10km of Ward and Seddon, however worker accommodation is a permitted activity within the rest of the District. By reversing the area covered by Appendix 24, this will also achieve the relief sought by the Oil Companies as it will remove the overlay from the urban areas where it is not relevant.
526. Federated Farmers (425.611) considers that the map is poorly executed and will affect many farmers who legitimately need to house workers on their properties. They seek that the appendix is deleted from the MEP. W, Lissaman (255.023) considers that the rationale behind the map is lacking, and the intent of the Appendix should be clarified. Marlborough Chamber of Commerce (961.097) seek that Appendix 24 is deleted. This is supported by the New Zealand Institute of Surveyors who consider that Appendix 24 is short sighted. They also seek that the Appendix 24 is deleted.
527. I note that the direction behind Appendix 24 is provided within Policy 14.5.4 of the MEP which seeks to enabled workers accommodation in remote locations within the Rural Environment Zones. The Appendix 24 Map and Standard 3.3.45 permits new workers accommodation provided is located more than 15km from Blenheim and Renwick and more than 10km from Ward and Seddon. It is considered that workers of primary production activities located within close proximity to Blenheim, Renwick, Ward and Seddon should be residing within the established townships.
528. I consider it is important to note that this standard and appendix relates to providing for the short term labour requirements of a primary production activity, and that an assessment of whether additional dwellings on large rural titles should be enabled within the MEP is included within the dwelling density discussion below.



529. In relation to the whether it is appropriate to restrict the development of the workers accommodation within areas that are in close proximity to existing township, I can see two sides to the argument. I note that the Objective 12.1 of the Urban Chapter seeks that residential zones are utilised for residential activities, and if large scale workers accommodation facilities are being established near to the township, then it becomes less likely that the direction within the Urban Chapter will be achieved. Furthermore, I note that Objective 14.5 require that residential activities take place within appropriate locations and limits within rural environment, and Policy 14.5.4 seek to enable residential activity directly associated with primary production by enabling seasonal worker accommodation in remote locations. I consider the proposed appendix is consistent with this direction.
530. Conversely, I also note that the Objective 14.1 of the Rural Chapter seek to ensure that the rural environment is maintained as a resource for primary production activities, enabling these activities to continue contributing to economic wellbeing. So, provided a workers accommodation facility can maintain and enhance the rural character and amenity values set out within Objective 14.4 and the associated polices, I consider that allowing the development of new workers accommodation in these areas, could potentially achieve the direction within both Objectives 14.1 and 14.4.
531. On balance, I recommend that the standard and appendix are retained, but I can understand why the above submitters consider the restrictions arbitrary and have sought that they be removed.

## Recommendation

532. I recommend that the definition of 'worker accommodation' is retained as notified.

533. I recommend that Policy 14.5.4 is amended as follows: as notified.

*Residential activity directly associated with primary production activity occurring on the same land, ~~seasonal~~<sup>81</sup> worker accommodation in remote locations and homestays, will be enabled.*

534. I recommend that Rule 3.1.48 is retained as notified, and Standard 3.3.45 is amended as follows:

*3.3.45.1. The worker accommodation must ~~not~~ be located within a Worker Accommodation ~~Exclusion~~ Area as identified in Appendix 24.*

535. I recommend that Appendix 24 is re named 'Worker Accommodation ~~Exclusion~~ Area', and the map is inversed so that it maps the areas that are 15km from Blenheim and Renwick and 10km from Ward and Seddon<sup>82</sup>.

536. I recommend the following addition is made to the Coastal Environment Zone:

*Permitted Activities*

*4.1.56 Workers accommodation*

*Standards that apply to specific permitted activities*

*4.3.X Worker accommodation.*

*4.3.X.1 The worker accommodation must be located within a Worker Accommodation Area as identified in Appendix 24.*<sup>83</sup>

## Keeping of domestic livestock (RE 3.1.47, CE 4.1.46)

537. Rules 3.1.47 and 4.1.46 list: 'Keeping of domestic livestock' as a permitted activity in both the Rural and Coastal Environment Zone.

<sup>81</sup> Horticulture New Zealand (769.059)

<sup>82</sup> Trelawne Farm Limited (445.0142)

<sup>83</sup> East Bay Conservation Society (100.026)

538. 'Domestic livestock' is defined as:

*livestock bred, reared and/or kept on the property for home consumption, or as pets, or for hobby purposes and from which little or no income is derived.*

## Submissions and Assessment

539. Federated Farmers (425.497) (425.622) (425.394) consider that there is no need to define or provide for the keeping of domestic livestock in the MEP. They consider that domestic livestock are not a resource management issue that need provisions in the MEP. They note that there are no rules for pets in the urban zones, similarly there should be no rules for pets in the rural zones. They seek that the both rules (Rural and Coastal Environment Zones) and definition be deleted.
540. The New Zealand Pork Industry (998.073) seek additions to the definition to provide additional clarity as to what is considered domestic livestock. They seek that specific numbers of domestic livestock are included with the definition.
541. I consider that proposed rule and definition provides suitable clarity as to what is managed by the rule. I also note that both the Coastal and Rural Environment Chapters contains a catch-all rule which requires that any use of land not provided for as a permitted activity, controlled activity or restricted discretionary activity or prohibited activity requires consent as a discretionary activity. As such, without the permitted activity rule, the activity would require a consent. I recommend that the rule is retained.

## Recommendation

542. I recommended that the definition of 'Domestic livestock' is retained as notified.
543. I recommended that the Rules 3.1.47 and 4.1.46 are retained as notified.

## Emergency Service Facility (RE 3.1.51)

544. Rule 3.1.51 list: 'Emergency service activities of the New Zealand Fire Service on Lot 1 DP 5102 (Wairau Valley Fire Station)' as a permitted activity in the Rural Environment Zone.

## Submissions and Assessment

545. One submission was received on the rule. The Fire Service (993.025) supports Rule 3.1.51 to the extent that the rule provides for the existing Wairau Valley Fire Station as a permitted activity, but seek that new fire stations in the Rural Environment Zone are also permitted. They consider that the actual and potential adverse effects of fire stations are minor in the context of this zone, while fire stations give rise to benefits derived from efficient and effective emergency services.
546. The Fire Service (993.034) (993.045) (993.048) also seek a controlled activity for new emergency service facilities within the Coastal Environment Zone, the Coastal Living Zone and the Rural Living Zone. The Fire Service note that a new facility would default to a discretionary activity within the MEP. The Fire Service consider that the default discretionary activity status is overly restrictive and inappropriate. The Fire Service consider that a new emergency service facility should be a controlled activity as they note that emergency service facilities are required to be strategically located within the community to maximise their coverage and response times, they also consider that the actual or potential effects of fire stations are similar to the effects of a number of permitted activities. They seek the following addition to the MEP:

### *4.4.x Emergency Service Facility*

*Matters over which the Council has reserved control:*

- *The design and appearance of the facility.*
- *The functional and operational requirements of emergency services.*

- *The design of vehicle parking and access.*

547. I disagree that the additional controlled activity rule is required. I note that Policy 13.5.8 of the MEP provides direction that non-residential activities within the Coastal Living Zone will be allowed, where they do not detract from the existing character of the residential environment within which they are to be located. Also, there is also a range of policies within Chapter 13 – Use of the Coastal Environment, and Chapter 14 – Use of the Rural Environment that provides direction on development within the Coastal Environment, and non-primary production activities. As such, I consider that requiring consent for emergency service facility as a discretionary activity is consistent with the policy direction as the fully discretionary consent process will ensure that these activities are appropriately located, and the effects are consistent with that which is expected within the the zone. As such, I consider that a discretionary activity is appropriate.

## Recommendation

548. I recommended that the Rule 3.1.51 is retained as notified.

## Recreation event or special event (RE 3.1.54, 3.3.48, CE 4.1.51, and 4.3.46)

549. Rules 3.1.46, and 4.1.45 list: '*Recreation event or special event*' as a permitted activity. Standards 3.3.44 and 4.3.43 are as follows:

*3.3.48.1. The event must not exceed seven consecutive days duration.*

*3.3.48.2. Where a site immediately adjoins or is located across a road from land zoned Urban Residential 1, Urban Residential 2 (including Greenfields) or Urban Residential 3, the activity must not be conducted on the site between the hours of midnight and 7am.*

*3.3.48.3. All structures and other works accessory to the event must be removed and the site returned to its original condition within 5 working days after the activity has ceased.*

*3.3.48.4. If access is to be directly off a State Highway, approval from the Road Controlling Authority must be provided to the Council.*

550. The same permitted standard is repeated in the Coastal Environment Zone.

551. The definition of '*Recreation event*' in Volume 2, Chapter 25 states:

*'means an activity involving physical exertion and skill that is governed by a set of rules or customs and often undertaken competitively, although administered by volunteers. An organised but non-commercial event, usually seasonal, club based activities, sometimes running as a series.'*

552. The definition of '*Special event*' in Volume 2, Chapter 25 states:

*'may be an irregular event, of a short term or temporary nature, which could involve large groups of people or is of such a character that the normal requirements relating to matters such as noise, parking and the like cannot be complied with. Includes entertainment, cultural events, sporting events, public meetings, galas, and market days.'*

## Submissions and Assessment

553. No submissions were received in relation to Rules 3.1.54 and 4.1.51. In relation to Rule 3.3.48, Killearnan Limited (167.004) and I Esson (440.013) consider that an additional permitted standard needs to be added to the rule that requires the organisers of such events to be aware of the level of fire danger in relation to surrounding properties at the time of the event, to take appropriate precautions, to have a contingency plan in place if a fire was to occur, and to be obliged to carry appropriate public liability insurance. This is supported by Marlborough Forest Industry Association

Incorporated (962.190) and Nelson Forests Limited (990.116) who consider that the rule should ensure the event operator has fire controls in place and speaks with forest neighbours. Nelson Forests Limited (990.116) seek the same relief in relation to Rule 4.3.46.

554. I am unclear why temporary activities would need to consider the fire risk, I consider that the standards related to recreation or special events seek to manage the potential adverse amenity and transport effects of the activity as directed by the objectives and policies of the rural chapter. I consider that the fire risk associated with these activities would be considered as part of a fire permit process, or site safety plan. As such, I disagree an amendment required.
555. NZTA (1002.185) support the standards that apply to recreational or special events. Particularly Standard 3.3.48.4 which requires the approval of the road controlling authority for access directly from a State Highway.

## Recommendation

556. I recommend that Rules 3.1.54, and 4.1.51 are retained as notified.

## Golf course (RE 3.1.56, and CE 4.1.53)

557. Rules 3.1.56 and 4.1.53 list: '*Golf course*' as a permitted activity in both the Rural and Coastal Environment Zone.

## Submissions and Assessment

558. One submission was received on Rule 3.1.56, from the Rarangi Golf Club Incorporated. They support the proposed rule however, they seek that MEP contains an explanation on the extent of existing use rights. I do not consider that an explanation of existing use is necessary, I note that existing use rights are set out in Section 10 of the RMA, and the MEP does not affect these rights.

## Recommendation

559. I recommend that Rules 3.1.56 and 4.1.53 are retained as notified.

## Park or Reserve (CL 7.1.20 and 7.3.17, RL 8.1.21 and 8.3.19)

560. Rules 7.1.20 and 8.1.21 list: '*Park or Reserve*' as a permitted activity in both the Coastal Living Zone and the Rural Living Zone. Standards 7.3.17 and 8.3.19 are as follows:

*7.3.17.1. The park or reserve must be owned, managed or administered by the Marlborough District Council.*

*7.3.17.2. All activities within the park or reserve must also comply with the rules of the Open Space 1 Zone.*

## Submissions and Assessment

561. Three submissions were received on Standard 8.3.19, from C Shaw (423.036), T Stein (1179.034), and the QEII Trust (1265.012) opposing the proposed rule. They consider that it is the purpose of a park or reserve (for example, to provide free public access, or to protect biodiversity etc) that defines whether it is a park or reserve and not the ownership or management structure. They note that the proposed standard excludes land that may be run as a park or reserve by DOC, QEII Trust or a private trust. QEII Trust therefore seek that the definition of a park or reserve reflects its purpose and not the ownership or management structure.

562. I agree that with the above submitters, I consider that the MEP should seek to manage the effects of the park or reserve regardless of the ownership or management structure. As such, I consider that Standards 7.3.17.1 and 8.3.19.1 can be deleted and the definitions section of the MEP can be relied

on to determine to what is considered a park or reserve, and Standards 7.3.17.2 and 8.3.19.2 will ensure that effects of the park or reserve are adequately managed.

## Recommendation

563. I recommend that Rules 7.1.20 and 8.1.21 be retained as notified.

564. I recommend that Standards 7.3.17.1 and 8.3.19.1 be deleted<sup>84</sup>.

## No submissions received

565. No submission were received on the following rules:

- Homestay (3.1.46, 3.3.44, 4.1.45, 4.3.43, 7.1.3, 7.3.2, 8.1.2, and 8.3.2)
- Community activity using an existing community facility (3.1.52, 4.1.49, 7.1.21, and 8.1.21)
- Veterinary clinic (3.1.55, and 4.1.52)
- Passive recreation (3.1.53, 4.1.50)
- Racing stable or trotting ground (3.1.57 and 4.1.54)
- Cattery or kennel (3.1.58 and 4.1.55)
- Racing stable or trotting ground (3.1.57 and 4.1.54)
- Cattery or kennel (3.1.58 and 4.1.55)
- Veterinary clinic (3.1.55, and 4.1.52)
- Airport protection (Rule 3.2.2)
- Grazing of livestock (7.1.7)
- Planting of vegetation (7.1.8)
- Commercial activity (3.6.10)
- Community facility (3.6.5)

## Dwelling Density (Policy 14.5.3 and Standards RE 3.2.1.1 CE 4.2.1.1 CL 7.2.1.1 and RL 8.2.1.1)

566. Policy 14.5.3, reads as follows:

### Policy 14.5.3

*Except in the case of land developed for papakāinga, residential activity on land zoned Rural Environment will be provided for by enabling one dwelling per Computer Register.*

### Dwelling density

Standards 3.2.1.1, 4.2.1.1, 7.2.1.1 and 8.2.1.1 read as follows:

*No more than one residential dwelling must be constructed or sited per Computer Register.*

## Submissions and Assessment

567. There are a number of submitters<sup>85</sup> that generally support Policy 14.5.3 and seek that it be retained as notified. Rarangi District Residents Association (1089.004) Pernod Ricard (1039.113) Rarangi Golf Club Incorporated (591.002), and Lion - Beer, Spirits and Wine (NZ) Limited (908.020) support the proposed rule.

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<sup>84</sup> QEII Trust (1265.012)

<sup>85</sup>Lion (908.017) New Zealand Pork Industry (988.032) Trelawne Farm Limited (445.002), K Loe (454.042), Flaxbourne Settlers Association (712.086).

568. Fonterra (1251.032) note that many dairy farms employ staff that, due to the nature of the work, need to be located on the farm. Depending on the size of the farm this can involve a number of staff and their families. They consider that Policy 14.5.4 enables workers' houses to be located on the farm they are working on, while Policy 14.5.3 limits housing to one dwelling per Computer Register. To comply with both policies farm worker houses would need to be scattered across the farm. They consider that for many reasons this may not be an effective or efficient method for achieving Objective 14.5. As such they seek amendments to Policy 14.5.3 and Policy 14.5.4 to clarify that Policy 14.5.4 takes precedence over Policy 14.5.3 where the house directly relates to the primary production activity.
569. As noted in the assessment of the new policies above, Flaxbourne Settlers Association (712.044) have sought that an additional policy be included in MEP which seeks to recognise that subdivision creating an allotment smaller than 20ha may be more efficient use of the Rural Environment.
570. Federated Farmers (425.498) (425.623) seeks that Standards 3.2.1.1 and 4.2.1.1 be amended to allow for an additional residential dwelling on sites of 20ha or above. They consider that rural housing provides for social wellbeing in dispersed communities by providing homes for farm owners and farm workers and their families, retired farmers, disabled family members, rural school teachers, rural contractors and other rural service providers. They consider that a graduated approach where the number of dwellings permitted depends on the size of the property should be encouraged, because it manages density of dwellings in the rural zone while also providing for more houses for larger properties. Federated Farmer also expects that any accommodation required for primary production will be provided for within the rural zone. They seek that one additional residential dwelling be permitted on sites larger than 20 hectares. This is supported K Loe (454.114) who seeks that Rule 3.2.1.1 is amended to allow sites over 40 hectares to construct two dwellings per free-hold register.
571. In relation to the amendment sought by the above submitters, I agree in part with the relief sought. I note that within the subdivision chapter of the MEP the minimum subdivision size within the and Rural Environment Zones is 20ha and within the Coastal Environment Zone it is 30ha. As such, a site can be subdivided, and a house can be erected on 20 or 30 ha site. As such, when read as a whole document, the MEP anticipates that a density of one dwelling per 20 or 30 ha is appropriate within the Rural and Coastal Environment Zones. As such, I consider that restricting these environments to one dwelling per computer freehold register leads to a potential inconsistency between the subdivision chapter and the Rural Environment and Coastal Environment chapters.
572. I consider that allowing one dwelling per 20ha in the Rural Environment Zone will achieve the direction set out within Objectives 14.1, and 14.5. I consider that enabling the construction of additional dwellings on a large land holding will ensure that these properties are able to accommodate workers on the farm, which helps to enable primary production. I also consider that the density of one dwelling per 20ha will ensure that rural character and amenity values are maintained within the rural environment as there will still be a range of bulk and location requirements within the MEP which will ensure that any reverse sensitivity effects will be avoided.
573. In relation to the Coastal Environment Zone, I consider that there is a distinction between the level of development that is anticipated within the Rural Environment Zones when compared to the Coastal Environment Zone, which can be seen in the direction provided within Objective 13.1 and 13.2. These objectives state that there are areas of the coastal environment where the adverse effects from particular activities and/or forms of subdivision, use or development are to be avoided, and that development activities shall take place in appropriate locations and forms and within appropriate limits. As such, I consider that within the Coastal Environment it is appropriate that the minimum dwelling density is larger than that within the Rural Environment (which is also reflected in the minimum subdivision standards of the MEP). As such, I recommend that an amendment is made to both Policy 13.5.5 and also Standard 4.2.1.1 to allow the establishment of one residential dwelling per Computer Register or per 30 hectares.
574. Given this recommendation is a departure from what is permitted within the MEP, I consider it is appropriate to also consider whether any additional amenity standards (such as an additional setback requirement between two dwellings on the same site), are also required in order to ensure that multiple dwelling are appropriately located on a site to ensure that the amenity and character of

these zones is maintained. I note that any new dwelling on a site will need to meet the bulk and location listed within Standards 3.2. and 4.2. of the MEP. Beyond the existing bulk, location and density standards set out within the MEP, I do not consider any further restrictions are required. As such, I do not consider that any additional location standards are required.

## Recommendation

575. I recommend that Policies 13.5.5 and 14.5.3 and Standard 3.2.1.1 and Standards 4.2.1.1 are amended as follows:

### Policy 13.5.5

*Except in the case of land developed for papakāinga, residential activity on land zoned Coastal Environment will be provided for to a limited extent<sup>86</sup> by enabling:*

- (d) one dwelling per Computer Register or per 30 hectares<sup>87</sup>;*
- (e) ~~seasonal~~<sup>88</sup> worker accommodation; and*
- (f) homestays.*

### Policy 14.5.3

*Except in the case of land developed for papakāinga, residential activity on land zoned Rural Environment will be provided for by enabling one dwelling per Computer Register or per 20 hectares.<sup>89</sup>*

### Dwelling density

Standard 3.2.1.1 reads as follows:

*No more than one residential dwelling must be constructed or sited per Computer Register or per 20 hectares.<sup>90</sup>*

Standard 4.2.1.1 reads as follows:

*No more than one residential dwelling must be constructed or sited per Computer Register or per 30 hectares.<sup>91</sup>*

I recommend that Standards 7.2.1.1 and 8.2.1.1 are retained as notified.

## **Residential activity (RE 3.1.44, RE 4.1.44, CL 7.1.1, and RL 8.1.7) and standards that apply to all permitted activities (Standards 3.2, 4.2, 7.2, and 8.2)**

576. The following standards apply to all permitted activities within the Rural Environment Zone, the Coastal Environment Zone, the Coastal Living Zone, and the Rural Living Zone. Where a standard differs a separate analysis of the specific standard is undertaken.

## Submissions and Assessment

### Rural building height

577. Standards RE 3.2.1.2, CE 4.2.1.2, and RL 8.2.1.2 read as follows:

<sup>86</sup> EDS (698.080)

<sup>87</sup> Federated Farmers (425.498)

<sup>88</sup> RMA Schedule 1 Clause 16 amendment

<sup>89</sup> Flaxbourne Settlers Association (712.044)

<sup>90</sup> Federated Farmers (425.498)

<sup>91</sup> Flaxbourne Settlers Association (712.044)

*The maximum height of a building or structure must not exceed 10m.*

578. Federated Farmers (425.499) (425.624) seek that the maximum height per building (Standard 3.2.1.2 and 4.2.1.2) should be increased to 20m. They consider that most woolsheds and other implement sheds are likely to exceed the 10 metre height restriction. P Rene considers that for remote rural place like D'urville Island a 10-metre height limit is overly restrictive. I disagree with the suggested amendment. I acknowledge that rural accessory buildings are part of the character of the rural environment, I am not convinced that a 20 metre high building will be consistent with the character of the zone. I note that the MSRMP sets the maximum permitted height of any building at 10 metres. As such, without further evidence that the 10 metre high limit is causing considerable consenting cost, I disagree with the suggested amendment.

Note: No submissions were received on Standards RL: 7.2.1.2, and 8.2.1.2.

#### Omaka Valley – building height

579. Standard RE 3.2.1.3 reads as follows:

*Within the Omaka Valley Area, the maximum height of a building or structure must not exceed 7.5m.*

580. The Omaka Valley Group Inc. (1005.005) and Jane Buckman (96.003) support Standard 3.2.1.3 and seek that it be retained as notified. Federated Farmers (425.500) seek that the standard be deleted. Omaka Valley Group Incorporated (731), oppose this in a further submission. They consider that the rule is for a specific building maximum height in the mapped Omaka Valley Area. They consider that this rule reflects the rural character and amenity values of the area and should be retained. I disagree that the proposed rule should be deleted, I consider that the proposed height limit achieves the direction set within Objective 14.4.4, and Policy 14.4.13 which seeks to retain the amenity and rural character values of the Omaka Valley. As such, I consider that the proposed standard should be retained.

#### Sites smaller than 4000m<sup>2</sup>

581. Standards RE 3.2.1.4 and CE 4.2.1.3 read as follows:

*On a site smaller than 4000m<sup>2</sup>, no part of any building must exceed a height equal to the recession plane angle determined by the application of the Recession Plane and Height Controls in Appendix 26. The recession plane angle must be measured from a starting point 2m above ground level.*

582. The New Zealand Pork Industry (998.048) consider that separate side and rear yard setbacks should be specified for sites under 4000m<sup>2</sup>. In the Rural Environment and Coastal Environment Zone. I note that Objectives 13.2 and 14.5 and their associated policies require that the development activities in the Coastal Environment and Rural Environment take place in appropriate locations and limits. As such, in order to ensure the character and amenity values of the Rural and Coastal environments are maintained, I consider that even on sites smaller than 4000m<sup>2</sup> the MEP should include building setbacks. I consider that the building setback required within the Coastal Living and Rural Living Zones set an appropriate building setback limit for building on sites less than 4000m<sup>2</sup>. As such, I recommend that Rural Living Zones building setback are included within the Rural Environment and Coastal Environment Zones for sites under 4000m<sup>2</sup>.

#### Recession Plan

583. Standards CE 3.2.1.5 and RE 4.2.1.4 read as follows:

*No part of a building must exceed a height limit imposed by a line drawn at an angle of 55° from the horizontal and originating and drawn at right angles from a point 2m above the boundary of the site where it abuts the road.*

584. Federated Farmers (425.501) (425.625) consider that the reference to height limit in relation to the road is not appropriate in the Rural Environment and Coastal Environment zones where the primary purpose is primary production.



585. I disagree with the submitter, I consider that Objective 17.4 and the associated policies seek that conflict between development activities and are minimised and Objectives 13.2 and 14.5 and their associated policies require that the development activities in the Rural and Coastal environments take place in appropriate locations and forms and within appropriate limits. I consider that ensuring that buildings are located an appropriate distance from site boundaries help to achieve these objectives. As such, I consider that the proposed standard should be retained.

Note: No submissions were received on Standard CL 7.2.1.6.

Setbacks from oxidation ponds and sewage treatment works

586. Standards RE 3.2.1.6 and CE 4.2.1.5 reads as follows:

*A dwelling must not be sited closer than 150m to the outer bank of an oxidation pond, sewage treatment works or a site designated for such works.*

There is no setback from oxidation ponds and sewage treatment works within the Rural Living Zone

587. In the Rural Environment Zone and the Rural Living Zone, Fonterra (1251.127) (1251.137) note that reverse sensitivity effects are a major concern that can create a burden on the company. They note that if new residential activities are able to locate in close proximity to existing rural industrial operations, the residential users often have an expectation of an urban environment. As such, complaints arise due to the effects of "normal" rural activities, such as noise. Fonterra seeks amendments to Rule 3.2.1.6 to provide appropriate protection to rural and rural industrial activities which have been lawfully established in the Rural Zone from reverse sensitivity effects. The amendments sought are as follows:

*'A new dwelling must not be sited closer than 150m to the outer bank of an oxidation pond, sewage treatment works, wastewater treatment facility (except for a septic system on the same site as the residential dwelling) or a site designated for such works.*

588. They also seek that the above rule be included within the Rural Living Zone.

589. I consider that the intent of the rule is to ensure new dwellings are built away from large scale oxidation ponds and sewage treatment works. As Fonterra's submission does not include a proposed definition of 'wastewater treatment facility' I am unsure of the difference between a 'sewage treatment works' and a 'wastewater treatment facility'. As such, I do not consider an amendment to the Rural Environment Zone rule is required. In relation to the Rural Living Zone, I consider that the lot sizes are much smaller than that of the Rural Environment Zone and also the intent of the zoning to enable residential activities within these areas. I consider that within this zone there is not the same flexibility to site a dwelling in a complying location. I note that introducing a 150m setback from oxidation ponds and sewage treatment works may lead to a situation where a site is zoned Rural Living and it is expected to be developed for residential use but requires a consent as it cannot meet the setback distance. As such, I disagree that the same standard should apply within the Rural Living Zone.

590. T. Offen notes that 'Sewage Treatment Works' are not defined in the MEP. The submitter is concerned that this could be interpreted to include privately owned domestic wastewater treatment plants that are situated on privately owned land. The submitter is also concerned that it could also be interpreted to apply to any clustered development that utilises a centralised domestic wastewater system. The submitter provides an example of their own subdivision consent (U060765) where such a centralised system services 8 lots. They note that most of the dwellings in their case will necessarily be within 150 metres of the plant. The submitter seeks that Rule 4.2.1.5 does not apply to properly authorised privately owned domestic wastewater treatment systems located on privately owned land. I agree that greater clarity is required in relation to what is considered a 'Sewage Treatment Works'. As such, I recommend that a definition of 'sewage treatment works' is added to the MEP as follows:

*'means a facility for the treatment of human waste but does not include private effluent disposal facilities used at a domestic scale'*

591. I consider that the addition of this definition will add clarity to the rule and ensure that the reverse sensitivity effects from large scale treatment facility are avoided while not restricting development in proximity to private domestic scale effluent disposal facilities.

Site coverage

592. Standards RE 3.2.11, and CE 4.2.9 read as follows:

*Permanent buildings must not cover more than 15% of the net site area within a Computer Register. For the purposes of this Standard, the net site area does not include a greenhouse utilising the soils of the site.*

593. Standards CL 7.2.1.4, and RL 48.2.1.3 read as follows:

*Permanent buildings must not cover more than 15% of net site area.*

594. Federated Farmers (425.629) (425.630) are concerned that horticultural structures and stock yards may be captured by the definition of permanent buildings and therefore captured by this standard. They seek that the standard be removed. I consider that the intention of the rule is to ensure that the Rural and Coastal Environments retain their open space character. I note that horticultural structures (excluding greenhouses utilising the soils of the site) and stock yards that are permanent would be captured by this rule. I consider this is appropriate as the effects of these structures are similar to that of other farm sheds in the rural environment.

595. Horticulture NZ (769.091) seeks that the words '*utilising the soils of the site*' be deleted. They consider that there is no policy framework to support the exclusion of a subset of greenhouses based on soil. They also seek that '*artificial crop protection structures*' are excluded from the coverage site coverage standard. I am unsure what structures would be considered an '*artificial crop protection structure*' that would not be considered a greenhouse. As noted above, I consider that the intention of the rule is to ensure that the Rural and Coastal Environments retain their open space character as directed by Policy 14.4.1. Without a definition, I consider that this could potentially include: pack houses, haybarns, silage storage, which I consider would not be consistent with the open space direction set out within Policy 14.4.1. However, if these '*artificial crop protection structures*' are essentially a modified greenhouse with similar effects to a greenhouse then I consider the amendment may be appropriate. If the submitter can provide additional evidence as to nature of a '*artificial crop protection structures*', I consider the amendment may be appropriate.

Note: No submissions were received on Standards CL 7.2.1.4 and RL 8.2.1.3.

Setback

596. Standards RE 3.2.12 and CE 4.2.10 read as follows:

*For a site larger than 4000m<sup>2</sup>, the following minimum setbacks must be provided:*

- (a) 8m for the front boundary;*
- (b) 8m for the rear boundary;*
- (c) 5m for a side boundary.*

597. Federated Farmers (425.506) consider that these setbacks should only apply to dwellings. They consider that it is inappropriate for other buildings to be subject to the same restrictions, for example they note that a pump shed is required to be located beside rivers and drainage channels to access water. They also note that loading ramps and yards are often required to be located on the edge of a property close to a boundary so that stock can be transported to market.
598. P Gillbert (192.009) considers that there is no reason to have different side and rear boundary setbacks. The submitter seeks that both the side and rear boundaries should be 5 metres.

599. Horticulture New Zealand (769.092) considers that adequate setbacks for habitable buildings are essential for managing the potential for reverse sensitivity effects. They seek the following amendments:

Habitable buildings:

8 m for the front boundary  
25 m for the rear boundary  
25 m for the side boundary

All other buildings

8 m for the front boundary  
5 m for the rear boundary  
5 m for the side boundary

600. New Zealand Pork Industry (998.049) consider that residential dwellings in the rural environment are typically an activity sensitive to the effects of rural production. They seek that a larger separation distance be imposed on new dwellings in the rural environment to avoid or mitigate reverse sensitivity issues. They seek the following amendments:

20m for dwellings and their accessory buildings  
8m for all other rural buildings

601. Egg Producers Federation of New Zealand (696.002) seek a 30m setback from any internal boundary for habitable buildings, community activities, recreation activities, and sensitive receptors to ensure a minimum setback from the boundary, for if a poultry farm is established at a later stage on the neighbouring property.

602. I note that the MEP uses the same definitions for 'building' and 'structure', that are used in the Building Act, and within the RMA, which are:

*'Building means: a temporary or permanent movable or immovable structure (including a structure intended for occupation by people, animals, machinery, or chattels).'*

*'Structure means: any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft'*

603. As such, in relation to Federated Farmers concerns, I acknowledge that pump sheds, stock yards and ramps would be considered a building or structure within the MEP. I consider that the intent of the rule is ensure that structures are not located in areas which will cause adverse effects on neighbouring properties or from the road. However, I also understand that in a rural environment certain structures are required to be located in practical positions. I consider that an amendment could be made to exempt small scale structures from the rule. I note that the Hurunui District Plan includes the following exclusion: *any structure that is no more than 2.5 m in height, and no more than 10 m<sup>2</sup> in gross floor area, and excludes any earth bund or stockpiled materials*. I consider that adding a similar exclusion to Rules 3.2.12 and 4.2.10 would be an appropriate solution to ensure pump sheds and earth bunds are not captured by the rule.

604. In relation to amendment sought by the Egg Producers Federation of New Zealand, I disagree that a 30m setback should be introduced in the MEP in order mitigate the potential future reverse sensitivity effects of an activity.

605. In relation to the amendments suggested by Horticulture New Zealand and New Zealand Pork Industry I agree that the effects associated with habitable and non-habitable buildings are different and as such I support a different setback requirement for these separate activities. In relation to what is an appropriate setback distance, I note that both the Horticulture New Zealand and New Zealand Pork Industry have suggested similar distances for both habitable and non-habitable buildings. I also note that P Gillbert has suggested that the side and rear boundary setback should be consistent. As

such, I consider that the setback distances sought by Horticulture New Zealand would be appropriate.

606. KiwiRail (873.120) (873.125) supports the proposed rules and seek that they are retained as notified. They note that buildings and structures setback from boundaries ensures that all access and maintenance to those buildings and structures can occur without the need to access the rail corridor. They also seek an additional standard be included within the MEP that requires buildings and structures be setback 5 metres from the rail corridor. They consider this will ensure people's health and wellbeing is maintained through good design, and reverse sensitivity effects are avoided. In relation to KiwiRail's suggestion I note that I have recommended greater building setbacks than those proposed by KiwiRail in relation to sites that are greater than 4,000m<sup>2</sup>. However, the MEP does not contain building setbacks for sites smaller than 4,000m<sup>2</sup>. As such, I agree that a 5 metre setback should be added to the MEP to manage any potential health and safety and reverse sensitivity effects. I note that a similar provision was recommend within the Open Space Chapter of the MEP, and the drafting of this setback was also discussed within the Urban chapter hearing. I consider the wording and definitions associated this setback requirement should be consistent across the MEP. As such, I have recommended the additional of a new rule within Rural, Coastal, Coastal Living, and Rural Living that is consistent with the Urban Chapter recommendation.

#### Setback from the Coastal Marine Area

607. Standard 7.2.1.5 reads as follows:

*A building must not be constructed or sited within 28m of the Coastal Marine Zone.*

608. There are a number of submitters<sup>92</sup> that consider that the proposed 28 metre setback is overly restrictive. They consider that a further 8 metre setback (above the existing 20 metre setback within the current MSRMP for areas with riparian rights to the coastal marine area) will mean that bare sections will be severely restricted or compromised in terms of the building design and the remaining building platform left physically available to them. They also consider that the cost of building will significantly increase as owners will be forced to build on steeper terrain further away from the ordinarily flatter areas closer to the water. They consider that the proposed rule diminishes their private property rights, reduces the value of their land, and they consider that there is no clear or sound benefit in making the change. They seek that the 20 metre setback for buildings from the Coastal Marine Area is retained.
609. Karaka Point and Environs Residents Incorporated (1286.001) consider that the proposed rule needs to be properly notified to all riparian property owners. They also consider that the proposal is flawed and appears without justification. J and K Coote (1309.001), K and S Coote (1314.001), D Ngakuru (1317.001), L Kaberry (1316.001) and P Kaberry (1318.001) state that they have existing dwellings on coastal property on D'Urvile Island and object to this standard and the potential impact it may have on their current property. They seek that the standard is removed.
610. I note that a large percentage of properties located along the Marlborough coastline are separated from the Coastal Marine Zone by a reserve known as the Marlborough Sounds Foreshore Reserve, which is a 20m wide reserve strip. The MSRMP requires that buildings are setback 8 metres from this Reserve (Rule 30.1.3.2.2), which effectively creates a 28m setback from the Coastal Marine Zone. A change in management applies where landowners have riparian rights to the coastal marine area. In these circumstances, there is no Marlborough Sounds Foreshore Reserve, and the setback under the MSRMP is 20 metres (Rule 30.1.3.2.2), which creates a 20m setback from the Coastal Marine Zone.

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<sup>92</sup> Matthew Somerville-Smith (1273.001) Tikao Limited (1274.001), Rothwells Hineora Properties Limited (1277.001), R Shand (1278.001), W Leckie (1279.001), Ragged Point limited (1280.001), P and G Rothwell (1283.001), W Musgrove (1287.001), Karaka Trust (1288.001), Whatamonga Forests Limited (1289.001), Ahuriri Forests Limited (1290.001), Whatamonga Farms Limited (1291.001), M and I Sutherland (1292.001), H Crowder (1293.001), Crawford Family Trust (1294.001), T and J Greenhough (1305.001), J Elkington (1306.001), J Faragher (1307.001), R and P Donaldson (1271.001), S and R Dayman (1308.001), R Morris and the Morris Family (1311.001), E Hattersley (1312.001), F Monopoli (1313.001), A Harris (1281.001) B Stewart (1282.001), Oswald Family Sounds Trust (1285.001), L Austin (1275.001), Anna Caroline Memorial Trust (1276.001). J Oswald (1270.001)

611. I consider that the introduction of the Standard 7.2.1.5 within the Coastal Living Zone seeks to establish a uniform setback distance from a proposed building to the Coastal Marine Zone regardless of the land tenure. This uniform building setback distance seeks to achieve consistent outcomes in relation to the amenity and character of the Coastal Living Zone.
612. I consider that this 28-metre setback seeks to achieve the direction set out within Objective 13.5 which requires that residential activity takes place within appropriate locations and limits within the coastal environment. As the majority of dwellings are already required to be setback 28 metres from the Coastal Marine Zone, I consider that this setback distance has been considered an appropriate limit within the MSRMP and consequentially the MEP. I disagree that the proposed setback will severely restrict or compromise building design, or significantly increase the cost of building. I note that if a proposed building did breach the proposed setback distance, a resource consent could be applied for as a discretionary activity, and the merits of that application could be assessed on a case by case basis. I do not recommend a change to the proposed standard.
613. In relation the submitters that consider the proposed rule needs to be properly notified, I consider that that the MEP notification process was consistent with the requirements of the Schedule 1 of the RMA, as such I disagree further notification is required.

Minimum setbacks in the Rural Living Zone

614. Standards 8.2.1.4 and 8.1.4.7 reads as follows:

8.2.1.4

*The minimum setbacks from property boundaries must be:*

- (a) 6m for a building that is a dwelling;
- (b) 3m for a building (except a dwelling) that has a gross floor area greater than 15m<sup>2</sup> ;
- (c) 1.5m for a building (except a dwelling) has a gross floor area less than 15m<sup>2</sup> .

8.2.1.7

*The minimum setback from the property boundaries for a building used for the housing of the following animals must be:*

- (a) 4.5m for poultry and other birds;
- (b) 4.5m for dogs;
- (c) 50m for pigs;
- (d) 30m for other animals associated with farming.

615. MDC (221.091) seek an amendment to the setback standard within the Rural Living Zone as follows:

On a site, the ~~The~~ *minimum setbacks from property boundaries must be:*

They note that this amendment to include 'site' will link to the definition of site in Chapter 25, which makes it clear that setbacks cannot include right of way areas. I agree with the suggested amendment as it adds clarity to the standard.

616. Horticulture New Zealand (769.109) seek that where a habitable building is located on the zone boundary with the Rural Environment Zone, that a 15 metre setback be included within the MEP to reduce the potential for reverse sensitivity complaints about rural activities across the boundary. New Zealand Pork Industry (998.068) also seek a more generous setback of the interface with the Rural Environment Zone. I do not agree that an additional setback is required. I note that the intent of the Rural Living Zone to enable residential activities within these areas. I also note that the lot sizes in this zone are of a large lot residential scale, and additional setback requirements may affect landowners ability to site a complying dwelling. As such, I consider the proposed setback distances are appropriate.

617. S and J Peoples (450.005) are concerned that Standard 8.2.1.7 will allow a cow shed or a pig farm near their boundary. I note that the intent of this standard is that it relates to buildings keeping animals on a domestic scale, I note that the MEP contains a definition of intensive farming which captures the farming activities which have potential adverse effects. I consider that it may be appropriate to add a foot note stating that this standard does not relate to intensive farming activities.

Additional standards sought

618. Fulton Hogan Limited (717.017) note that there is no rule restricting how close a habitable dwelling can be located to a rural productive activity in order to provide protection from reverse sensitivity effects. They consider that this has the potential to cause conflict within the Rural Environment Zone between productive rural activities and sensitive activities establishing close by. They seek that a new standard be added to the MEP which requires that a habitable building shall not be located within 250m of the boundary of a legally established quarry. Similarly, the Egg Producers Federation of New Zealand (696.002) seek that a new standard is added to the MEP which requires a setback of 200m from established and consented intensive poultry farms for habitable buildings, community activities, recreation activities, and sensitive receptors. They consider that this will ensure reverse sensitivity is considered in the location of an activity on an adjoining property. FANZ (1192.10) also sought that a new policy be added to the MEP which required that the establishment of residential activities where avoided in close proximity to intensive farming.
619. I acknowledge that there are a range of activities which have the ability to create reverse sensitivity effects, such as mineral extraction, and intensive farming activities. I note that Objective 14.4, requires that rural character and amenity values are maintained, and enhanced, and reverse sensitivity effects are avoided. Also, Policy 14.4.10 states that the establishment of residential activity within rural environments should be controlled as a means of avoiding conflict between rural and residential amenity expectations. As such, I acknowledge that there may be merit an additional standard within the MEP that control reverse sensitivity.
620. On the other hand, Policy 14.4.4 requires that rural subdivision does not lead to a pattern of land uses that will adversely affect rural character and/or amenity values. As such, I consider that the large minimum subdivision size of 20ha in the Rural Environment Zone acts as the mitigation measure for reverse sensitivity in the MEP as it is anticipated that a dwelling will be able to be sited away from an activity that may result in reverse sensitivity effects.
621. In relation to the Fulton Hogan submission, they seek new dwellings are setback 250m from the boundary of a legally established quarry. As noted above, Policy 14.4.10 states that the establishment of residential activity within rural environments should be controlled as a means of avoiding conflict between rural and residential amenity expectations. Given the quarrying activities are unlikely to be considered 'rural activities', I am unconvinced that an additional setback standard would be consistent with the direction set out within Chapter 14 – Use of the Rural Environment.
622. In relation to the Egg Producers Federation of New Zealand, they seek that a specific definition of 'intensive poultry farming' and a residential setback standard be added to the MEP. I note that there is already a definition of 'intensive farming' with the MEP which would capture intensive poultry farms, and as such I disagree that a specific definition is required. In relation to the suggested residential set back standard, I consider a residential setback from an intensive farming activity would be consistent with the direction within Objective 14.4 and Policy 14.4.10. As such, I recommend that a new standard is included within the MEP that it requires new residential activities be setback from intensive farming activities.
623. In relation to the distance of the setback, I note that the MEP requires that dwellings are setback 150 metres from an oxidation pond, and the above submitters have sought a 200 metre setback be introduced in the MEP. I consider that it is difficult to provide rational as to what is an appropriate setback distance, as there are a range of factors that can help to mitigate or magnify the reverse sensitivity effects such as topography, atmospheric conditions, vegetation, the scale of the activity, etc. Within the MEP, these setback distances will act as a trigger, and development within the setback area will require that the reverse sensitivity effects of a particular activity are assessed though the consent process. Given that intensive farming and oxidation ponds are likely to have similar effects, I consider it is appropriate that the setback for both activities is 150 metres. I note that within assessment below I discuss the definition of 'Intensive Farming'.

624. Horticulture New Zealand (769.089) seek an additional standard be added to the MEP related to managing unwanted organisms under the Biosecurity Act 1993. In the rural area this may include the need to remove vegetation, bury infected material, or spray or burn infected material to manage an incursion. They consider that it is important that these activities can occur quickly in the event of a biosecurity incursion. I am unclear which standards managing unwanted organisms would breach or the potential effects of a breach. As such, I consider that additional evidence is required explaining which MEP standards would be breached, the effects of breaches, and why this activity should not require a consent while other activities of a similar nature would.
625. Te Atiawa o Te Waka-a-Maui (1186.115) (1186.142) consider that standards that apply to all permitted activities within the Rural Environment Zone or Rural Living Zone do not consider or account for cultural areas, sites, locations or values. No further details were provided as to the relief sought by the submitter. As such, I do not recommend that additions are made to the MEP.
626. Fire Service (993.028) (993.032) opposes the Standards in 3.2, 4.2, and 7.2.1 to the extent that the Standards do not include a requirement to provide a firefighting water supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 and access to that water supply. They seek the following standards be included within the MEP:
- 3.2.x *Water supply and access for firefighting*
- 3.2.x.1 *New buildings (excluding accessory buildings that are not habitable) shall have sufficient water supply for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.*
- 3.2.x.2 *Where a building is located more than 135m from the nearest road that has reticulated water supply (including hydrants) access shall have a minimum formed width of 4m, a height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8).*
627. I support the inclusion of the proposed standard 3.2.x.1 as I consider this will ensure that adequate water supply for firefighting purposes is provided. In relation to proposed standard 3.2.x.2, I note that the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 appears to contain the standards set out within the proposed standard. As such, I do not recommend that this additional standard is required and instead an addition could be made to 3.2.x.1 which requires that sufficient water supply and access is provided.

## Recommendation

I recommend that the following amendments are made to the Rural Environment Zone and Coastal Environment Zone:

### Bulk and location

3.2.1.2 *The maximum height of a building or structure must not exceed 10m.*

3.2.1.3 *Within the Omaka Valley Area, the maximum height of a building or structure must not exceed 7.5m.*

3.2.1.4 *On a site smaller than 4000m<sup>2</sup>,*

*i. The minimum setbacks from property boundaries must be:*

*i. 6m for a building that is a dwelling;*

*ii. 3m for a building (except a dwelling) that has a gross floor area greater than 15m<sup>2</sup>;*

*iii. 1.5m for a building (except a dwelling) has a gross floor area less than 15m<sup>2</sup>.*<sup>93</sup>

<sup>93</sup> New Zealand Pork Industry (998.048)

3.2.1.5 No part of a building must exceed a height limit imposed by a line drawn at an angle of 55° from the horizontal and originating and drawn at right angles from a point 2m above the boundary of the site where it abuts the road.

3.2.1.6. A dwelling must not be sited closer than:

- (a) 150m to the outer bank of an oxidation pond, sewage treatment works or a site designated for such works; or
- (b) 150m from a legally established intensive farming activity.<sup>94</sup>

Note: Standard 3.2.1.6(b) does not relate areas on the site which are not used for the intensive farming activities.<sup>95</sup>

3.2.1.11. Permanent buildings must not cover more than 15% of the net site area within a Computer Register. For the purposes of this Standard, the net site area does not include a greenhouse utilising the soils of the site.

3.2.1.12. For a site larger than 4000m<sup>2</sup>, the following minimum setbacks must be provided:

- ~~(a) 8m for the front boundary;~~
- ~~(b) 8m for the rear boundary;~~
- ~~(c) 5m for a side boundary~~

Habitable buildings:

- (a) 8 m for the front boundary
- (b) 25 m for the rear boundary
- (c) 25 m for the side boundary

All other buildings:

- (a) 8 m for the front boundary
- (b) 5 m for the rear boundary
- (c) 5 m for the side boundary<sup>96</sup>

Building means: a temporary or permanent movable or immovable structure (including a structure intended for occupation by people, animals, machinery, or chattels), but excludes any structure that is no more than 2.5 m in height, and no more than 10 m<sup>2</sup> in gross floor area, and excludes any earth bund or stockpiled materials<sup>97</sup>.

3.2.x. A building or structure must not be located within 5 m of the boundary with the rail corridor except for a fence up to 2m in height<sup>98</sup>.

3.2.x. New buildings (excluding accessory buildings that are not habitable) shall have sufficient water supply and access for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.<sup>99</sup>

I recommend that the following amendments are made to the Coastal Living Zone and Rural Living Zone standards:

x.2.x. A building or structure must not be located within 5 m of the boundary with the rail corridor except for a fence up to 2m in height<sup>100</sup>.

<sup>94</sup> FANZ (1192.10)

<sup>95</sup> Consequential amendment

<sup>96</sup> Horticulture New Zealand (769.092)

<sup>97</sup> Federated Farmers (425.506)

<sup>98</sup> KiwiRail (873.120)

<sup>99</sup> Fire Service (993.028)



x.2.x. New buildings (excluding accessory buildings that are not habitable) shall have sufficient water supply and access for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008<sup>101</sup>.

## Controlled Activities

### Sale of farm produce from a rural selling place (RE 3.4.2, and CE 4.4.2)

628. Rules 3.4.2 and 4.4.2 list the following as a controlled activity:

*Sale of farm produce from a rural selling place.*

*Standards and terms:*

3.4.2.1. *The place must not be served by vehicular access from a State Highway.* 3.4.2.2. *No vegetative produce that has been processed beyond cutting, cleaning, chilling, freezing, grading and packaging may be sold, except that unprocessed extracted juices may be sold.*

3.4.2.3. *The farm produce offered or displayed for sale must be grown on a farming unit owned or leased by the seller of the produce.*

3.4.2.4. *At least 1 parking space per 5m<sup>2</sup> of gross floor area of the selling place must be provided.*

3.4.2.5. *The parking area must be laid out in a manner such that vehicles do not reverse off the property.*

*Matters over which the Council has reserved control:*

3.4.2.6. *The design and appearance of the selling place.*

3.4.2.7. *The location of the selling place.*

## Submissions and Assessment

629. Wine Marlborough (431.095), Accolade Wines New Zealand Limited (457.067), Pernod Ricard (1039.126), Longfield Farm Limited (909.091) and Villa Maria (1218.058) consider that the restriction in 3.4.2.3 is inappropriate as they consider that it does not relate to an adverse environmental effect. They note that it is not uncommon for vineyards or wineries to sell products that were produced in other locations, or wine produced by combining grapes from a number of different vineyards. They seek that vineyards, wineries and associated retail should be clearly excluded from this rule.

630. I consider that the intent of the rule is to limit rural selling places to reasonably small-scale activities which are unlikely to lead to significant adverse effects. I consider that if produce that has been processed off-site is able to be sold at a rural selling place, this will increase the number of products that are able to be sold, which will in turn increase the scale at which the rural selling place will be able to operate. I consider that this standard acts as a limiting factor which ensures that the rural selling place remains reasonably small scale. I consider that it is appropriate that activities which are selling products processed off-site are considered though a discretionary activity status.

631. NZTA (1002.186) (1002.188) supports the controlled activity standard that requires that the sale of farm produce must not be from a place served by vehicular access from a State Highway. However, they are concerned by development that both directly accesses the State Highway and those that

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<sup>100</sup> KiwiRail (873.125)

<sup>101</sup> Fire Service (993.032)

are accessed via roads that lead to the State Highway (because of potential safety issues at intersections from increased traffic). They seek the following amendment:

*The place must not be served by vehicular access directly from a State Highway or from a road that leads onto a State Highway.*

632. In my view, the standards associated with this rule limit rural selling places to reasonably small-scale activities, which are unlikely to lead to significant vehicle movements. In my view, the additional standard is overly restrictive, given the existing limitations on scale. However, I also acknowledge that ensuring the safety of the transport network is also important. As such, I consider that a more appropriate relief would be to leave the standards as proposed and add an additional matter of control related to the safety of the access. This would allow the processing officer the ability to assess the safety of the access during the consent process based on the merits of the application.

633. S Tripe (133.001) considers that the rule is too vague. The submitter notes that they farm on State Highway 1, and questions whether the sale of hay or milk would be considered a rural selling place. I note that the MEP includes a definition of 'Rural selling place' which reads:

*any land, building or that part of a building on which farm produce is exchanged, sold, offered or displayed for sale either by wholesale and/or retail provided that in the case where a purchaser harvests the produce, the Rural Selling Place means any land, building or part of a building on or in which such produce is weighed, packaged and sold.*

I consider that the intention of the definition and rule is not to capture primary production produce such as milk, stock, or feed. I note that the rule and definition is currently included within the MSRMP, and the rule has not created an issue that the Council is aware of. This is likely due to the Council taking a pragmatic approach to the administration of the rule. If the submitter has a suggested amendment to the rule or definition which would resolve their concerns I would welcome provision of this. As a potential alternative amendment, the definition of 'rural selling place' could be amended to exclude the sale of primary products such as: milk, stock, or stock feed (or relief to that effect).

## Recommendation

634. That the following amendment are made to Rules 3.4.2, 4.4.2, and the definition of 'Rural selling place' are amended as follows:

*Sale of farm produce from a rural selling place.*

*Standards and terms:*

3.4.2.1. *The place must not be served by vehicular access from a State Highway.* 3.4.2.2. *No vegetative produce that has been processed beyond cutting, cleaning, chilling, freezing, grading and packaging may be sold, except that unprocessed extracted juices may be sold.*

3.4.2.3. *The farm produce offered or displayed for sale must be grown on a farming unit owned or leased by the seller of the produce.*

3.4.2.4. *At least 1 parking space per 5m<sup>2</sup> of gross floor area of the selling place must be provided.*

3.4.2.5. *The parking area must be laid out in a manner such that vehicles do not reverse off the property.*

*Matters over which the Council has reserved control:*

3.4.2.6. *The design and appearance of the selling place.*

3.4.2.7. *The location of the selling place.*

## Discretionary Activities

### General Activities (Rule RE 3.6.1, CE 4.6.1, CL 7.4.1, and RL 8.4.1)

635. Rules 3.6.1, 4.6.1, 7.4.1, and 8.4.1 list the following as a discretionary activity:

*Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards.*

### Submissions and Assessment

636. DOC (479.212) supports the discretionary activity rule. Forest and Bird (715.406) seek that indigenous vegetation clearance beyond the specified permitted standards should be a non-complying activity. I consider that the discretionary activity status for the clearance of indigenous vegetation is appropriate as a discretionary activity consent process allows the processing officer to consider the objectives and policies of Chapter 8 of the MEP. I note that Polices 8.3.1 to 8.3.3 provide clear direction as to when indigenous vegetation clearance is appropriate within Marlborough. I do not consider an amendment is required.
637. Mt Zion (515.016) (515.012) seeks that the discretionary activity rules be deleted. As no rationale was provided in the submission as to why the rule should be deleted, I do not recommend that the rule is removed.

### Recommendation

638. I recommend that Rules 3.6.1, 4.6.1, 7.4.1, and 8.4.1 are retained as notified.

### Winery, distillery or brewery (RE 3.6.2)

257. Rule 3.6.2 list the following as a discretionary activity:

*'Winery, distillery or brewery'*

The MEP includes a definition of 'Winery' as follows:

*Winery means a facility for the processing of grapes or other fruit for the production of wine, or juice for the subsequent production of wine, and the blending, storage, bottling and packaging of wine*

### Submissions and Assessment

639. Eight submissions<sup>103</sup> were received in support of Rule 3.6.2 - Winery, distillery or brewery and seek that it be retained as notified.
640. Federated Farmers (425.429) submits that the definition of winery should include ancillary activities and buildings, including the retail sale of wine and other vertical integrated activities. I consider that the relief sought will not make a difference to how an application for a winery will be considered, as both a 'Winery' and a 'Commercial activity' require a consent within the Rural Environment as a discretionary activity. As such, I disagree that an amendment is required.

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<sup>102</sup> NZTA (1002.186) (1002.188)

<sup>103</sup> 357. Wine Marlborough (431.068), Accolade Wines New Zealand Limited (457.068), Delegat Limited (473.052), Clintondale Trust (484.071), Indevin Estates Limited (776.041), Pernod Ricard (1039.126), Longfield Farm Limited (909.059), Villa Maria (1218.059)

## Recommendation

641. I recommend that Rule 3.6.2, and the definition of 'winery', are retained as notified.

### Intensive Farming (RE 3.6.3)

642. Rule 3.6.3 list the following as a discretionary activity:

*'Intensive farming'*

The MEP includes a definition of 'intensive farming' as follows:

*means any primary production activity exhibiting two or more of the following characteristics:*

- (a) little dependence on the quality of the soils of the site, such as greenhouses, mushrooms, plant nurseries;*
- (b) in excess of 50% coverage in permanent buildings having concrete or otherwise impervious floors for the housing and growing of livestock and/or vegetative matter;*
- (c) substantial environmental control and/or modification to facilitate growth of livestock and/or vegetative matter;*
- (d) high output of collected waste material per hectare and includes all pig farming, poultry farming, rabbit farming; greenhouses not relying on the soils, mushrooms, container growing nursery; and*
- (e) land based aquaculture.*

## Submissions and Assessment

### Rule 3.6.3

643. Beef and Lamb (459.067), Forest and Bird (715.425), New Zealand Pork (998.068), and The Marlborough Environment Centre Incorporated (1193.075) all support the provision and seek that it be retained as notified. Mt Zion (515.023) seeks that the rule be deleted. Ravensdown Limited (1090.086) seek that the discretionary activity be amended to a restricted discretionary activity. Egg Producers Federation New Zealand (696.001) (696.004) (9696.003) seek that a new definition of 'intensive poultry farming' is added to the MEP and that it be listed as a permitted activity. They seek that a permitted standard be added which requires that a new intensive poultry farming activity is set back at least 200 metres from any habitable building, community activity, recreational activity and sensitive receptor.

644. In relation to the above submission points, I consider that it is appropriate that intensive farms (including intensive poultry farms) require a resource consent in order to ensure the adverse effects associated with the activity are adequately mitigated. I consider that a fully discretionary activity is appropriate as a wide range of activities could be captured by the definition of intensive farming and therefore the effects of these activities will vary from application to application. As such, I consider that the discretionary status is appropriate and I do not consider that an amendment is required.

### Definition of intensive farming

645. Federated Farmers (425.405) note that the definition only requires two of the five characteristics to be met, but some normal pastoral farming activities might unjustifiably reach this threshold. They consider that the definition needs to focus on the permanent year-round nature of intensive indoor farming of livestock. They consider that all characteristics need to be met before being classified as intensive farming.

646. Horticulture NZ (769.122) does not support the inclusion of greenhouses in the definition of intensive farming as they consider the effects of greenhouses are different to intensive farming activities such as pig or poultry farming. They also note that there is no policy framework to support including greenhouses as an intensive farming activity based on dependence on the soil.

647. New Zealand Pork Industry (998.075) does not support the intensive farming definition, they seek that the definition relate to the commercial raising and keeping of animals and/or plants which is dependent on a high input of food sources.
648. Fish and Game (509.005) seek that clause (e) of the definition ('land-based aquaculture') be removed. They consider that the effects from land-based aquaculture activities are most appropriately addressed through discharge to water consents. Sanford Limited (1140.70) also seek that the definition of intensive farming excludes ocean-based aquaculture.
649. In relation to the above submission points, I consider that the intensive farming definition and standards seek to achieve the direction set out within Objective 14.1 and Policies 14.1.7 - 14.1.9. I consider that the MEP acknowledges that primary production activities (including intensive farming activities) can have adverse effects relating to noise, dust, smell, traffic generation, and effects on amenity values. As such, the definition of intensive farming seeks to list the attributes of activities that have the potential to cause such effects. I do not consider that the above submitters have provided suitable justification in their submissions that in every circumstance the activity they seek be removed from the intensive farming definition will not result in the adverse effects sought to be managed within Policies 14.1.7 - 14.1.9. If further evidence can be provided showing that a certain activity does not result in the adverse effects sought to be managed, then I consider amendments to the definition may be justified.

## Recommendation

650. I recommend that Rule 3.6.3, and the definition of 'intensive farming', are retained as notified.

## Visitor accommodation (RE 3.6.4)

651. Rule 3.6.4 list the following as a discretionary activity:

### *Visitor accommodation*

The MEP includes a definition of 'Visitor accommodation' as follows:

*means the use of land and buildings for short-term commercial accommodation and includes ancillary services such as food preparation, dining and sanitary facilities, conference and associated recreational facilities for those staying at the visitor accommodation but excludes holiday homes*

## Submissions and Assessment

652. Mt Zion (515.021) seeks that the rule be deleted. No further rational is provided as to why the rule should be deleted. I consider a discretionary status for visitor accommodation in the Rural and Coastal Environment Zones is appropriate.

## Recommendation

653. I recommend that Rule 3.6.4, and the definition of '*Visitor accommodation*', are retained as notified.

## Quarrying and mineral extraction (RE 3.6.6)

654. Rule 3.6.6 list the following as a discretionary activity:

### *Quarrying and mineral extraction*

## Submissions and Assessment

655. Mt Zion (515.022) seeks that the rule be deleted. Fulton Hogan Limited (717.073) support the rule but seeks that the objectives and policies of the MEP identify that quarrying is an activity that is

necessary and appropriate within rural environments. Ravensdown (1090.087) (1090.111) consider that this activity should be provided for as a restricted discretionary activity, with Council's discretion restricted to location, effects on natural landscapes and amenity values, and the provision of a Quarry Management Plan.

656. Federated Farmers seek that a new definition for quarrying is added to the Plan which reads as follows:

*'Quarrying means any activity where open or surface excavation of rock or other material deposits including gravel, rock, soil, clay, sand or peat is undertaken and removed from the property for commercial purposes.'*

657. Fulton Hogan (717.080) also seek that a new definition for quarrying is added to the Plan which reads as follows:

*'means the use of land, buildings and plant for the purpose of extraction of natural sand, gravel, clay, silt and rock and the associated processing, storage, sale and transportation of those same materials and quarry site rehabilitation. It may include:*

- a. earthworks associated with the removal and storage of over-burden;*
- b. extraction of natural sand, gravel, clay, silt and rock materials by excavation or blasting;*
- c. processing of aggregate materials by screening, crushing, washing and/or mixing them together;*
- d. the addition of additives such as clay, lime, cement and recycled/recovered aggregate to extracted materials;*
- e. workshops required for the repair of equipment used on the same property;*
- f. site management offices;*
- g. car parking;*
- h. landscaping;*
- i. quarry site rehabilitation and any associated clean-filling.*

658. In relation to the above submitters that seek a definition of quarrying be added to the MEP, I agree that a definition is required as it adds clarity as to what is captured by the rule. I note that any new quarry or mineral extraction activity will require a resource consent as a discretionary activity and through this process all elements of the quarrying activity will be assessed (stockpiling, processing, landscaping, site rehabilitation). As such, I consider that the all-encompassing definition suggested by Fulton and Hogan is appropriate. This is the same definition that has been included within the Christchurch District Plan.

659. Forest and Bird (715.416) support the consideration of small scale mineral extraction as a discretionary activity. However, they consider that quarrying and large scale mineral extraction should not be anticipated activities in the coastal environment of Marlborough and would be better identified as a non-complying activity or prohibited.

660. I consider that it is appropriate that quarrying and mineral extraction requires a resource consent in order to ensure the adverse effects associated with the activity are adequately mitigated. I consider that a fully discretionary activity is appropriate as a wide range of potential adverse effects that can be created through the quarrying and mineral extraction process. Furthermore, I note that through the consent process, the objectives and policies of the specific zones (i.e. the Rural Environment Zone objective and policies or the Coastal Environment Zone objective and policies) will provide direction on the appropriateness of an activity. For example, the additional policy I have recommended be added to the Rural Environment Chapter ensures that quarrying activities are located in appropriate locations within the rural environment. However, in the Coastal Environment there is a much more restrictive objective and policy framework. As such, I consider that the discretionary status is appropriate, and I do not consider that an amendment is required.

## **Recommendation**

661. I recommend that Rule 3.6.6, be retained as notified.

662. I recommend that the following definition of 'Quarrying and mineral extraction', be added to the MEP:

'means the use of land, buildings and plant for the purpose of extraction of natural sand, gravel, clay, silt and rock and the associated processing, storage, sale and transportation of those same materials and quarry site rehabilitation. It may include:

- j. earthworks associated with the removal and storage of over-burden;
- k. extraction of natural sand, gravel, clay, silt and rock materials by excavation or blasting;
- l. processing of aggregate materials by screening, crushing, washing and/or mixing them together;
- m. the addition of additives such as clay, lime, cement and recycled/recovered aggregate to extracted materials;
- n. workshops required for the repair of equipment used on the same property;
- o. site management offices;
- p. landscaping;
- q. quarry site rehabilitation and any associated clean-filling<sup>104</sup>.

## Rural industry (RE 3.6.7)

663. Rule 3.6.5 list 'Rural industry' as a discretionary activity:

664. The MEP contains a definition of 'Rural industry' as follows:

*'an industry, constructional engineers and roading and cartage contractors workshops or yards where either:*

- (a) 75% of the total business is with the rural sector and/or coastal marine area;*
- (b) The nature of the industry is such that it is inappropriately located within an urban or industrial zone.'*

## Submissions and Assessment

665. NZ Forest Products (995.027) (995.039) support the proposed activity status. Fonterra (1251.134) supports the discretionary status. However, they consider that the definition of "Rural industry" should be narrowed to encapsulate only those industrial activities that either:

- rely on raw materials or primary produce derived from the rural environment; or
- where 75% of the total business is within the rural sector and/or coastal marine area; or
- where the nature of the industry is such that it is inappropriately located within an urban or industrial zone.

666. Horticulture NZ (769.131) seek that the definition of rural industry should specifically include processing, packing and storage of primary products.

667. In relation to the Fonterra submission I consider that the proposed addition to the definition would broaden the scope of the definition given that each strand of the definition is an 'or'. Furthermore, I consider that industries that rely on raw materials or primary produce derived from the rural environment would also meet the requirement that 75% of the total business is within the rural sector and/or coastal marine area. As such, I do not consider that the addition adds much to the definition. In relation to the amendment sought by Horticulture NZ, I consider that the processing, packing and storage of primary products would be considered an industry captured by the definition. As such, I do not consider the addition is required.

668. Rural Contractors NZ (1096.006) (1096.008) is concerned that the planning provisions do not adequately provide for and support the establishment of rural contractor depots in rural areas, even though they have a functional need to do so due to the close association with primary production

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<sup>104</sup> Fulton Hogan (717.080)

activities. They consider that rural contractor depots are a logical extension of an existing farming operation for seasonal work. They consider it is essential that rural contractor depots are in close proximity to the primary production market they service to minimise travel time and operating cost. They seek new rules to manage rural contractor depots at two scales: small scale (up to 7 persons employed) as a permitted activity; and large scale (greater than 7 persons employed) as a restricted discretionary activity. They also seek that 'rural contractor depots' are excluded from the definition of rural industry and a new definition of 'rural contractor depots' be added to the MEP.

669. I consider that it is appropriate that rural contractors are required to get a resource consent as a discretionary activity just as other commercial activities are required to, and the policy direction within the Rural Environment Chapter will provide assistance as to whether the activity is appropriate or not. I note that Policy 14.1.3 provides the direction that buildings in rural environments should be linked to primary production, and as such if a rural contractor depot can demonstrate that it: is linked to primary production, requires a rural location, and can achieve the direction of the other policies of the Rural Environment Chapter, then it is likely to get a consent. I consider this process is appropriate.

## Recommendation

670. I recommend that Rule 3.6.5 and definition of 'Rural industry' are retained as notified.

## Any use of land (RE 3.6.11, CE 4.6.11, CL 7.4.6, RL 8.4.6)

671. Rules 3.6.11, 4.6.11, 7.4.6, and 8.4.6 list the following as a discretionary activity:

*Any use of land not provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity or limited as a Prohibited Activity.*

## Submissions and Assessment

672. K Loe(454.120), Flaxbourne Settlers Association (712.098), S MacKenzie (1124.061) all support the rule and seek that it be retained as notified.
673. Federated Farmers (425.615) (425.698) note that under Section 9 of the RMA, the use of land is presumed to be permitted unless it is restricted by a rule in a plan. They consider that the MEP should be identifying resource issues specific to the district and only controlling land use relating to the management of any adverse effects on those resources. They note that Section 76(3) states that when making a rule a territorial authority shall have regard to the actual or potential effect on the environment. They seek that the rules which assign a discretionary status to activities that are not otherwise anticipated should be deleted within the Rural Environment and Coastal Environment Zones.
674. I note that Policy 4.1.1 of the MEP provides direction at an RPS level that the MEP will recognise the rights of resource users by only intervening in the use of land to protect the environment and wider public interests in the environment. As such, there is direction within the MEP that supports Federated farmers suggested amendment. I also note that the rules and standards within the Coastal Environment and Rural Environment Zones of the MEP manage a broad range of activities. I note that Sections 3.6 and 4.6 of the Rural and Coastal Environment Chapters list activities such as 'Commercial activities' and 'Community facilities' which are linked to broad definitions. As such, if Rules 3.6.12 and 4.6.11 were removed from the MEP, I consider there would not be any significant gaps in the rule framework. The other positive aspect of removing the catchall rules is that activities that are not expressly permitted by the MEP rules but have a less than minor effect on the environment will not require a consent based on a drafting oversight.
675. However conversely, I note that RPS Policy 4.1.3 requires that the quality of natural resources are maintained and enhanced. As the provisions within the Coastal Environment and Rural Environment Zones of the MEP are predominantly activity-based provisions, if a new activity seeks to establish within the Coastal Environment and Rural Environment Zones that is not anticipated by the MEP, there is a risk that the MEP may not have appropriate controls to manage it. I note that it is common for



District Plans that have an activity-based approach to include a catch-all provision to ensure that any activity that slips through the gaps of the plan, or an activity that was not anticipated by the plan, requires a resource consent to ensure that the potential effects of that activity are appropriately managed.

676. As the MEP has been drafted as an activity-based plan, I would be cautious about recommending that the catch-all rule is removed. As such, I consider that it is appropriate that Rules 3.6.12 and 4.6.11 are retained as notified.
677. I note that the same activity rule is included within the Coastal Living and Rural Living Zones, however no submissions were received on these rules. As such, I recommend these rules are retained as notified.

## Recommendation

678. I recommend that Rules 3.6.11, 4.6.11, 7.4.6, and 8.4.6 are retained.

## Additional activities

### Submissions and Assessment

#### *Cycle tracks*

679. V Ayson (453.003)(453.004) states that no provision has been made for construction of cycle and walking tracks as a permitted activity within the Rural Environment Zone. The submitter seeks that a new permitted activity standard is added for the construction of walking and cycle tracks. I consider that the earthworks or the clearing of vegetation that is required to construct a cycle track should be treated the same as any other development activity. As such, I do not consider that an amendment is required.

#### *Kaitiakitanga*

680. P Rene (1025.001) seek that kaitiakitanga is enabled throughout the MEP as a permitted activity. No further information is provided as to how this should be incorporated within the MEP. In the absence of any information describing how kaitiakitanga could be enabled and what provision are sought to be amended, I am unable to recommend any changes.

#### *Rainwater collection*

681. P Buckley (61.001) seeks that an additional standard is included within the Coastal Living Zone requiring that new buildings include rainwater harvesting facilities. The submitter considers that a 25 m<sup>3</sup> tank should be required on land areas over 4,000 m<sup>2</sup> and 10 m<sup>3</sup> tank should be required on land areas over 4,000 m<sup>2</sup>. I consider it is appropriate that the decision to establish a rainwater harvesting facilities is a personal choice when building a new dwelling. As such, I do not recommend that an amendment to the MEP is required.

## Recommendation

682. I recommend that an additional standard is added to Sections 3.2 and 4.2 of the Rural Environment and Coastal Environment Zones as follows:

#### x.2.8 Use of external lighting.

##### x.2.8.1 All outdoor lighting and exterior lighting must be directed away from roads so as to avoid any adverse effects on traffic safety.

## **Appendix 1: Recommended decisions on decisions requested**

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Submission Number	Submission Point	Submitter	Volume	Chapter	Provision	Recommendation
688	156	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.1	Reject
716	170	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	13.AER.1	Reject
688	165	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.10	Reject
716	173	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	13.AER.10	Reject
688	166	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.11	Reject
688	157	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.2	Reject
716	171	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	13.AER.2	Reject
1244	41	Z Energy Limited	Volume 1	13 Use of the Coastal Environment	13.AER.2	Reject
425	238	Federated Farmers of New Zealand	Volume 1	13 Use of the Coastal Environment	13.AER.4	Reject
688	159	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.4	Reject
404	41	Eric Jorgensen	Volume 1	13 Use of the Coastal Environment	13.AER.5	Reject
688	160	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.5	Reject
716	172	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	13.AER.5	Reject
688	113	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.6	Reject
688	161	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.6	Reject
688	163	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.7	Reject
688	162	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.8	Reject
91	71	Marlborough District Council	Volume 1	13 Use of the Coastal Environment	13.AER.9	Reject
91	72	Marlborough District Council	Volume 1	13 Use of the Coastal Environment	13.AER.9	Reject
91	138	Marlborough District Council	Volume 1	13 Use of the Coastal Environment	13.AER.9	Reject
688	164	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	13.AER.9	Reject
715	251	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	13.M.10	Reject
401	138	Aquaculture New Zealand	Volume 1	13 Use of the Coastal Environment	13.M.11	Reject
715	252	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	13.M.11	Reject

715	240	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Issue 13D	Accept
716	160	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Issue 13D	Accept
401	137	Aquaculture New Zealand	Volume 1	13 Use of the Coastal Environment	Objective 13.5	Accept
426	142	Marine Farming Association Incorporated	Volume 1	13 Use of the Coastal Environment	Objective 13.5	Accept
715	241	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Objective 13.5	Accept
716	161	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Objective 13.5	Accept
868	54	Kenepuru and Central Sounds Residents Association Incorporated	Volume 1	13 Use of the Coastal Environment	Objective 13.5	Accept
364	97	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Accept
424	55	Michael and Kristen Gerard	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Reject
425	225	Federated Farmers of New Zealand	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Reject
715	242	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Accept
716	162	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Accept
993	16	New Zealand Fire Service Commission	Volume 1	13 Use of the Coastal Environment	Policy 13.5.1	Accept
364	98	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Accept
425	226	Federated Farmers of New Zealand	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Reject
426	152	Marine Farming Association Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Reject
436	2	Rikihana Clinton Bradley	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Reject
715	243	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Reject
716	163	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Accept
768	50	Heritage New Zealand Pouhere Taonga	Volume 1	13 Use of the Coastal Environment	Policy 13.5.2	Reject
364	99	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.3	Accept
504	64	Queen Charlotte Sound Residents Association	Volume 1	13 Use of the Coastal Environment	Policy 13.5.3	Accept
698	79	Environmental Defence Society Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.3	Reject

715	244	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.3	Reject
716	164	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.3	Reject
357	1	Trudie Lasham	Volume 1	13 Use of the Coastal Environment	Policy 13.5.4	Reject
364	100	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.4	Accept
715	245	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.4	Reject
716	165	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.4	Accept
1089	2	Rarangi District Residents Association	Volume 1	13 Use of the Coastal Environment	Policy 13.5.4	Accept
100	23	East Bay Conservation Society	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept
364	101	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept
425	227	Federated Farmers of New Zealand	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept in part
698	80	Environmental Defence Society Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept
715	246	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept
716	166	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.5	Accept
280	62	Nelson Marlborough District Health Board	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Reject
364	102	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Accept
404	28	Eric Jorgensen	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Reject
424	56	Michael and Kristen Gerard	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Reject
425	228	Federated Farmers of New Zealand	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Reject
464	24	Chorus New Zealand limited	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Accept
698	81	Environmental Defence Society Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Reject
715	247	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Accept
716	167	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Accept
1158	22	Spark New Zealand Trading Limited	Volume 1	13 Use of the Coastal Environment	Policy 13.5.6	Accept
364	103	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.7	Reject
715	248	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.7	Accept

716	168	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 1	13 Use of the Coastal Environment	Policy 13.5.7	Accept
364	104	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.8	Accept
715	249	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.8	Reject
364	105	Ian Balfour Mitchell	Volume 1	13 Use of the Coastal Environment	Policy 13.5.9	Reject
504	65	Queen Charlotte Sound Residents Association	Volume 1	13 Use of the Coastal Environment	Policy 13.5.9	Accept
688	109	Judy and John Hellstrom	Volume 1	13 Use of the Coastal Environment	Policy 13.5.9	Accept
715	250	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	13 Use of the Coastal Environment	Policy 13.5.9	Accept in part
255	19	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	14.	Reject
263	3	Mark Batchelor	Volume 1	14 Use of the Rural Environment	14.	Reject
310	1	Keith M.J. Adams	Volume 1	14 Use of the Rural Environment	14.	Reject
425	271	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	14.	Reject
696	5	Egg Producers Federation of New Zealand	Volume 1	14 Use of the Rural Environment	14.	Accept in part
712	48	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	14.	Accept in part
717	42	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	14.	Accept in part
961	46	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	14.	Reject
961	47	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	14.	Reject
961	48	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	14.	Reject
998	6	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	14.	Accept
1186	86	Te Atiawa o Te Waka-a-Maui	Volume 1	14 Use of the Rural Environment	14.	Reject
1090	24	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	14.AER.1	Accept
1192	11	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	14.AER.1	Accept
1090	25	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	14.AER.2	Accept
1192	12	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	14.AER.2	Accept
91	160	Marlborough District Council	Volume 1	14 Use of the Rural Environment	14.AER.3	Accept
1090	26	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	14.AER.3	Accept
91	101	Marlborough District Council	Volume 1	14 Use of the Rural Environment	14.AER.7	Accept
1193	11	The Marlborough Environment Centre Incorporated	Volume 1	14 Use of the Rural Environment	14.AER.7	Reject

998	33	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	14.M.3	Accept
255	12	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	14.M.4	Reject
255	11	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	14.M.5	Reject
255	10	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	14.M.6	Reject
640	9	Douglas and Colleen Robbins	Volume 1	14 Use of the Rural Environment	14.M.6	Reject
738	12	Glenda Vera Robb	Volume 1	14 Use of the Rural Environment	14.M.6	Reject
935	9	Melva Joy Robb	Volume 1	14 Use of the Rural Environment	14.M.6	Reject
91	136	Marlborough District Council	Volume 1	14 Use of the Rural Environment	14.M.7	Accept
255	18	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Issue 14A	Reject
425	239	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Issue 14A	Accept in part
996	6	New Zealand Institute of Surveyors	Volume 1	14 Use of the Rural Environment	Issue 14A	Reject
1039	79	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Issue 14A	Accept
1090	9	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Issue 14A	Accept
1251	98	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Issue 14A	Reject
280	70	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Issue 14B	Accept
348	17	Murray Chapman	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
351	39	Helen Mary Ballinger	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
717	49	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
769	50	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Issue 14B	Accept
961	32	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	40	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	41	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	42	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	43	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	44	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
961	45	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
996	7	New Zealand Institute of Surveyors	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
1039	90	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Issue 14B	Reject
1090	17	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Issue 14B	Accept

996	8	New Zealand Institute of Surveyors	Volume 1	14 Use of the Rural Environment	Issue 14C	Reject
1002	66	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Issue 14C	Reject
88	4	Chris Bowron	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
255	17	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
280	66	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
368	6	Kate and Shane Ponder-West	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
425	240	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept in part
425	241	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept in part
454	26	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
455	11	John Hickman	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
456	11	George Mehlhopt	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
459	27	Beef and Lamb New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Reject
472	12	ME Taylor Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
484	40	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
505	12	Ernslaw One Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
509	153	Nelson Marlborough Fish and Game	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
717	43	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
717	44	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept in part
717	46	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept in part
769	39	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept in part



908	11	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
998	7	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1039	80	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1090	10	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1124	46	Steve MacKenzie	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1192	5	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1192	10	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
1238	34	Windermere Forests Limited	Volume 1	14 Use of the Rural Environment	Objective 14.1	Accept
255	16	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
348	19	Murray Chapman	Volume 1	14 Use of the Rural Environment	Objective 14.2	Reject
425	250	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
431	37	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
457	37	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
462	4	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
472	14	ME Taylor Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
473	28	Delegat Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
769	45	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
776	23	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
909	34	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept

970	9	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
998	15	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
1039	87	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
1218	34	Villa Maria	Volume 1	14 Use of the Rural Environment	Objective 14.2	Accept
425	255	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
425	256	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
431	41	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
431	73	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
457	41	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
472	15	ME Taylor Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
717	47	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
717	48	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
769	48	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
909	63	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
962	79	Marlborough Forest Industry Association Incorporated	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
990	226	Nelson Forests Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
998	20	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
1039	88	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
1090	16	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part

1151	3	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
1201	96	Trustpower Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
1201	98	Trustpower Limited	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept in part
1218	64	Villa Maria	Volume 1	14 Use of the Rural Environment	Objective 14.3	Accept
39	3	Peter Deacon	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
425	258	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
454	137	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
484	45	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Accept
717	50	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
769	51	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
873	61	KiwiRail Holdings Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Accept
908	13	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Accept
998	23	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Objective 14.4	Accept
1090	18	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Accept
1251	102	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
1251	103	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Objective 14.4	Reject
425	268	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject
431	44	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject
431	75	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject

457	44	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject
907	24	Levide Capital Limited	Volume 1	14 Use of the Rural Environment	Objective 14.5	Accept
908	16	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Objective 14.5	Accept
909	65	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject
998	29	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Objective 14.5	Accept
1039	96	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Objective 14.5	Reject
1218	67	Villa Maria	Volume 1	14 Use of the Rural Environment	Objective 14.5	Accept
425	242	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
431	34	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
454	27	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
455	12	John Hickman	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
456	12	George Mehlhopt	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
457	34	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
459	28	Beef and Lamb New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Reject
462	1	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
472	13	ME Taylor Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
473	26	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
484	41	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
712	78	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
769	40	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
776	21	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
908	12	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
909	31	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
970	7	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
998	8	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept

1039	81	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1090	11	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1124	47	Steve MacKenzie	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1151	2	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1192	6	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1218	31	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Accept
1251	99	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.1	Reject
280	24	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Reject
425	243	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Accept
454	28	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Accept in part
712	43	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Accept in part
998	9	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Accept
1039	82	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Accept
1096	1	Rural Contractors New Zealand Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.1.2	Reject
180	1	Heather Deacon	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
425	244	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Reject
454	29	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
712	79	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
769	41	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept in part
974	9	Ministry of Education	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Reject
998	10	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
1039	83	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
1090	12	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
1096	2	Rural Contractors New Zealand Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
1198	31	Transpower New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.3	Accept
166	29	Te Runanga o Toa Rangatira	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject
280	25	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject
348	21	Murray Chapman	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject
425	245	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject

454	30	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
455	15	John Hickman	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
456	13	George Mehlhopt	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
479	119	Department of Conservation	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
484	42	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
509	154	Nelson Marlborough Fish and Game	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject
712	80	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
715	362	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
998	11	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
1039	84	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
1090	13	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept
1186	84	Te Atiawa o Te Waka-a-Maui	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept in part
1187	7	Te Runanga a Rangitane o Wairau	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept in part
1189	99	Te Runanga o Kaikoura and Te Runanga o Ngai Tahu	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Accept in part
1192	7	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.4	Reject
280	26	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Reject
454	31	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Accept
712	81	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Accept
769	42	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Accept
993	17	New Zealand Fire Service Commission	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Accept in part
998	12	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.5	Accept
210	12	Kevin Wilson	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Reject
280	67	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
348	20	Murray Chapman	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
425	246	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Reject
431	35	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
457	35	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept

462	2	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
473	27	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
484	43	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
592	9	Clifford John Smith	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Reject
717	45	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept in part
769	43	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
776	22	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
909	32	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
970	8	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
998	13	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
1039	85	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
1090	14	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
1192	8	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
1218	32	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.1.7	Accept
210	11	Kevin Wilson	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Reject
280	68	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Reject
425	247	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Accept
454	32	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Reject
712	82	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Reject
1124	48	Steve MacKenzie	Volume 1	14 Use of the Rural Environment	Policy 14.1.8	Reject
210	10	Kevin Wilson	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept
280	69	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept
425	248	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Reject
454	33	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept
712	83	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept
769	44	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept in part
998	14	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept
1039	86	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept

1090	15	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept in part
1192	9	The Fertiliser Association of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Accept in part
1251	100	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.1.9	Reject
425	251	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
431	38	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
457	38	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
462	5	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
473	29	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
769	46	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
776	24	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
909	35	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
970	10	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
998	16	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Reject
1218	35	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.2.1	Accept
255	15	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Reject
425	252	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
431	39	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
457	39	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
462	6	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
473	30	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
769	47	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
776	25	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
909	36	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
970	11	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
998	17	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
1218	36	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.2.2	Accept
255	14	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Reject
425	253	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
431	40	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept



457	40	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
462	7	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
473	31	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
776	26	Indevin Estates Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
909	37	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
970	12	Middlehurst Station Limited	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
998	18	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
1218	37	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.2.3	Accept
255	13	Warwick Lissaman	Volume 1	14 Use of the Rural Environment	Policy 14.2.4	Reject
425	254	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.2.4	Accept
998	19	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.2.4	Accept
501	68	Te Runanga O Ngati Kuia	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Accept
962	80	Marlborough Forest Industry Association Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Reject
974	10	Ministry of Education	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Reject
990	227	Nelson Forests Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Reject
998	21	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Reject
1186	85	Te Atiawa o Te Waka-a-Maui	Volume 1	14 Use of the Rural Environment	Policy 14.3.1	Reject
425	257	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
431	42	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
431	74	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
457	42	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
769	49	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Reject
909	64	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Reject
974	11	Ministry of Education	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Reject
998	22	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
1002	61	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Reject
1039	89	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
1201	97	Trustpower Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept

1218	65	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Accept
1251	101	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.3.2	Reject
425	259	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Reject
431	43	Wine Marlborough	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
454	34	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
457	43	Accolade Wines New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
462	8	Blind River Irrigation Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
473	32	Delegat Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
484	46	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
712	44	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
717	51	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Reject
769	52	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept in part
909	38	Longfield Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
998	24	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
1002	62	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Reject
1090	19	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
1151	4	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Reject
1218	38	Villa Maria	Volume 1	14 Use of the Rural Environment	Policy 14.4.1	Accept
425	266	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
454	38	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
712	40	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
712	84	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
717	52	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Reject
769	56	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Reject
873	63	KiwiRail Holdings Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept

908	15	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
961	38	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Reject
998	28	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Reject
1039	91	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
1090	21	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Accept
1251	106	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.10	Reject
425	267	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.11	Reject
454	39	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.11	Accept
484	48	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.11	Accept
712	85	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.11	Accept
961	39	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.11	Reject
31	1	Sebastian Zuefle	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
32	1	Kathryn McConnell	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
33	1	Russell Lane	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
39	1	Peter Deacon	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
58	1	Andrew Dwyer	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
59	1	Jo Dwyer	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
60	1	Richard Julian and Mary Josephine Potez	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
62	1	Bike Walk Renwick	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept

63	1	Sandy Shields	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
84	1	Barry Gray	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
86	2	Gary Burns	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
95	1	John Kershaw	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
96	1	Jane Buckman	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
107	1	Peter Lamb	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
128	3	Lynda Scott Kelly	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
153	1	Glenis & Ian McAlpine	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
156	1	Marion Gray	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
164	1	Nigel Sowman	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
180	2	Heather Deacon	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
187	1	Ronald Fredric McLean	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Reject
205	1	Nicola Bright	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
239	1	Tony Westend	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
252	2	Kim Nicholls	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
265	3	Lisa Halliday	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
284	18	Jane Buckman	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
362	3	Stuart Robert Kennington	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
363	3	Angela Marion Kennington	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept

364	162	Ian Balfour Mitchell	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
379	2	LA Smith and BJ Green Partnership	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Reject
438	3	Richard Scott Wilson	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
452	1	Beconbrae Farm	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
511	1	Anna and Hayden Dunne	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
596	3	Corina Naus	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
639	1	David Marshall Allan	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
683	1	Dog Point Vineyard	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
685	1	Elizabeth Ann MacDonald	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
690	1	Evon Ernest Goodwin	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
767	3	Hawkesbury Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
772	1	Ivan and Margaret Sutherland	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
779	1	Jonathan Andrew Falloon	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
816	3	Janine Merie Mayson	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
846	1	Sutherland, Kirsty and Planthaber, Steve	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
858	3	Kevin Peter Judd	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
872	3	Kimberley Judd	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
917	1	Matthew Desmond Melton Clark	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
919	1	Margaret Cresswell	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept

937	1	Mike Just	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
939	1	Murray MacDonald	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
944	3	Michael Naus	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1005	1	Omaka Valley Group Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1009	1	Patricia Anne Vaughman Goodwin	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1011	7	Peter Banks	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1015	1	Wildacres Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1039	92	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
1090	22	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept in part
1151	7	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Reject
1191	1	The Bell Tower on Dog Point	Volume 1	14 Use of the Rural Environment	Policy 14.4.12	Accept
31	2	Sebastian Zuefle	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
32	2	Kathryn McConnell	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
33	2	Russell Lane	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
39	2	Peter Deacon	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
58	2	Andrew Dwyer	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
59	2	Jo Dwyer	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
60	2	Richard Julian and Mary Josephine Potez	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
62	2	Bike Walk Renwick	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept

63	2	Sandy Shields	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
85	1	Barry Gray	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
86	1	Gary Burns	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
95	2	John Kershaw	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
96	2	Jane Buckman	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
107	2	Peter Lamb	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
122	1	Gavin Kerr	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
128	4	Lynda Scott Kelly	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
153	2	Glenis & Ian McAlpine	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
157	1	Marion Gray	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
164	2	Nigel Sowman	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
187	2	Ronald Fredric McLean	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
205	2	Nicola Bright	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
239	2	Tony Westend	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
252	1	Kim Nicholls	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
265	4	Lisa Halliday	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
284	19	Jane Buckman	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
362	4	Stuart Robert Kennington	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
363	4	Angela Marion Kennington	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept

364	164	Ian Balfour Mitchell	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
379	1	LA Smith and BJ Green Partnership	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
438	4	Richard Scott Wilson	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
452	2	Beconbrae Farm	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
471	5	Bike Walk Marlborough Trust	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
481	22	New Zealand Walking Access Commission	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
511	2	Anna and Hayden Dunne	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
596	4	Corina Naus	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
639	2	David Marshall Allan	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
683	2	Dog Point Vineyard	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
685	2	Elizabeth Ann MacDonald	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
690	2	Evon Ernest Goodwin	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
767	4	Hawkesbury Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
772	2	Ivan and Margaret Sutherland	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
816	4	Janine Merie Mayson	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
846	2	Sutherland, Kirsty and Planthaber, Steve	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
858	4	Kevin Peter Judd	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
872	4	Kimberley Judd	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
917	2	Matthew Desmond Melton Clark	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept



919	2	Margaret Cresswell	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
937	2	Mike Just	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
939	2	Murray MacDonald	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
944	4	Michael Naus	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
949	1	Matthew Sutherland	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1005	2	Omaka Valley Group Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1009	2	Patricia Anne Vaughman Goodwin	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1011	8	Peter Banks	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1039	93	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1151	8	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1191	2	The Bell Tower on Dog Point	Volume 1	14 Use of the Rural Environment	Policy 14.4.13	Accept
1039	94	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.14	Accept
1090	23	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.14	Accept in part
717	53	Fulton Hogan Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.15	Reject
769	57	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.15	Reject
1002	65	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.4.15	Reject
1039	95	Pernod Ricard Winemakers New Zealand Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.15	Accept
218	14	Salvador Delgado Oro Laprida	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Accept
425	260	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Accept
454	35	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Accept in part

712	45	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Accept in part
769	53	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Accept
961	33	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.2	Reject
425	261	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept in part
454	36	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept
712	46	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept
769	54	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Reject
873	62	KiwiRail Holdings Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept
961	34	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Reject
998	25	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept
1002	63	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.4.3	Accept
425	262	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Accept
454	37	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Accept in part
484	47	Clintondale Trust, Whyte Trustee Company Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Accept
712	47	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Accept in part
908	14	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Reject
961	35	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Reject
998	26	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Reject
1090	20	Ravensdown Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.4	Reject
280	71	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Accept
425	263	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Reject
769	55	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Reject
961	36	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Reject
1151	5	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Reject
1251	104	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.5	Reject
425	264	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.6	Reject
961	37	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.4.6	Reject
962	81	Marlborough Forest Industry Association Incorporated	Volume 1	14 Use of the Rural Environment	Policy 14.4.6	Reject

990	228	Nelson Forests Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.6	Reject
1151	6	Simcox Construction Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.6	Reject
425	265	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.4.7	Reject
998	27	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.4.7	Accept
1251	105	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.4.7	Accept
1002	64	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.4.9	Accept
425	269	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Reject
454	40	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Reject
712	41	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Accept
907	25	Levide Capital Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Accept
974	12	Ministry of Education	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Accept
998	30	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.5.1	Accept
454	41	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Accept
712	42	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Accept
768	51	Heritage New Zealand Pouhere Taonga	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Reject
769	58	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Reject
907	26	Levide Capital Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Reject
974	13	Ministry of Education	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Accept
998	31	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Accept
1002	67	New Zealand Transport Agency	Volume 1	14 Use of the Rural Environment	Policy 14.5.2	Accept
908	17	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.3	Accept
998	32	New Zealand Pork Industry Board	Volume 1	14 Use of the Rural Environment	Policy 14.5.3	Accept
1251	32	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.3	Reject
425	270	Federated Farmers of New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Reject
445	2	Trelawne Farm Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Accept
454	42	Kevin Francis Loe	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Accept
712	86	Flaxbourne Settlers Association	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Accept
769	59	Horticulture New Zealand	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Accept in part
961	49	Marlborough Chamber of Commerce	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Reject

1251	33	Fonterra Co-operative Group Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.4	Accept in part
280	72	Nelson Marlborough District Health Board	Volume 1	14 Use of the Rural Environment	Policy 14.5.5	Reject
464	28	Chorus New Zealand limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.5	Accept
907	27	Levide Capital Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.5	Accept
1158	26	Spark New Zealand Trading Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.5	Accept
907	28	Levide Capital Limited	Volume 1	14 Use of the Rural Environment	Policy 14.5.6	Accept
425	614	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.	Reject
453	3	Vernon Thomas Fraser Ayson	Volume 2	3 Rural Environment Zone	3.1.	Reject
696	1	Egg Producers Federation of New Zealand	Volume 2	3 Rural Environment Zone	3.1.	Reject
769	90	Horticulture New Zealand	Volume 2	3 Rural Environment Zone	3.1.	Reject
974	15	Ministry of Education	Volume 2	3 Rural Environment Zone	3.1.	Reject
1039	112	Pernod Ricard Winemakers New Zealand Limited	Volume 2	3 Rural Environment Zone	3.1.	Accept
1096	3	Rural Contractors New Zealand Incorporated	Volume 2	3 Rural Environment Zone	3.1.	Reject
1193	2	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.1.	Reject
425	517	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.1.	Reject
431	53	Wine Marlborough	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
455	39	John Hickman	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
456	39	George Mehlhopt	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
457	53	Accolade Wines New Zealand Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
462	15	Blind River Irrigation Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
473	39	Delegat Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
484	57	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
631	26	Constellation Brands New Zealand Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
776	33	Indevin Estates Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
909	44	Longfield Farm Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
970	15	Middlehurst Station Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
970	20	Middlehurst Station Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept in part
1017	4	Peter Gilford Gilbert	Volume 2	3 Rural Environment Zone	3.1.1.	Reject

1090	60	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
1192	50	The Fertiliser Association of New Zealand	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
1193	60	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.1.1.	Reject
1218	44	Villa Maria	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
1242	24	Yealands Estate Limited	Volume 2	3 Rural Environment Zone	3.1.1.	Accept
425	530	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.10.	Reject
476	5	South Marlborough Landscape Restoration Trust	Volume 2	3 Rural Environment Zone	3.1.10.	Accept
462	20	Blind River Irrigation Limited	Volume 2	3 Rural Environment Zone	3.1.2.	Accept
770	1	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	3 Rural Environment Zone	3.1.3.	Accept
454	113	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.1.44.	Accept in part
712	39	Flaxbourne Settlers Association	Volume 2	3 Rural Environment Zone	3.1.44.	Accept in part
425	497	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.47.	Reject
998	47	New Zealand Pork Industry Board	Volume 2	3 Rural Environment Zone	3.1.47.	Accept
445	12	Trelawne Farm Limited	Volume 2	3 Rural Environment Zone	3.1.48.	Accept
454	115	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.1.48.	Accept in part
712	38	Flaxbourne Settlers Association	Volume 2	3 Rural Environment Zone	3.1.48.	Accept
431	54	Wine Marlborough	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
457	54	Accolade Wines New Zealand Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
462	16	Blind River Irrigation Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
473	40	Delegat Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
484	58	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
592	10	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.1.5.	Reject
631	27	Constellation Brands New Zealand Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
776	34	Indevin Estates Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
909	45	Longfield Farm Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
1218	45	Villa Maria	Volume 2	3 Rural Environment Zone	3.1.5.	Accept
1242	25	Yealands Estate Limited	Volume 2	3 Rural Environment Zone	3.1.5.	Accept

993	25	New Zealand Fire Service Commission	Volume 2	3 Rural Environment Zone	3.1.51.	Reject
591	1	Rarangi Golf Club Incorporated	Volume 2	3 Rural Environment Zone	3.1.56.	Reject
425	528	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.8.	Reject
454	75	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.1.8.	Accept
476	3	South Marlborough Landscape Restoration Trust	Volume 2	3 Rural Environment Zone	3.1.8.	Accept
479	193	Department of Conservation	Volume 2	3 Rural Environment Zone	3.1.8.	Accept
712	94	Flaxbourne Settlers Association	Volume 2	3 Rural Environment Zone	3.1.8.	Accept
1124	23	Steve MacKenzie	Volume 2	3 Rural Environment Zone	3.1.8.	Reject
1193	5	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.1.8.	Accept
425	529	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.1.9.	Reject
479	195	Department of Conservation	Volume 2	3 Rural Environment Zone	3.1.9.	Accept
1193	6	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.1.9.	Accept
591	2	Rarangi Golf Club Incorporated	Volume 2	3 Rural Environment Zone	3.2.	Accept
696	2	Egg Producers Federation of New Zealand	Volume 2	3 Rural Environment Zone	3.2.	Accept
769	89	Horticulture New Zealand	Volume 2	3 Rural Environment Zone	3.2.	Accept
993	28	New Zealand Fire Service Commission	Volume 2	3 Rural Environment Zone	3.2.	Accept in part
1186	115	Te Atiawa o Te Waka-a-Maui	Volume 2	3 Rural Environment Zone	3.2.	Accept
717	71	Fulton Hogan Limited	Volume 2	3 Rural Environment Zone	3.2.1.	Reject
1039	113	Pernod Ricard Winemakers New Zealand Limited	Volume 2	3 Rural Environment Zone	3.2.1.	Accept
425	498	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.1.	Accept
454	114	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.2.1.1.	Accept
908	20	Lion - Beer, Spirits and Wine (NZ) Limited	Volume 2	3 Rural Environment Zone	3.2.1.1.	Accept
1089	4	Rarangi District Residents Association	Volume 2	3 Rural Environment Zone	3.2.1.1.	Accept
425	506	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.11.	Reject
769	91	Horticulture New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.11.	Reject
192	9	Perry Mason Gilbert	Volume 2	3 Rural Environment Zone	3.2.1.12.	Reject
425	507	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.12.	Accept in part
769	92	Horticulture New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.12.	Accept

873	120	KiwiRail Holdings Limited	Volume 2	3 Rural Environment Zone	3.2.1.12.	Accept in part
998	49	New Zealand Pork Industry Board	Volume 2	3 Rural Environment Zone	3.2.1.12.	Accept in part
425	499	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.2.	Reject
96	3	Jane Buckman	Volume 2	3 Rural Environment Zone	3.2.1.3.	Accept
284	24	Jane Buckman	Volume 2	3 Rural Environment Zone	3.2.1.3.	Accept
425	500	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.3.	Reject
1005	5	Omaka Valley Group Incorporated	Volume 2	3 Rural Environment Zone	3.2.1.3.	Accept
998	48	New Zealand Pork Industry Board	Volume 2	3 Rural Environment Zone	3.2.1.4.	Accept
425	501	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.2.1.5.	Reject
1251	127	Fonterra Co-operative Group Limited	Volume 2	3 Rural Environment Zone	3.2.1.6.	Reject
591	3	Rarangi Golf Club Incorporated	Volume 2	3 Rural Environment Zone	3.3.	Reject
696	3	Egg Producers Federation of New Zealand	Volume 2	3 Rural Environment Zone	3.3.	Accept in part
990	44	Nelson Forests Limited	Volume 2	3 Rural Environment Zone	3.3.	Accept in part
1096	4	Rural Contractors New Zealand Incorporated	Volume 2	3 Rural Environment Zone	3.3.	Reject
459	29	Beef and Lamb New Zealand	Volume 2	3 Rural Environment Zone	3.3.1.	Reject
91	212	Marlborough District Council	Volume 2	3 Rural Environment Zone	3.3.1.1.	Accept
425	518	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.1.1.	Reject
1090	65	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.3.1.1.	Accept
1189	120	Te Runanga o Kaikoura and Te Runanga o Ngai Tahu	Volume 2	3 Rural Environment Zone	3.3.1.1.	Accept in part
1192	53	The Fertiliser Association of New Zealand	Volume 2	3 Rural Environment Zone	3.3.1.1.	Accept
149	34	PF Olsen Ltd	Volume 2	3 Rural Environment Zone	3.3.10.	Reject
459	46	Beef and Lamb New Zealand	Volume 2	3 Rural Environment Zone	3.3.10.	Reject
41	3	Edward Ross Beech	Volume 2	3 Rural Environment Zone	3.3.10.1.	Accept
340	7	B L and C F Leov Bulford	Volume 2	3 Rural Environment Zone	3.3.10.1.	Reject
369	6	Tony Hawke	Volume 2	3 Rural Environment Zone	3.3.10.1.	Reject
439	3	John Walter Oswald	Volume 2	3 Rural Environment Zone	3.3.10.1.	Accept
476	6	South Marlborough Landscape Restoration Trust	Volume 2	3 Rural Environment Zone	3.3.10.1.	Reject
496	92	Royal Forest and Bird Protection Society NZ {Forest & Bird}	Volume 2	3 Rural Environment Zone	3.3.10.1.	Accept

692	3	Edward Ross Beech	Volume 2	3 Rural Environment Zone	3.3.10.1.	Accept
1250	9	James Simon Fowler	Volume 2	3 Rural Environment Zone	3.3.10.1.	Accept
423	31	Chris Shaw	Volume 2	3 Rural Environment Zone	3.3.10.2.	Accept in part
1179	27	Thomas Robert Stein	Volume 2	3 Rural Environment Zone	3.3.10.2.	Accept in part
1265	5	Queen Elizabeth the Second National Trust	Volume 2	3 Rural Environment Zone	3.3.10.2.	Accept in part
770	7	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	3 Rural Environment Zone	3.3.3.	Accept
365	1	Coffey House Removals 2007 Ltd	Volume 2	3 Rural Environment Zone	3.3.3.2.	Reject
425	520	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.4.1.	Accept in part
425	521	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.4.2.	Reject
425	522	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.4.3.	Reject
141	6	Hall Family Farms Ltd	Volume 2	3 Rural Environment Zone	3.3.45.	Accept in part
93	13	Spencer & Susan White	Volume 2	3 Rural Environment Zone	3.3.45.1.	Accept in part
207	1	Simon Tripe	Volume 2	3 Rural Environment Zone	3.3.45.1.	Accept in part
425	610	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.45.1.	Reject
445	13	Trelawne Farm Limited	Volume 2	3 Rural Environment Zone	3.3.45.1.	Accept
454	116	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.3.45.1.	Accept
167	4	Killearnan Limited	Volume 2	3 Rural Environment Zone	3.3.48.	Reject
440	13	Ian Esson	Volume 2	3 Rural Environment Zone	3.3.48.	Reject
962	190	Marlborough Forest Industry Association Incorporated	Volume 2	3 Rural Environment Zone	3.3.48.	Reject
990	116	Nelson Forests Limited	Volume 2	3 Rural Environment Zone	3.3.48.	Reject
1002	185	New Zealand Transport Agency	Volume 2	3 Rural Environment Zone	3.3.48.	Accept
6	1	Eric Driver	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
280	139	Nelson Marlborough District Health Board	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
3	9	David Wilson	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
592	5	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
592	8	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
1089	16	Rarangi District Residents Association	Volume 2	3 Rural Environment Zone	3.3.5.	Reject
1235	3	Wairau Valley Ratepayers and Residents'	Volume 2	3 Rural Environment Zone	3.3.5.	Reject



		Association				
8	1	Ugbrooke Country Estate Limited	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
331	1	Phillip Geoffrey Neal	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
360	1	Ken Duff	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
484	66	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
592	3	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
592	4	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
1266	1	Eric Driver	Volume 2	3 Rural Environment Zone	3.3.5.1.	Reject
8	2	Ugbrooke Country Estate Limited	Volume 2	3 Rural Environment Zone	3.3.5.2	Reject
360	2	Ken Duff	Volume 2	3 Rural Environment Zone	3.3.5.2	Reject
484	67	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.3.5.2	Accept
592	7	Clifford John Smith	Volume 2	3 Rural Environment Zone	3.3.5.2	Reject
1266	2	Eric Driver	Volume 2	3 Rural Environment Zone	3.3.5.2	Reject
431	79	Wine Marlborough	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
445	15	Trelawne Farm Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
457	81	Accolade Wines New Zealand Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
462	34	Blind River Irrigation Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
473	60	Delegat Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
484	68	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
776	47	Indevin Estates Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
909	71	Longfield Farm Limited	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
1218	73	Villa Maria	Volume 2	3 Rural Environment Zone	3.3.5.3.	Accept
149	32	PF Olsen Ltd	Volume 2	3 Rural Environment Zone	3.3.8.	Reject
425	371	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.8.	Reject
459	43	Beef and Lamb New Zealand	Volume 2	3 Rural Environment Zone	3.3.8.	Reject
469	11	Ian Bond	Volume 2	3 Rural Environment Zone	3.3.8.	Reject
479	194	Department of Conservation	Volume 2	3 Rural Environment Zone	3.3.8.	Accept

1186	117	Te Atiawa o Te Waka-a-Maui	Volume 2	3 Rural Environment Zone	3.3.8.	Accept in part
41	2	Edward Ross Beech	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
340	6	B L and C F Leov Bulford	Volume 2	3 Rural Environment Zone	3.3.8.1.	Reject
348	34	Murray Chapman	Volume 2	3 Rural Environment Zone	3.3.8.1.	Reject
369	5	Tony Hawke	Volume 2	3 Rural Environment Zone	3.3.8.1.	Reject
423	6	Chris Shaw	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
439	2	John Walter Oswald	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
454	76	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
476	4	South Marlborough Landscape Restoration Trust	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
496	87	Royal Forest and Bird Protection Society NZ {Forest & Bird}	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
640	33	Douglas and Colleen Robbins	Volume 2	3 Rural Environment Zone	3.3.8.1.	Reject
692	2	Edward Ross Beech	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
738	36	Glenda Vera Robb	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
935	33	Melva Joy Robb	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
1179	6	Thomas Robert Stein	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
1250	10	James Simon Fowler	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
1265	2	Queen Elizabeth the Second National Trust	Volume 2	3 Rural Environment Zone	3.3.8.1.	Accept
149	33	PF Olsen Ltd	Volume 2	3 Rural Environment Zone	3.3.9.	Reject
425	372	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.3.9.	Reject
459	51	Beef and Lamb New Zealand	Volume 2	3 Rural Environment Zone	3.3.9.	Reject
479	196	Department of Conservation	Volume 2	3 Rural Environment Zone	3.3.9.	Accept
1002	178	New Zealand Transport Agency	Volume 2	3 Rural Environment Zone	3.3.9.	Reject
1096	5	Rural Contractors New Zealand Incorporated	Volume 2	3 Rural Environment Zone	3.5.	Reject
1192	54	The Fertiliser Association of New Zealand	Volume 2	3 Rural Environment Zone	3.5.	Reject
479	212	Department of Conservation	Volume 2	3 Rural Environment Zone	3.6.	Accept
770	13	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	3 Rural Environment Zone	3.6.1.	Reject
1039	128	Pernod Ricard Winemakers New Zealand Limited	Volume 2	3 Rural Environment Zone	3.6.10.	Accept
425	615	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.6.11.	Accept

454	120	Kevin Francis Loe	Volume 2	3 Rural Environment Zone	3.6.11.	Accept
712	98	Flaxbourne Settlers Association	Volume 2	3 Rural Environment Zone	3.6.11.	Accept
1124	61	Steve MacKenzie	Volume 2	3 Rural Environment Zone	3.6.11.	Accept
431	68	Wine Marlborough	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
457	68	Accolade Wines New Zealand Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
473	52	Delegat Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
484	71	Clintondale Trust, Whyte Trustee Company Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
776	41	Indevin Estates Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
909	59	Longfield Farm Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
1039	127	Pernod Ricard Winemakers New Zealand Limited	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
1218	59	Villa Maria	Volume 2	3 Rural Environment Zone	3.6.2.	Accept
509	323	Nelson Marlborough Fish and Game	Volume 2	3 Rural Environment Zone	3.6.3.	Accept
515	23	Mt Zion Charitable Trust	Volume 2	3 Rural Environment Zone	3.6.3.	Reject
696	4	Egg Producers Federation of New Zealand	Volume 2	3 Rural Environment Zone	3.6.3.	Reject
998	64	New Zealand Pork Industry Board	Volume 2	3 Rural Environment Zone	3.6.3.	Accept
1090	86	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.6.3.	Accept
1193	75	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.6.3.	Accept
515	21	Mt Zion Charitable Trust	Volume 2	3 Rural Environment Zone	3.6.4.	Reject
515	22	Mt Zion Charitable Trust	Volume 2	3 Rural Environment Zone	3.6.6.	Reject
717	73	Fulton Hogan Limited	Volume 2	3 Rural Environment Zone	3.6.6.	Accept
1090	87	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.6.6.	Reject
995	27	New Zealand Forest Products Holdings Limited	Volume 2	3 Rural Environment Zone	3.6.7.	Accept
1090	88	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.6.7.	Reject
1251	134	Fonterra Co-operative Group Limited	Volume 2	3 Rural Environment Zone	3.6.7.	Accept
425	613	Federated Farmers of New Zealand	Volume 2	3 Rural Environment Zone	3.6.8.	Accept
509	324	Nelson Marlborough Fish and Game	Volume 2	3 Rural Environment Zone	3.6.8.	Reject
1090	89	Ravensdown Limited	Volume 2	3 Rural Environment Zone	3.6.8.	Reject
1192	55	The Fertiliser Association of New Zealand	Volume 2	3 Rural Environment Zone	3.6.8.	Reject

1193	76	The Marlborough Environment Centre Incorporated	Volume 2	3 Rural Environment Zone	3.6.8.	Accept
869	27	Kenepuru and Central Sounds Residents Association Incorporated	Volume 2	4 Coastal Environment Zone	4.	Accept
1002	181	New Zealand Transport Agency	Volume 2	4 Coastal Environment Zone	4.	Reject
1	26	East Bay Conservation Society	Volume 2	4 Coastal Environment Zone	4.1.	Accept
453	4	Vernon Thomas Fraser Ayson	Volume 2	4 Coastal Environment Zone	4.1.	Accept in part
974	16	Ministry of Education	Volume 2	4 Coastal Environment Zone	4.1.	Reject
1023	5	P Rene	Volume 2	4 Coastal Environment Zone	4.1.	Accept
1023	15	P Rene	Volume 2	4 Coastal Environment Zone	4.1.	Accept
1025	1	P Rene	Volume 2	4 Coastal Environment Zone	4.1.	Accept
1096	6	Rural Contractors New Zealand Incorporated	Volume 2	4 Coastal Environment Zone	4.1.	Reject
425	640	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.1.	Reject
1017	5	Peter Gilford Gilbert	Volume 2	4 Coastal Environment Zone	4.1.1.	Reject
1090	90	Ravensdown Limited	Volume 2	4 Coastal Environment Zone	4.1.1.	Accept
1192	67	The Fertiliser Association of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.1.	Accept
770	2	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	4 Coastal Environment Zone	4.1.3.	Accept
425	622	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.46.	Reject
149	46	PF Olsen Ltd	Volume 2	4 Coastal Environment Zone	4.1.7.	Accept
425	646	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.7.	Reject
476	8	South Marlborough Landscape Restoration Trust	Volume 2	4 Coastal Environment Zone	4.1.7.	Accept
479	222	Department of Conservation	Volume 2	4 Coastal Environment Zone	4.1.7.	Accept
688	190	Judy and John Hellstrom	Volume 2	4 Coastal Environment Zone	4.1.7.	Reject
425	647	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.8.	Reject
479	224	Department of Conservation	Volume 2	4 Coastal Environment Zone	4.1.8.	Accept
751	3	Guardians of the Sounds	Volume 2	4 Coastal Environment Zone	4.1.8.	Accept
425	648	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.1.9.	Accept
476	10	South Marlborough Landscape Restoration Trust	Volume 2	4 Coastal Environment Zone	4.1.9.	Reject
479	226	Department of Conservation	Volume 2	4 Coastal Environment Zone	4.1.9.	Reject

993	32	New Zealand Fire Service Commission	Volume 2	4 Coastal Environment Zone	4.2.	Accept in part
873	125	KiwiRail Holdings Limited	Volume 2	4 Coastal Environment Zone	4.2.1.	Accept
425	623	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.2.1.1.	Accept
515	10	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.2.1.1.	Accept in part
1023	14	P Rene	Volume 2	4 Coastal Environment Zone	4.2.1.1.	Accept in part
425	630	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.2.1.10.	Reject
425	624	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.2.1.2.	Reject
1023	16	P Rene	Volume 2	4 Coastal Environment Zone	4.2.1.2.	Reject
425	625	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.2.1.4.	Reject
151	2	Trevor Offen	Volume 2	4 Coastal Environment Zone	4.2.1.5.	Accept in part
425	629	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.2.1.9.	Accept in part
990	45	Nelson Forests Limited	Volume 2	4 Coastal Environment Zone	4.3.	Accept in part
1096	7	Rural Contractors New Zealand Incorporated	Volume 2	4 Coastal Environment Zone	4.3.	Reject
1189	121	Te Runanga o Kaikoura and Te Runanga o Ngai Tahu	Volume 2	4 Coastal Environment Zone	4.3.	Accept in part
459	30	Beef and Lamb New Zealand	Volume 2	4 Coastal Environment Zone	4.3.1.	Reject
715	407	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 2	4 Coastal Environment Zone	4.3.1.	Accept
425	792	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.3.1.1.	Reject
515	9	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.3.1.1.	Reject
676	126	Dairy NZ	Volume 2	4 Coastal Environment Zone	4.3.1.1.	Reject
716	189	Friends of Nelson Haven and Tasman Bay Incorporated	Volume 2	4 Coastal Environment Zone	4.3.1.1.	Accept
1090	93	Ravensdown Limited	Volume 2	4 Coastal Environment Zone	4.3.1.1.	Accept
425	641	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.3.2.1.	Accept in part
990	128	Nelson Forests Limited	Volume 2	4 Coastal Environment Zone	4.3.2.1.	Accept in part
770	8	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	4 Coastal Environment Zone	4.3.3.	Accept
365	2	Coffey House Removals 2007 Ltd	Volume 2	4 Coastal Environment Zone	4.3.3.2.	Reject
404	45	Eric Jorgensen	Volume 2	4 Coastal Environment Zone	4.3.42.2.	Reject
990	151	Nelson Forests Limited	Volume 2	4 Coastal Environment Zone	4.3.46.	Reject

280	140	Nelson Marlborough District Health Board	Volume 2	4 Coastal Environment Zone	4.3.5.	Reject
149	50	PF Olsen Ltd	Volume 2	4 Coastal Environment Zone	4.3.7.	Reject
351	16	Helen Mary Ballinger	Volume 2	4 Coastal Environment Zone	4.3.7.	Reject
424	148	Michael and Kristen Gerard	Volume 2	4 Coastal Environment Zone	4.3.7.	Reject
425	373	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.3.7.	Reject
459	44	Beef and Lamb New Zealand	Volume 2	4 Coastal Environment Zone	4.3.7.	Reject
479	223	Department of Conservation	Volume 2	4 Coastal Environment Zone	4.3.7.	Accept
1186	124	Te Atiawa o Te Waka-a-Maui	Volume 2	4 Coastal Environment Zone	4.3.7.	Accept in part
41	5	Edward Ross Beech	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
388	6	Adrian Mark Henry Harvey	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
423	5	Chris Shaw	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
439	6	John Walter Oswald	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
476	9	South Marlborough Landscape Restoration Trust	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
578	41	Pinder Family Trust	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
648	43	D C Hemphill	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
688	179	Judy and John Hellstrom	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
692	5	Edward Ross Beech	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
738	47	Glenda Vera Robb	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
752	41	Guardians of the Sounds	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
935	47	Melva Joy Robb	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
962	195	Marlborough Forest Industry Association Incorporated	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
1074	1	Rick Osborne	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Reject
1146	41	Sea Shepherd New Zealand	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
1179	7	Thomas Robert Stein	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
1190	3	The Bay of Many Coves Residents and Ratepayers Association Incorporated	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
1193	15	The Marlborough Environment Centre Incorporated	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
1193	27	The Marlborough Environment Centre Incorporated	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept

1250	7	James Simon Fowler	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
1265	3	Queen Elizabeth the Second National Trust	Volume 2	4 Coastal Environment Zone	4.3.7.1.	Accept
137	1	Tim Marshall	Volume 2	4 Coastal Environment Zone	4.3.8.	Accept in part
149	51	PF Olsen Ltd	Volume 2	4 Coastal Environment Zone	4.3.8.	Accept in part
425	374	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
459	52	Beef and Lamb New Zealand	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
479	225	Department of Conservation	Volume 2	4 Coastal Environment Zone	4.3.8.	Accept
558	2	Bruce John Walton	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
578	35	Pinder Family Trust	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
630	2	Combined Clubs of Marlborough Underwater Section	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
752	35	Guardians of the Sounds	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
869	35	Kenepuru and Central Sounds Residents Association Incorporated	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
1002	187	New Zealand Transport Agency	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
1146	35	Sea Shepherd New Zealand	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
1193	33	The Marlborough Environment Centre Incorporated	Volume 2	4 Coastal Environment Zone	4.3.8.	Reject
424	156	Michael and Kristen Gerard	Volume 2	4 Coastal Environment Zone	4.3.9.	Reject
41	6	Edward Ross Beech	Volume 2	4 Coastal Environment Zone	4.3.9.1.	Accept
439	5	John Walter Oswald	Volume 2	4 Coastal Environment Zone	4.3.9.1.	Accept
476	11	South Marlborough Landscape Restoration Trust	Volume 2	4 Coastal Environment Zone	4.3.9.1.	Reject
692	6	Edward Ross Beech	Volume 2	4 Coastal Environment Zone	4.3.9.1.	Accept
1250	6	James Simon Fowler	Volume 2	4 Coastal Environment Zone	4.3.9.1.	Accept
423	30	Chris Shaw	Volume 2	4 Coastal Environment Zone	4.3.9.2.	Accept in part
1179	28	Thomas Robert Stein	Volume 2	4 Coastal Environment Zone	4.3.9.2.	Accept in part
1265	6	Queen Elizabeth the Second National Trust	Volume 2	4 Coastal Environment Zone	4.3.9.2.	Accept in part
993	34	New Zealand Fire Service Commission	Volume 2	4 Coastal Environment Zone	4.4.	Reject
133	1	Simon Tripe	Volume 2	4 Coastal Environment Zone	4.4.2.	Accept in part
1002	188	New Zealand Transport Agency	Volume 2	4 Coastal Environment Zone	4.4.2.	Reject

515	17	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.5.	Reject
1096	8	Rural Contractors New Zealand Incorporated	Volume 2	4 Coastal Environment Zone	4.5.	Reject
1192	70	The Fertiliser Association of New Zealand	Volume 2	4 Coastal Environment Zone	4.5.	Reject
515	3	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.6.	Reject
515	16	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.6.	Reject
770	14	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	4 Coastal Environment Zone	4.6.1.	Reject
425	698	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.6.12.	Reject
715	416	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 2	4 Coastal Environment Zone	4.6.6.	Reject
1090	111	Ravensdown Limited	Volume 2	4 Coastal Environment Zone	4.6.6.	Reject
995	36	New Zealand Forest Products Holdings Limited	Volume 2	4 Coastal Environment Zone	4.6.7.	Accept
425	697	Federated Farmers of New Zealand	Volume 2	4 Coastal Environment Zone	4.6.8.	Reject
1090	112	Ravensdown Limited	Volume 2	4 Coastal Environment Zone	4.6.8.	Reject
1192	71	The Fertiliser Association of New Zealand	Volume 2	4 Coastal Environment Zone	4.6.8.	Reject
245	1	Don Miller	Volume 2	4 Coastal Environment Zone	4.7.	Reject
515	15	Mt Zion Charitable Trust	Volume 2	4 Coastal Environment Zone	4.7.	Reject
715	419	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 2	4 Coastal Environment Zone	4.7.	Accept
993	45	New Zealand Fire Service Commission	Volume 2	7 Coastal Living Zone	7.	Reject
974	19	Ministry of Education	Volume 2	7 Coastal Living Zone	7.1.	Reject
993	47	New Zealand Fire Service Commission	Volume 2	7 Coastal Living Zone	7.2.	Accept in part
61	1	Peter Buckley	Volume 2	7 Coastal Living Zone	7.2.1.	Reject
873	131	KiwiRail Holdings Limited	Volume 2	7 Coastal Living Zone	7.2.1.	Accept
1089	3	Rarangi District Residents Association	Volume 2	7 Coastal Living Zone	7.2.1.1.	Accept
1270	1	John Walter Oswald	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1271	1	Robert J and Penelope W Donaldson	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1272	1	Tikao Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1273	1	Matthew Somerville-Smith	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1274	1	Tikao Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject



1275	1	Lewis Noel Austin	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1276	1	Anna Caroline Memorial Trust	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1277	1	Rothwells Hineora Properties Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1278	1	Raewyn Shand	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1279	1	William Frank Waterhouse Leckie	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1280	1	Ragged Point limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1281	1	Andrew Harris	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1282	1	Barbara Mary Stewart	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1283	1	Peter Edward and Gillian Margaret Rothwell	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1285	1	Oswald Family Sounds Trust	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1286	1	Karaka Point and Environs Residents Incorporated	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1287	1	William P Musgrove	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1288	1	Karaka Trust	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1289	1	Whatamonga Forests Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1290	1	Ahuriri Forests Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1291	1	Whatamonga Farms Limited	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1292	1	Margaret and Ivan Sutherland	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1293	1	Helen Crowder	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1294	1	Crawford Family Trust	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1295	1	The Lazy Fish Partnership	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1296	1	Reia Stannard	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1305	1	Tim and Jane Greenhough	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1306	1	Joena Elkington	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1307	1	Josephine Faragher	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1308	1	Stuart and Raewyn Dayman	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1309	1	Jonathan and Karina Coote	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1310	1	Craig and Christine Aston	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1311	1	Rob Morris and the Morris Family	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject

1312	1	Errol Hattersley	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1313	1	Francis Monopoli	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1314	1	Jackie and Stephen Coote	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1316	1	Larry Kaberry	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1317	1	Dee Ngakuru	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
1318	1	Pat Kaberry	Volume 2	7 Coastal Living Zone	7.2.1.5.	Reject
515	13	Mt Zion Charitable Trust	Volume 2	7 Coastal Living Zone	7.3.	Reject
404	47	Eric Jorgensen	Volume 2	7 Coastal Living Zone	7.3.1.2.	Reject
504	80	Queen Charlotte Sound Residents Association	Volume 2	7 Coastal Living Zone	7.3.1.2.	Reject
770	11	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	7 Coastal Living Zone	7.3.4.	Accept
365	6	Coffey House Removals 2007 Ltd	Volume 2	7 Coastal Living Zone	7.3.4.2.	Reject
515	12	Mt Zion Charitable Trust	Volume 2	7 Coastal Living Zone	7.4.	Reject
770	17	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	7 Coastal Living Zone	7.4.1.	Reject
515	11	Mt Zion Charitable Trust	Volume 2	7 Coastal Living Zone	7.5.	Reject
715	420	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 2	7 Coastal Living Zone	7.5.	Accept
103	1	Rod Gray	Volume 2	8 Rural Living Zone	8.	Accept
993	48	New Zealand Fire Service Commission	Volume 2	8 Rural Living Zone	8.	Reject
974	20	Ministry of Education	Volume 2	8 Rural Living Zone	8.1.	Reject
476	16	South Marlborough Landscape Restoration Trust	Volume 2	8 Rural Living Zone	8.1.10.	Accept
450	8	Shaun and Jane Peoples	Volume 2	8 Rural Living Zone	8.1.5.	Accept
770	5	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	8 Rural Living Zone	8.1.5.	Accept
450	9	Shaun and Jane Peoples	Volume 2	8 Rural Living Zone	8.1.6.	Accept
1192	81	The Fertiliser Association of New Zealand	Volume 2	8 Rural Living Zone	8.1.7.	Accept
476	14	South Marlborough Landscape Restoration Trust	Volume 2	8 Rural Living Zone	8.1.8.	Accept
993	50	New Zealand Fire Service Commission	Volume 2	8 Rural Living Zone	8.2.	Accept in part
1186	142	Te Atiawa o Te Waka-a-Maui	Volume 2	8 Rural Living Zone	8.2.1.	Reject

1251	137	Fonterra Co-operative Group Limited	Volume 2	8 Rural Living Zone	8.2.1.	Reject
192	5	Perry Mason Gilbert	Volume 2	8 Rural Living Zone	8.2.1.2.	Reject
91	221	Marlborough District Council	Volume 2	8 Rural Living Zone	8.2.1.4.	Accept
769	109	Horticulture New Zealand	Volume 2	8 Rural Living Zone	8.2.1.4.	Reject
998	68	New Zealand Pork Industry Board	Volume 2	8 Rural Living Zone	8.2.1.4.	Reject
450	5	Shaun and Jane Peoples	Volume 2	8 Rural Living Zone	8.2.1.7.	Reject
770	12	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	8 Rural Living Zone	8.3.4.	Accept
365	7	Coffey House Removals 2007 Ltd	Volume 2	8 Rural Living Zone	8.3.4.2.	Reject
450	7	Shaun and Jane Peoples	Volume 2	8 Rural Living Zone	8.3.4.2.	Reject
459	31	Beef and Lamb New Zealand	Volume 2	8 Rural Living Zone	8.3.6.	Accept
1192	82	The Fertiliser Association of New Zealand	Volume 2	8 Rural Living Zone	8.3.6.	Accept
459	45	Beef and Lamb New Zealand	Volume 2	8 Rural Living Zone	8.3.7.	Reject
1186	144	Te Atiawa o Te Waka-a-Maui	Volume 2	8 Rural Living Zone	8.3.7.	Accept in part
41	9	Edward Ross Beech	Volume 2	8 Rural Living Zone	8.3.7.1.	Accept
439	9	John Walter Oswald	Volume 2	8 Rural Living Zone	8.3.7.1.	Accept
476	15	South Marlborough Landscape Restoration Trust	Volume 2	8 Rural Living Zone	8.3.7.1.	Reject
692	9	Edward Ross Beech	Volume 2	8 Rural Living Zone	8.3.7.1.	Accept
1250	3	James Simon Fowler	Volume 2	8 Rural Living Zone	8.3.7.1.	Accept
459	53	Beef and Lamb New Zealand	Volume 2	8 Rural Living Zone	8.3.8.	Reject
1002	194	New Zealand Transport Agency	Volume 2	8 Rural Living Zone	8.3.8.	Reject
41	10	Edward Ross Beech	Volume 2	8 Rural Living Zone	8.3.9.1.	Accept
439	10	John Walter Oswald	Volume 2	8 Rural Living Zone	8.3.9.1.	Accept
476	17	South Marlborough Landscape Restoration Trust	Volume 2	8 Rural Living Zone	8.3.9.1.	Accept
692	10	Edward Ross Beech	Volume 2	8 Rural Living Zone	8.3.9.1.	Accept
1250	2	James Simon Fowler	Volume 2	8 Rural Living Zone	8.3.9.1.	Accept
423	29	Chris Shaw	Volume 2	8 Rural Living Zone	8.3.9.2.	Accept in part
1179	29	Thomas Robert Stein	Volume 2	8 Rural Living Zone	8.3.9.2.	Accept in part
1186	145	Te Atiawa o Te Waka-a-Maui	Volume 2	8 Rural Living Zone	8.3.9.2.	Reject

1265	7	Queen Elizabeth the Second National Trust	Volume 2	8 Rural Living Zone	8.3.9.2.	Accept in part
770	18	House Movers Section of New Zealand Heavy Haulage Association Incorporated	Volume 2	8 Rural Living Zone	8.4.1.	Reject
1192	83	The Fertiliser Association of New Zealand	Volume 2	8 Rural Living Zone	8.4.6.	Accept
425	368	Federated Farmers of New Zealand	Volume 2	8 Rural Living Zone	8.5.1.	Reject
88	15	Chris Bowron	Volume 2	25 Definitions	25.	Reject
359	42	WilkesRM Limited	Volume 2	25 Definitions	25.	Accept in part
425	394	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	398	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	405	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	415	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	429	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	430	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	431	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	432	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	832	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	402	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Accept
425	382	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	383	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	390	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Reject
425	433	Federated Farmers of New Zealand	Volume 2	25 Definitions	25.	Accept in part
426	237	Marine Farming Association Incorporated	Volume 2	25 Definitions	25.	Reject
454	79	Kevin Francis Loe	Volume 2	25 Definitions	25.	Accept
454	117	Kevin Francis Loe	Volume 2	25 Definitions	25.	Accept
454	118	Kevin Francis Loe	Volume 2	25 Definitions	25.	Accept
454	74	Kevin Francis Loe	Volume 2	25 Definitions	25.	Accept
459	67	Beef and Lamb New Zealand	Volume 2	25 Definitions	25.	Accept
509	1	Nelson Marlborough Fish and Game	Volume 2	25 Definitions	25.	Accept
509	5	Nelson Marlborough Fish and Game	Volume 2	25 Definitions	25.	Reject

515	5	Mt Zion Charitable Trust	Volume 2	25 Definitions	25.	Reject
676	81	Dairy NZ	Volume 2	25 Definitions	25.	Accept in part
676	127	Dairy NZ	Volume 2	25 Definitions	25.	Accept in part
696	6	Egg Producers Federation of New Zealand	Volume 2	25 Definitions	25.	Reject
715	425	Royal Forest and Bird Protection Society NZ (Forest and Bird)	Volume 2	25 Definitions	25.	Accept in part
717	80	Fulton Hogan Limited	Volume 2	25 Definitions	25.	Accept
769	122	Horticulture New Zealand	Volume 2	25 Definitions	25.	Reject
769	124	Horticulture New Zealand	Volume 2	25 Definitions	25.	Reject
769	133	Horticulture New Zealand	Volume 2	25 Definitions	25.	Reject
769	116	Horticulture New Zealand	Volume 2	25 Definitions	25.	Reject
769	121	Horticulture New Zealand	Volume 2	25 Definitions	25.	Accept
769	131	Horticulture New Zealand	Volume 2	25 Definitions	25.	Reject
970	21	Middlehurst Station Limited	Volume 2	25 Definitions	25.	Reject
998	73	New Zealand Pork Industry Board	Volume 2	25 Definitions	25.	Reject
998	74	New Zealand Pork Industry Board	Volume 2	25 Definitions	25.	Reject
998	75	New Zealand Pork Industry Board	Volume 2	25 Definitions	25.	Reject
998	76	New Zealand Pork Industry Board	Volume 2	25 Definitions	25.	Reject
1039	133	Pernod Ricard Winemakers New Zealand Limited	Volume 2	25 Definitions	25.	Accept
1090	122	Ravensdown Limited	Volume 2	25 Definitions	25.	Reject
1096	9	Rural Contractors New Zealand Incorporated	Volume 2	25 Definitions	25.	Reject
1096	10	Rural Contractors New Zealand Incorporated	Volume 2	25 Definitions	25.	Reject
1140	70	Sanford Limited	Volume 2	25 Definitions	25.	Reject
1192	94	The Fertiliser Association of New Zealand	Volume 2	25 Definitions	25.	Accept
1251	153	Fonterra Co-operative Group Limited	Volume 2	25 Definitions	25.	Reject