

**BEFORE THE HEARING COMMISSIONERS  
IN TIMARU DISTRICT**

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

**AND**

**IN THE MATTER** of the Proposed Timaru District Plan Hearing  
B Rural Zones

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**SUMMARY STATEMENT  
LYNETTE PEARL WHARFE  
FOR D & S PAYNE (SUBMITTER 160 AND FURTHER SUBMITTER 160)  
22 JULY 2024**

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## 1. SUMMARY

1.1 My statement of evidence addresses submissions and further submissions on:

- GRUZ-O2 Character and qualities of the General Rural Zone
- RLZ-O2 Character and qualities of the Rural Lifestyle Zone

### *GRUZ-O2 Character and qualities of the General Rural Zone*

1.2 Submissions on GRUZ-O2 seek deletion of the clause which provides for higher amenity for sensitive activities in the General Rural Zone (GRUZ).

1.3 The s42A Report recommends that the clause is retained.

1.4 I do not support that recommendation as I consider that it conflicts with the provision that primary production activities are protected from reverse sensitivity and sensitive activities.

1.5 Primary production in the General Rural Zone is the predominant activity and should not be expected to provide a higher amenity for sensitive activities which are not part of the predominant activity.

1.6 The Hearing Panel has sought advice as to whether there is direction in the Canterbury Regional Policy Statement (CRPS) for a policy framework that provides a higher amenity for sensitive activities in the rural area.

1.7 An assessment of the CRPS identifies the following provisions as being relevant:

(a) Objective 5.2.1

(b) Policy 5.3.2

(c) Policy 5.3.12

1.8 Objective 5.2.1 provides for the location, design and function of development. (The following is relevant excerpts)

*Development is located and designed so that it functions in a way that:*

*2. Enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety: and which:*

*e. enables rural activities that support the rural environment including primary production*

*i. avoids conflicts between incompatible activities*

1.9 The principal reasons and explanation states:

*Primary production from Canterbury's rural areas is of significance to the economic and social well-being of Canterbury's people and communities. It is foreseeable that the well-being of future generations will also be strongly influenced by the ability to continue with such primary production. It is important to manage resources and activities in rural areas so that the foreseeable potential of the rural primary based of Canterbury is maintained.*

*This includes maintaining the primary production resource and the efficient provision of infrastructure and use of other natural resources such as water in appropriate locations to support primary production.*

1.10 In my opinion this objective provides a very clear framework for the importance of primary production in the rural areas.

1.11 Policy 5.3.2 Development conditions (Wider Region) also focuses on importance of primary production:

*To enable development including regionally significant infrastructure which:*

*1. Ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:*

*c. the productivity of the region's soil resources, without regard to the need to make appropriate use of the soil which is valued for existing or foreseeable future primary production, or through fragmentation of rural land*

*2. avoid or mitigate:*

*b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas.*

1.12 The Principal reasons and explanation states:

*The standards under Policy 5.3.2 (1) address a range of implications resulting from development that require careful management so as to avoid the potential for adverse effects. This includes the need to avoid the encroachment of sensitive activities into rural areas that may result in reverse sensitivity effects on established rural activities or regional significant infrastructure.*

1.13 In my opinion, such an approach does not support an elevation of the status of sensitive activities within the rural area.

- 1.14 Policy 5.3.12 Rural Production (Wider Region) establishes the framework for managing rural productive activities in the region.

*Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:*

1. *avoiding development, and/or fragmentation which;*
  - a. *forecloses the ability to make appropriate use of that land for primary production; and/or*
  - b. *results in reverse sensitivity effects that limit or precludes primary production.*
2. *enabling tourism, employment and recreational development in rural areas, provided that it:*
  - a. *is consistent and compatible with rural character, activities, and an open rural environment;*
  - b. *has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;*
  - c. *is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural areas; and*
  - d. *is of a scale that would not compromise the primary focus for accommodating growth in consolidate, well designed and more sustainable development patterns. and;*
3. *ensuring that rural land use intensification does not contribute to significant cumulative adverse effects on water quality and quantity.*

- 1.15 The methods to implement Policy 5.3.12 include directions for territorial authorities:

*Territorial authorities: Will:*

2. *Set out objectives and policies, and may include methods in district plans which:*
  - a. *identify areas to be used for primary production, taking into account natural resources through appropriate provisions in district plans.*
  - b. *control the adverse effects of subdivision and land-use in rural areas, including by:*

*i. ensuring subdivision and development does not foreclose the ability to utilise natural resources such as soil which is, or foreseeably could be, valued for rural productive purposes.*

*ii. ensuring appropriate separation between consented and permitted rural productive activities and those land-uses which may result in reverse sensitivity effects on rural productive activities.*

*iii. managing the interface between the edge of environments sensitive to the effects of rural production activities and areas in productive use to reduce*

*iv. specifying appropriate provisions to manage tourism, employment, and recreational development in rural areas consistent and compatible with rural values and resources, an open rural environment and a consolidated approach to development patterns.*

*v. specifying appropriate controls on rural land-use including subdivision intensification, infrastructure provision and waterway setbacks to manage effects on water quality.*

1.16 The Principal reasons and explanation state:

*In order to maintain the rural productive base of Canterbury, separation and management of the interface between rural production and other activities sensitive to the effects of rural production, is necessary.*

1.17 In my opinion Policy 5.3.12 seeks to manage activities so that reverse sensitivity effects do not occur by management of the interface between rural production and activities sensitive to the effects of rural production.

1.18 The policy does not support an elevation of the status of sensitive activities within the rural area.

1.19 Therefore in my opinion Proposed GRUZ-02 (3) to provide a higher amenity for sensitive activities in the General Rural Zone in the Proposed Timaru District Plan is not supported by the policy framework of the Canterbury Regional Policy Statement (CRPS)

1.20 In addition the s32 Report for the Rural Zones for GRUZ-O2 states<sup>1</sup>:

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<sup>1</sup> Pg 22

- 1.21 *The protection of sensitive activities and zone boundaries is considered appropriate to protect the amenity and investment in these properties.*
- 1.22 I do not consider that the CRPS supports this statement.
- 1.23 There is greater support for retaining primary production in the rural areas, not for protection of sensitive activities.
- 1.24 Therefore the policy approach in GRUZ-O2 (3) does not give effect to the Regional Policy Statement.
- 1.25 I support the removal of GRUZ-O2 (3) to ensure that primary production is provided for as the predominant activity in the General Rural Zone.

*RLZ-O2 Character and qualities of the rural lifestyle zone*

- 1.26 I do not support a change to RLZ-O2 as recommended in the s42A Report regarding connection to sewer and water infrastructure for rural lifestyle development
- 1.27 I seek provisions that give effect to the CRPS, is not inconsistent with the Regional Land and Water Plan and provides consistency within the PTDP.
- 1.28 Such an approach will achieve sustainable management of natural and physical resources in the rural area of Timaru District.

**Lynette Wharfe**

**22 July 2024**

