

PROPOSED ASHBURTON DISTRICT PLAN

Section 8: Scheduled Activities

Hearing Report No. 12

Prepared by

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For

Ashburton District Council

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1.0 INTRODUCTION

- 1.1 This report has been commissioned by the Ashburton District Council (ADC) in accordance with Section 42A of the Resource Management Act 1991 (RMA) to consider all submissions (except those from the Ashburton District Council seeking that the Tinwald Domain and land between Lagmhoh Road, Tarbottons Road and George Street be scheduled) received on Section 8: Scheduled Activities of the proposed District Plan, following the public notification of the proposed Ashburton District Plan including Planning Maps, and to make recommendations on those submissions.
- 1.2 The evaluations and recommendations presented in the report are based on the information available prior to the hearing, including that contained in the submissions and further submissions. The purpose of this report is to bring to the attention of the Hearings Panel the relevant information and issues regarding this section of the proposed District Plan. It must be emphasised that the conclusions and recommendations made in this report are my own and are not binding upon the Hearings Panel. It should not therefore be assumed that the Hearings Panel will reach the same conclusion following consideration of all the evidence to be presented at the hearing. The recommendations in this report are made on the basis of the information available at the time of writing. It should be noted that subsequent reports prepared on other topics may include recommendations that differ due to additional information becoming available during the course of hearings.
- 1.3 This report has been prepared by Claire Kelly. Please refer to the Section 42A Preface Report for more information on the report author, along with background to the development of the Proposed District Plan.

2.0 HOW TO READ THIS REPORT

- 2.1 This report is structured as follows:
- Background to the plan section
 - Description of the submissions on provisions in this section
 - Summary of main issues raised
 - Discussion of issues
 - Recommendations and reasons
- 2.2 Appendices attached to this report include:
- Appendix One:** Summary of Recommendations on Submissions and Further Submissions
- Appendix Two:** District Plan Amendments

3.0 BACKGROUND

- 3.1 Scheduling is a technique adopted in various district plans throughout New Zealand and has been applied to a range of activities under Ashburton’s operative District Plan. In bringing forward the proposed District Plan, the Council has essentially rolled over existing scheduled activities where the activity continues to operate. A set of principles to guide the consideration of new schedules requested through submissions has been established within this report.
- 3.2 The general purpose of scheduling activities in the district plan is to provide a mechanism that, in certain circumstances, recognises the existence of established operations that may not accord with the underlying zoning provisions. As well as identifying the activity and the site location, scheduling typically also sets standards and conditions with which the activity must comply. This provides some certainty for the activity as well as informing surrounding activities as to the level and type of environmental effects that might arise. Scheduled activities are site-specific, historically long established and/or operating under resource consents obtained specifically for the activity. They may also be unique or unusual activities, not readily provided for under any of the zones of the District Plan.
- 3.3 However, whilst scheduling of activities provides some flexibility and certainty, it is not intended to simply recognise and provide for any and all activities that might have previously been approved by way of resource consent or operate under existing use rights. Provisions under the Resource Management Act (RMA) already provide for these situations.

4.0 ANALYSIS OF SUBMISSIONS

- 4.1 A range of submissions and further submissions were received on this section of the proposed District Plan. Consideration of these submissions has been undertaken by topic or section with submitters grouped as appropriate. The following analysis focuses on those parts of the submissions that seek specific outcomes and does not discuss any parts of submissions that comment on aspects of the Plan in passing or provide general discussion. My analysis of submissions below is generally in relation to broad issues or topics raised, with some specific relief sought being mentioned where necessary. Based on this analysis, included in Appendix One to this report are my specific recommendations on each submission point (accept, accept in part, or reject).
- 4.2 Some aspects of these sections did not attract submissions and therefore these aspects of the District Plan have not been discussed below, and I recommend that they be accepted as notified.
- 4.3 I have considered submissions requesting modifications to existing schedules and requests for new schedules first. This is mainly because any decisions on these matters may affect other provisions within the proposed Plan, therefore it seemed appropriate to consider these prior to requests for changes to general rules or site standards.

Requests for new schedules

4.4 Five submissions sought that their site/activity be scheduled or that a schedule be considered as one of a number of options e.g. as an alternative to a change in zoning.

Principles

4.5 In considering these submissions and the use of scheduling in the proposed District Plan, the following principles have guided my analysis:

- Scheduling is not intended to simply reflect or replicate existing use rights or current conditions of resource consent. To do so would be unwarranted and unnecessary given the provisions prescribed for such situations under the RMA.
- In providing for some flexibility and security beyond existing use rights or resource consent, it is necessary to understand the extent and nature of the effects likely to arise as a consequence of expanding the activity and deem whether these effects are acceptable. This would require the owner/operator to provide a description of any expansion of the activity along with an assessment of effects, prior to setting standards and conditions for the scheduled activity. This recognises that once they are scheduled, future activities often become permitted and where that is the case, there is no subsequent opportunity to undertake such an assessment if the activity expands or develops in accordance with the schedule.
- Scheduling should only apply to existing activities: it is not intended to pre-empt future activities that might be envisaged but are as yet un-established.
- Although they may be excluded from complying with some or all of the applicable site and zone standards for the underlying zone, scheduled activities should in general continue to be subject to the applicable district wide rules. These provisions seek a consistent approach across the district and are generally less focused at a site specific level. Although, I accept that exceptions may arise, for example a schedule over a utility activity may be pointless if the Utility rules require the activity to obtain consent.
- The activity should not undermine or compromise the general intent of the underlying zoning. If that were the case, rezoning of the land or reliance on existing use rights or consents granted may be more appropriate.
- The activity can be expected to be somewhat unique or unusual within the district context, and factors such as strategic importance and distribution may be relevant considerations. Applying a schedule to a commonly arising activity would be inappropriate and unnecessary.

Discussion

Silver Fern Farms

- 4.6 Silver Fern Farms¹, partly opposed by Electricity Ashburton Limited², seek to schedule their site as an alternative to rezoning, or changing the definition of farming or amending the Rural B Zone standards.
- 4.7 Silver Fern Farms operates a meat processing plant with associated effluent disposal to land that is split between the Rural B and Business F Zones: the meat processing plant being in the Business F Zone and the effluent disposal in Rural B. Site and Zone Standards in the proposed Plan mean that activities currently undertaken in the Rural B and Business F Zones would not be permitted. However, I note that Silver Fern Farms has regional consents, and the changes to the District Plan do not affect the submitter's ability to operate in accordance with its consent conditions. However, should Silver Fern Farms wish to expand, they would be subject to the rules in the proposed District Plan, and likely need resource consent.
- 4.8 I note at this point that Silver Fern Farm's operations are connected to rural activities, in that they process livestock, some of which has been reared in the Ashburton District. The size of their operation and the need for land to graze animals that are awaiting slaughter mean that it would be difficult to establish the activity within a business zone in Ashburton or any other settlement. The main issues potentially being odour, effects on amenity values and public perception.
- 4.9 The submitter considers that there are four options to provide for its operations: change the definition of farming; amend the Rural B zone standards; schedule the Silver Fern Farm activities or rezone the area of effluent disposal as Business F. These are considered below.
- 4.10 I concur with the recommendation in Report 7 on Definitions, that it is inappropriate to change the definition of farming to provide for Silver Fern Farms activities.
- 4.11 Consideration of changes to the Rural B zone standards for effluent disposal will be discussed in the report on Rural: General later this year. Whilst I do not wish to pre-empt any recommendations made within that report, I consider it unlikely that Silver Fern Farms activities will be provided for as permitted activities given the nature and scale of effects.
- 4.12 Consideration of the zoning of the land and changes to the Business F zone will be discussed fully in the report on the Business section later this year.
- 4.13 With regards to applying a schedule over the Silver Fern Farm activities, I consider that such a request must be assessed against the principles that are set out under paragraph 4.5.

¹ Submission 240, points 19 and 28

² Further Submission F71.

- The meat processing activities undertaken within the proposed Business F Zone are in general accordance with the intent of that zone, which provides for meat and food processing facilities. Likewise, the grazing of animals and disposal of effluent are anticipated activities in the Rural B Zone. In both cases, the activities being undertaken do not undermine the intent of the zone in which they are located.
- I acknowledge that Silver Fern Farms is an existing activity. However, I note that Silver Fern Farms operates under Regional Council consent conditions and does not appear to be seeking to expand its activities. Therefore standards set under the schedule would likely only reflect conditions of consent.
- Furthermore, the Fairton Hall, tennis courts and residential activities within the Business F Zone have existing use rights and are unlikely to expand to any substantial extent in the foreseeable future. This would appear to make a schedule unnecessary.
- Neither is Silver Fern Farms a unique activity within the District.

4.14 Consequently, I recommend that a schedule is not applied to Silver Fern Farms sites as their activities do not sufficiently meet the principles set out above. However, I do note that Silver Fern Farms seeks amendments to the Rural B and Business F Zone standards and this may be a more appropriate manner of providing for existing and future activities on their sites. These matters will be addressed further in future reports.

New Life Church

4.15 New Life Church³ seeks a schedule over its site in Tinwald, being the former Tinwald Club.

4.16 The New Life Church was granted consent by Ashburton District Council on 27th August 2010 to operate a church within existing buildings on the site of the former Tinwald Club. The submitter states that a new church will eventually be built on the site and seeks to provide for this and the operation of the current church by placing a schedule over the site.

4.17 The site is currently scheduled for use as the Tinwald Club, a community/recreational activity that closed and part of the land was subsequently purchased by New Life Church. As a community activity in a residential area the church required consent to establish, and given that the buildings already exist, noise and traffic were the main issues of consideration.

4.18 The standards proposed by New Life Church would not only provide for the existing church but also for any future buildings on the site, which I do not consider to be appropriate. I acknowledge that New Life Church have provided an assessment of effects for future activities on the site, namely the building of a new church, however it does not currently exist and no consent has been granted for this proposal.

³ Submission 634, points 3, 2, 6, 7, 8, 9, 10, 11, 12, 13 and 14

- 4.19 In this regard, I note that as scheduled activities must generally meet the District Wide rules, any future rebuilding of the church may require consent for parking, traffic generation and noise. This would require an application to be made to the Council and consent to be granted. To provide for the building of the church under a schedule, effectively as a permitted activity would seem pre-emptive of that process. Furthermore, the church is not a unique activity within the District: there are many churches both within the residential and rural zones that are consented or operate under existing use rights but are not scheduled; indeed no other church in the District is scheduled.
- 4.20 Given the consideration above, I consider that a schedule will not sufficiently meet the principles set out in paragraph 4.5 and therefore recommend that a schedule not be applied to the site of the New Life Church. However, any reference to the Tinwald Club should be removed from the District Plan as schedules are specific to activities, which in this instance have ceased to operate.

Methven Motor Services

- 4.21 Methven Motor Services⁴ seek that their site be rezoned as Business C or alternatively a schedule be applied to their site in Methven.
- 4.22 Methven Motor Services is an established activity on the corner of Hall Street and Main Street in Methven. The submitter notes that there has been a service station and workshop on this site since at least 1966. The submitter is concerned about the rezoning of the site to Residential C, although I note that the site is currently zoned Residential. This means that any extension to the existing business requires resource consent for a non-complying activity and I presume that the applicant is seeking to avoid this situation.
- 4.23 I shall consider the merits of scheduling the site, although I note that rezoning of the site is the submitter's first preference. Firstly, the activity exists and is operating under a mix of existing use rights and consents, the most recent being granted in 2002. Therefore in this sense, a schedule is unnecessary as the activity is already adequately provided for. I also note that the submitter seeks that future extension or intensification of activities, proposed to be listed under the schedule, are undertaken in accordance with the Business C Zone standards, which would be appropriate for a service station. However, the extent of any future expansion is not known at this time, although I acknowledge that the Business C Zone standards provide some protection for adjoining sites in terms of setbacks and recession planes.
- 4.24 The service station may not be a unique activity within the District but it is unique in that it is the only service station that is not within a business zone. However, a relevant principle is whether it would undermine the intent of the underlying Residential C Zone. The Zone is intended to provide for medium density housing; characterised by houses on sites that provide for open space and landscaping, with relatively high levels of privacy and amenity. Activities such as service stations are provided for as non-complying

⁴ Submission 531, point 1

activities, therefore it is debatable whether such an activity should be provided for as a permitted activity, which is effectively what a schedule would provide for.

- 4.25 On balance, given the long-established nature of this activity and that standards could be imposed that give certainty to neighbours that their anticipated amenity values would continue to be maintained, I consider that a schedule may be appropriate. However, given that other submissions have requested land in this area to be rezoned and considering the character of surrounding activities i.e. Barkers Lodge to the east, I recommend that in the first instance, consideration should be given to rezoning the site as Business. This should be considered within the report on the Planning Maps.

7-11 Allens Road: Industrial Activity

- 4.26 RT and EJ Mascull Family Trust⁵ seek provision be made to acknowledge the historical and continued use of the industrial activities at 7-11 Allens Road, Ashburton, either by rezoning as Business D, placing a schedule over the site or including site specific provisions providing for industrial activities in the Residential C zone rules. I consider that the request to rezone the sites as Business D is more appropriately considered within the later report on the Planning Maps. Additionally, the provision of site specific standards within the Residential Zone will be considered in Report 16 on the Residential Zone.
- 4.27 RT and EJ Mascull Family Trust own property at 7-11 Allens Road, which has been used for light industrial activities since circa 1940. Although zoned residential under the operative District Plan, this has not altered the type of activities undertaken on these sites, and existing use rights were confirmed in 2003 to provide for the continuation of current manufacturing activities.
- 4.28 The sites are currently occupied by Medifab Medical Fabrication (Medifab) and Northern Distributors, which I assume are two distinct businesses. Medifab manufactures, refurbishes, imports and distributes orthopaedic seating and other daily living apparatus for children with disabilities, as well as upholstery and furnishings for medical practices. Northern Distributors are a small wholesale business. However it would appear that manufacturing is undertaken on all sites.
- 4.29 With regards to the request for a schedule, I do not consider it necessary to apply a schedule to these sites because the activity operates under existing use rights and the submission does not seek to provide for the expansion of activities on the site. The activities are not unique within the District, even as industrial/commercial activities in a residential area, and they do not meet the intent of the underlying zone, which is for medium density residential activities with relatively high levels of amenity and residential cohesion.
- 4.30 I consider that the activities at 7-11 Allens Road are adequately provided for under existing use rights and recommend that any future expansion is considered under the resource consent process. I therefore recommend that a schedule is not applied to these sites.

⁵ Submission 59, point 1

4.31 However, upon our request the submitter provided additional analysis and discussion on why the sites should be scheduled. The letter, unlike the original submission, seemed to be seeking to provide for future development or redevelopment of the sites but without stating the nature of activities, buildings or scale of development that is anticipated. As such, my opinion on the proposed scheduling of the sites remains unchanged by the provision of this additional information and I recommend that a schedule is not applied over 7-11 Allens Road.

Bakker Bulbs Ltd

4.32 Bakker Bulbs Ltd⁶ seeks either an amendment to the building coverage rule in the Rural Zone or that their site is scheduled in the proposed District Plan.

4.33 Bakker Bulbs Ltd is an established business situated on South Town Belt, adjacent to the settlement of Rakaia. Located in the Rural A Zone, the submitter is concerned that the proposed standards on building area and impervious surfaces will affect their ability to develop given the number and scale of buildings required on their site.

4.34 I consider that a schedule over the site would not meet the principles set out under paragraph 4.5 above as the activity operates under consent conditions and this makes a schedule unnecessary as the activity is already provided for. Furthermore, the activity is not unique in the District, and whilst Bakker Bulbs seek to provide for activities on their site to expand, an assessment of effects has not been undertaken as part of their submission. Therefore, I cannot determine the effects of increasing the permitted building and impermeable surface coverage because I do not know the type of building proposed, its location, and proposed mitigation such as plantings etc. There is no certainty as to the effects that may arise. However, the activity does not undermine the intent of the underlying zone as it is not completely out of character with the rural area given that it is closely related to a productive activity i.e. the growing of bulbs.

4.35 In conclusion, I consider that a schedule is not appropriate as it does not sufficiently meet the principles set out under paragraph 4.5. However, it may be suitable to provide for an increase in building and impermeable surface coverage through the Rural Zone standards. This matter is best considered within the later report on Rural: General Matters.

Section 8.1: Introduction

4.36 TrustPower⁷ Limited seeks to retain the Introduction as notified. I consider this is appropriate but note that amendments may be required to satisfy issues raised in other submissions. These amendments will depend upon whether Council decides to accept recommendations made within this report or decides to schedule a number of new activities.

⁶ Submission 154, point 1

⁷ Submission 598, point 21.

Section 8.2: Objectives and policies

- 4.37 AgResearch⁸ seek to add a specific objective and associated policies to provide for Winchmore Research Farm which is opposed by a further submission from TrustPower Limited⁹.
- 4.38 The approach taken in the proposed Plan in respect of scheduled activities is to rely on the relevant zone provisions to set the objective and policy framework, reflecting the particular context in which they are located. This is explained in section 8.2 of the proposed Plan.
- 4.39 While scheduling of activities does provide scope for some variation from the general zone provisions, the intention with scheduling is still to ensure that the overall aims and environmental outcomes sought for respective zones are not compromised. On that basis, scheduled activities should not be contrary to the objectives and policies for the underlying zone. In my view such an approach avoids the necessity to add specific objectives and policies into the scheduled activity section of the Plan for each and every different type of scheduled activity, and accordingly I do not support the request to do so by AgResearch.
- 4.40 TrustPower¹⁰ seeks to clarify how the district wide objectives and policies apply to scheduled activities. In a number of cases, and TrustPower's power station assets at Highbank and Montalto are a good example, District Wide objectives and policies will also have particular relevance to scheduled activities. This is perhaps not clear in the notified Plan and TrustPower have suggested alternative wording for the explanation on section 8.2 to rectify this. I recommend that Council accepts this wording, as I consider that it adequately clarifies how district wide objectives and policies apply to scheduled activities.
- 4.41 TrustPower further request that reference in section 8.2 to scheduled activities 'meeting' the objectives and policies be replaced with 'assessment against' those provisions, as the notified wording sets a test above that required under section 104 of the RMA. Again I accept this point and support the change so as to avoid any such implication.
- 4.42 Lastly in respect of section 8.2, TrustPower propose that references to the objectives and policies "applying" to scheduled activities should instead refer to those provisions as being "relevant". Though perhaps more a matter of semantics, I also support that change.
- 4.43 I therefore recommend that the wording of Section 8.2 be amended to reflect the discussion above.

⁸ Submission 541, point 6.

⁹ Further Submission F16.

¹⁰ Submission 598, point 22

Section 8.3: Anticipated Environmental Results

- 4.44 There was only one submission from AgResearch¹¹ that seeks to add a provision to clause 8.3 to specifically provide for Winchmore Research Farm.
- 4.45 The Anticipated Environmental Results are intended to be generic, encompassing the full range of scheduled activities, from hydro-power stations to recreational facilities. AgResearch seek to include a new bullet point that provides for the ‘adequate protection of strategic nationally and regionally important research sites (such as Winchmore Research Farm)’.
- 4.46 While I do not support the inclusion of a specific reference to “...research sites (such as Winchmore Research farm)”, I do agree with the submitter that scheduling has acknowledged strategic national and regionally important activities within the District, of which Winchmore is an example. Therefore as an alternative to the relief suggested by AgResearch, I would instead recommend the final bullet point of section 8.3 is amended to make a generic reference to such activities, as follows:
- “... strategically located facilities, including strategic national and regionally important activities located within the district.”*

Section 8.4.11: Reasons for Rules

- 4.47 AgResearch¹² seeks to amend the name of Winchmore Research Station and to add a description of activities undertaken on the site. Whereas LHEP-JV¹³ (Lake Hood Extension Project – Joint Venture) support the scheduling and operation of the Lake Hood Storage Park as provided for under 8.4.13.
- 4.48 I accept that any reference to Winchmore Research Station should be amended to ‘Winchmore Research Farm’, to reflect the correct name of the facility and I consider this to be an administrative change, rather than one that alters the outcome of any rule or other provision.
- 4.49 With regard to adding a description of activities undertaken on the site of Winchmore Research Farm, I consider that the Reasons for the Rules are intended to explain why standards are imposed on scheduled activities and are often generic as they apply to more than one scheduled activity. The reasons do not provide detailed descriptions of activities, which are highly variable and often unique as to their nature and purpose. As such, I consider it would be inappropriate to include a detailed description of the activities undertaken on the Winchmore Research Farm site. This would set a precedent and detailed descriptions may need to be provided for other similarly scheduled activities. I do not consider this to be necessary, and note that a brief description of most scheduled activities can be found in Appendix 8-1.

¹¹ Submission 541, point 7.

¹² Submission 451, point 8 and 9, respectively.

¹³ Submission 327, point 13

4.50 I accept the submission of LHEP-JV and recommend that clause 8.4.13, which contains the reasons for the rules that provide for the Lake Hood Storage Park, is accepted as notified. The Storage Park was scheduled as part of a private plan change that was approved in July 2010 and to my knowledge no changes have occurred since that time to warrant alteration of the schedule.

Section 8.5.1, 8.5.2: Permitted Activities and 8.5.3: Restricted Discretionary Activities

4.51 Ashburton District Council¹⁴ seeks to ensure that the structure of rules in all Zones is clear and avoids any contradiction/confusion over the interpretation of rules. This is opposed in general by three further submissions¹⁵ and supported in general terms by two further submissions¹⁶.

4.52 Three submitters, Ashburton District Council¹⁷, Catholic Diocese of Christchurch¹⁸ and New Life Church¹⁹ seek clarification of the application of zone rules and standards to scheduled activities, which is supported by two further submissions from Ashburton Licensing Trust²⁰ and TrustPower Limited²¹.

4.53 I agree that Rule 8.5.2 should be amended as the notified wording requires compliance with site and zone standards for permitted status, yet the standards and conditions for scheduled activities will often depart from these. In terms of the appropriate relief, I consider it is more efficient to delete the reference that scheduled activities need to comply with the underlying site and zone standards, rather than providing for exemptions such as requested by New Life Church (*'NB: Community Activities scheduled in Appendix 8.1 are not required to meet the rules in Section 4 Residential Zones'*), as this would require exemptions for numerous activities not just Community Activities in the Residential Zone.

4.54 TrustPower Limited²² seeks to exempt compliance with the Utility section rules and acknowledge controlled activities under section 8.5.2.

4.55 As a general principle and while they may not comply with all the underlying zone rules, scheduled activities should continue to be assessed against the District Wide rules. However, TrustPower raise a valid issue in submitting on section 8.5.1 and identifying an apparent inconsistency with the rules in the Utilities section of the Plan (Utilities, Energy

¹⁴ Submission 639, point 74.

¹⁵ F3 Greenstone Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ, Chevron NZ; F5 Transpower New Zealand; F16 TrustPower Limited.

¹⁶ F65 Ashburton Licensing Trust and F71 Electricity Ashburton Limited.

¹⁷ Submission 639, point 36.

¹⁸ Submission 233, point 3.

¹⁹ Submission 634, point 4.

²⁰ Further Submission F65.

²¹ Further Submission F16.

²² Submission 598, points 23 and 24, respectively.

and Designations Chapter, Rule 14.7.1 (p)). The effect of applying the District Wide Utility rules may have the effect of making a rule relevant to a scheduled activity redundant. As far as I am aware, this situation currently only arises in the case of the Highbank and Montalto power stations as they are the only scheduled activities that are also defined as utilities. TrustPower seek to exclude reference in 8.5.1 to Section 14, Utilities, Energy and Designations to remove the possibility of consent being required under these rules.

- 4.56 I agree that this issue needs to be corrected. However I would prefer this to be achieved by noting in 8.5.1 that the provisions of Section 14 do not apply to utilities where they are also a scheduled activity, rather than removing the reference to those provisions. Retaining the reference in 8.5.1 with an exclusionary note, provides for circumstances where a utility activity is to be undertaken on a scheduled site, but is itself not part of the scheduled activity.
- 4.57 With regards to amending sections 8.5.2 and 8.5.3 to acknowledge that some scheduled activities are specifically provided for as controlled activities, I agree with TrustPower that the sections currently do not acknowledge this and consequently are confusing in determining the correct activity status. I therefore recommend the inclusion of a new statement specifically identifying some scheduled activities as controlled activities. That situation currently arises in two instances – the scheduled Montalto and Highbank power stations, and the Lake Hood Storage Park. This is also consistent with the approach taking in other chapters.
- 4.58 I recommend that the text of section 8.5 be amended to reflect the above recommendations.

Section 8.6: Standards and Conditions

- 4.59 The principles I have used as a guide (see paragraph 4.5) when considering the scheduling of new activities are also relevant to the consideration of requests to amend standards and conditions applying to existing scheduled activities. In particular, a key consideration will be the potential environmental effects that might arise from enabling an expanded or modified scheduled activity. These effects will need to be understood and assessed at this time, and found to be sufficiently acceptable to qualify for permitted or controlled status.

AgResearch

- 4.60 AgResearch²³ seek to amend the name of Winchmore Research Station and retain the list of activities permitted within this scheduled site.
- 4.61 AgResearch's submission that seeks to amend the name of the scheduled activity recorded as 'Winchmore Research Station' in the proposed District Plan to 'Winchmore Research Farm' is appropriate. I consider this to be an administrative change as it does not alter the outcome of any rules or standards. Furthermore, I agree that the list of

²³ Submission 541, points 10, 11, 12, 13

permitted activities under 8.6.5.1 should be retained as it provides a clear understanding of what is permitted on the site of the Winchmore Research Farm as well as providing an overview of the types of activities that occur there, rather than providing a description under 8.4.11 Reasons for Rules.

Ashburton District Council

- 4.62 Ashburton District Council²⁴ seeks to include additional activities within the Five Star Beef Limited schedule.
- 4.63 I consider it appropriate to include the effluent pond as part of the Five Star Beef Ltd schedule as a permitted activity, as this will incorporate the outcome of a recent resource consent. The schedule should reflect all the activities that occur as part of Five Star Beef's operations and as the effluent pond is a vital aspect of that, I consider it should be included in the list of permitted activities under 8.6.6.1. I also note that the environmental effects of that aspect of the activity have been duly assessed and considered acceptable in granting resource consent.

Catholic Diocese of Christchurch

- 4.64 Catholic Diocese of Christchurch²⁵ seeks to reduce the setback from neighbours at St Joseph School in Ashburton and Our Lady of the Snows in Methven, to be consistent with the underlying zones, and to extend the hours of activity at Our Lady of the Snows.
- 4.65 St Joseph's school is located within the proposed Residential A Zone which is a new zone introduced in the proposed Plan and intended to provide for a higher density of housing than previously available within the District. The intensification of this area reflects the desire to use land efficiently, minimise urban sprawl onto productive land and consolidate growth around services and facilities. As such, the location of the school is ideal and given the intention of higher density development, it would seem consistent with those outcomes to reduce the width of setbacks from neighbours.
- 4.66 However, this could create adverse effects in terms of noise and building bulk, as the scale of school buildings tends to be greater than that of residential properties. Considering the potential for adverse effects, I note that any new building on the site would have to comply with the recession plane requirements for residential zones; therefore I consider that effects on residential properties in terms of shading and imposition of building bulk would be effectively managed. Noise is also a matter controlled through the proposed District Plan and the school would have to meet the applicable district-wide standards required under Section 11. Therefore, considering the need to also comply with other standards in the proposed District Plan, I recommend that the setback from neighbours be reduced from 3m to 1.5m for the reasons discussed above.
- 4.67 Our Lady of the Snows school adjoins Mt Hutt School along its northern boundary, and a playing field along the eastern boundary, which separates the school from a proposed

²⁴ Submission 639, point 37

²⁵ Submission 233, points 4 and 5.

medium density residential zone. This boundary appears to be planted with shrubs and trees, although there is potential for these to be removed and the playing field to be built on. There is also a residential property in the southwest corner of the site. The discussion regarding building bulk and noise for the St Joseph site is relevant in this case but the anticipated environmental outcomes for the area are different as the underlying zone is proposed to be Residential C not Residential A. Residential C is a medium density zone intended to provide for houses on large sections with space for planting. Nevertheless, I consider that a 6 metre setback from internal boundaries is unnecessarily wide and reflects the underlying zone of Rural-Residential under the operative Plan. I therefore recommend that the setback should be reduced to 1.8m to be consistent with the standards of the proposed underlying zone of Residential C.

- 4.68 I consider that extending the hours of activity from 7am to 9pm to 7am to 10.30pm at Our Lady of the Snows to provide for school parent evenings and school concerts etc is appropriate. I do not anticipate this type of activity to occur every night until 10.30pm and the change would reflect the hours of operation for other private schools within the District.

TrustPower Limited

- 4.69 TrustPower²⁶ seek to further define and amend the permitted and controlled activities within the schedules for the Highbank and Montalto Hydro-Power Stations. This is supported by a further submission from Rangitata Diversion Race Management Limited²⁷.
- 4.70 TrustPower seeks to clarify the types of activities that can occur as of right within the scheduled areas of the Highbank and Montalto hydro-power stations. I accept that the list of activities provided by TrustPower is an accurate reflection of what is likely to occur within the scheduled activity areas. I also consider that the removal of debris from water should be provided for as a permitted activity, given that this activity will create no greater effect than the removal of weeds. In addition, I believe the inclusion of 'site investigation works' as a permitted activity to be appropriate; as any activity will be limited to within the scheduled area otherwise it will be managed by the Rural Zone earthworks rule. I anticipate site investigation activities to include drilling of boreholes and potentially larger-scale earthworks. I therefore recommend that bullet point 3 of clause 8.6.4.1 is amended to reflect this, and that parameters are set around 'site investigation works' to reflect those within the Rural B Zone generally.
- 4.71 TrustPower seek to retain bullet point 4 of 8.6.4.1, but I note that this relates to works within the Rangitata Diversion Race which is proposed to be designated and not scheduled. I consider that if this designation is accepted by the Council, then bullet point 4 should be deleted as it would appear to permit works by a third party within a designation. The matter should then be dealt with outside of the District Plan i.e. by TrustPower communicating with Rangitata Diversion Race Management Limited. I also

²⁶ Submission 598, points 25, 26 and 27

²⁷ Further Submission F56

consider that bullet point 4 should be deleted if the designation is not accepted as a schedule no longer applies to this section of the RDR in the Proposed District Plan and therefore, bullet point 4 can not be applied. In this instance, TrustPower may seek to reinstate the schedule over this section of the RDR and consequently bullet point 4.

- 4.72 I agree that the wording of Rule 8.6.4.2 needs amendment and consider that removing the words ‘*for the purpose of efficiency enhancement or upgrading*’ is appropriate. The use of the word ‘addition’ in the Rule means that Council anticipates that the hydro-power stations will extend and grow as a controlled activity. Further definition of this growth is somewhat redundant especially as there would not appear to be any other reason for undertaking works except to improve efficiency or upgrade the power stations, which I consider would also include increasing outputs. Furthermore, I do not consider it necessary for Council to consider the location of a proposed addition to a building as this is limited by the position of existing buildings within the schedule and very likely, relates to the operational requirements of the facility. I propose accepting the TrustPower relief in respect of these matters, and the matters of control relating to proposed works as sought.
- 4.73 TrustPower question the need for inclusion of both earthworks and fencing as matters reserved for control in respect of the scheduled activities at the Montalto and Highbank power station sites, suggesting the earthwork provisions of the rural zone rules will apply and fencing for screening purposes would be ineffective.
- 4.74 In respect of earthworks, the power station scheduled activity provisions enable a range of activities to be carried out as either permitted or controlled activities. Those descriptive provisions are broad and it is hard to conceive of any earthworks that would not be associated with either a permitted or controlled activity under the terms of the schedule. In that case, the earthworks provisions of the rural zone will not apply (i.e. the scheduled activity provisions take precedence) and I would not support removing the reference to earthworks as a matter of reserved control on the basis of any reliance on the rural zone rules managing any associated effects. Similarly in respect of fencing, I also do not support removing that as a matter of reserved control. It is not so much the purpose of the fencing that is relevant, whether it be for screening, security or other purpose, as the potential effects of any fencing that may warrant control measures. I propose both these matters of reserved control be retained.
- 4.75 In terms of the request to have applications for controlled activities under the scheduled power station provisions determined without public notification, I do not support that amendment. TrustPower cite the non-notification of “equivalent” controlled activities under the Utilities section rules as reason for adopting a consistent approach for scheduled utility activities. That claim however is not quite accurate. Those utilities that qualify as controlled activities under Section 14 are not strictly comparable to those utilities that are scheduled. By way of example and in the case of the TrustPower power stations, the schedule essentially provides for any expansion/addition to existing facilities that are deemed “major” to be controlled activities. Under the Utilities rules however, non-scheduled utility activities involving “significant external modification” become a Discretionary Activity (see rule 14.7.1 (p) and 14.7.4 (d)). Only controlled

activities are listed as non-notified under the Utilities provisions and not discretionary activities. Accordingly I do not accept that there is justification for specifying non-notification as requested on the basis of an apparent inconsistency of approach across these two sections of the Plan.

Grow Mid-Canterbury

- 4.76 Grow Mid Canterbury²⁸ seeks that activities permitted on the Winchmore Research Farm and adjoining land should allow for potential development of the area for strategic economic development activities.
- 4.77 Whilst I understand the intent and meaning of the submission from Grow Mid-Canterbury, it lacks direction and fails to specify how activities permitted on the Winchmore Research Farm and adjoining land should allow for potential development of the area for strategic economic development activities. This is a very open-ended statement and apart from the scheduling of the Winchmore Research Farm, it would be difficult to provide for this without clearer direction of what is meant by ‘strategic economic development activities’. Moreover, I interpret the request as seeking permitted status under the schedule for such future activity, and yet the submission offers no indication or assessment of the potential effects of the future possibility in the context of the site and surroundings. The adjoining land, being zoned Rural B provides for agriculture and it is intended that this area remain available for productive activities. The submitter may wish to provide greater clarification and information on this matter at the hearing, however, in the absence of such assessment I would not support accepting such an open request.

Ashburton Golf Club

- 4.78 Ashburton Golf Club²⁹ seeks changes to the standards applicable to its site, in particular setbacks from internal boundaries, activities, and hours of operation.
- 4.79 Ashburton Golf Club seeks the inclusion of the sale of food and beverages, and golf coaching as activities permitted under the schedule applying to the club’s site. In the case of the sale of food and beverages, this activity is anticipated and provided for under the operative Plan schedule provisions, and has been carried forward into the proposed Plan (refer Rule 8.6.2.9). I support this as it is entirely consistent with previous club activities and reasonable expectations for such a facility. As to golf coaching, that is not specifically mentioned as a commercial activity, but in my opinion is also appropriate for inclusion as a permitted activity under the schedule. Again, that is a typical activity offered by such a facility and is unlikely to result in any discernable change to the types of effects already arising from the golf club’s activities overall. It would not be out of character with other activities on the site and people attending lessons are often already using existing facilities.

²⁸ Submission 353, point 1

²⁹ Submission 641, points 1, 2 and 3.

- 4.80 The club has also sought changes to prescribed boundary setback provisions requesting a minimum 5 metre setback of buildings from internal boundaries, and a 2 metre setback for car parks which would also contain required landscaping. The proposed plan requires a setback of 10 metres from internal boundaries for both buildings and car parking.
- 4.81 The requested reduced setbacks would be reflective of a business zone but the golf course adjoins rural and residential zones. However, the majority of the site is open space, and buildings are generally clustered in one area to the south. Currently the land adjacent to the southern boundary is relatively undeveloped but this may change with the land proposed to be rezoned from Rural to Residential D. If a change of zone occurs, residential properties in the proposed Residential D Zone would have to be setback 6m from the boundary with the golf course. However, I note that non-residential buildings greater than 5m² in gross floor area would only be required to be setback 3 metres from internal boundaries. I therefore consider that a 5 metre setback, in conjunction with recession planes is adequate to maintain residential amenity values, and retain the existing character of the area.
- 4.82 As to a reduced setback for car parking to 2 metres, the scheduled activity standards for the golf club currently do not require any landscaping or fencing along boundaries with residentially zoned sections. However, in seeking a reduction in the setback distance for car parking, the club has also sought that the full 2 metres be landscaped. In my view the main issues with car parking in terms of effects beyond the boundary are related to visual impact, noise, lighting and fumes, and the sensitivity of adjoining land use. The matter of noise is generally controlled through other provisions of the District Plan (Section 11). In this case visual amenity becomes a more significant issue if the land adjoining the golf club is or becomes zoned for residential activity. In my opinion a reduced setback for car parking, where the boundary is shared with a residential zone, warrants also an increased degree of protection for residential properties. I consider that if the internal boundary setback were to be reduced as requested, I would prefer that there was an associated requirement to both landscape and screen by fence or wall that boundary. I would therefore recommend that if the setback for car parking is less than 10 metres, there should be a required minimum 2 metre depth of landscaping and a 1.8 metre screen e.g fence/wall.
- 4.83 In respect of the club's request to increase the allowable hours of operation by an hour earlier in the mornings (commencing at 6am rather than 7am), I do not consider that to introduce any significant likelihood of greater adverse effect on other activities. These are not unusual hours for a golf course to operate and it is not a particularly noisy activity, although I note that noise is managed through other standards in the Plan. I therefore consider the revised hours of operation to be acceptable.

Ashburton Christian School and Lake Hood Storage Park

- 4.84 Ashburton Christian Schools Trust³⁰ seeks to ensure that the schedule for its site is implemented as set out in the proposed District Plan. Similarly, Lake Hood Extension

³⁰ Submission 287, point 1

Project – Joint Venture³¹ seek that no changes are made to the scheduling and operation of the Lake Hood Storage Park.

- 4.85 No submissions seek changes to the standards that apply to Ashburton Christian School and the Lake Hood Storage Park. Therefore given that both of these activities have been approved through a previous statutory process, I recommend that the schedules for Ashburton Christian School and Lake Hood Storage Park are included in the District Plan as notified.

Section 8.7: Assessment Matters

- 4.86 Only one submission was received on this clause from TrustPower Limited³² who seeks to delete section 8.7 or otherwise clarify that the assessment matters have no application to controlled activities under Rule 8.6.4.2.

- 4.87 TrustPower identify uncertainty regarding the potential application of the assessment matters in Section 8.7 to those scheduled activities that are controlled activities. Correctly, consideration of controlled activities is limited to matters to which the Council has reserved its control. There are three instances of activities being controlled activities under the standards and conditions for scheduled activities – TrustPowers two power stations (8.6.4.2) and activities associated with the Lake Hood Storage Park (8.6.8.2). As notified the introduction to the assessment matters in 8.7 refers to those matters being relevant to “... considering resource consents for land use activities ...” That is not correct in the case of the scheduled controlled activities where the specific standards that identify the activity as controlled, also identify the matters to which control will be reserved. Therefore I recommend accepting the request for clarification and propose a qualification to section 8.7 by adding the following exclusion:

“In considering resource consents for land use activities, other than for controlled activities, and in addition to the ...”

Appendix 8-1: List of Scheduled Activities

John Skevington

- 4.88 The submission from John Skevington³³ seeks to add a scheduled activity to Appendix 8-1. I note that the omission of the Lake Hood Storage Park is an oversight and I recommend that it be added to Appendix 8-1 to reflect its scheduling as part of the Village Green Private Plan Change and inclusion under clauses 8.4, 8.5 and 8.6.

³¹ Submission 327, point 14

³² Submission 598, point 28

³³ Submission 241, point 3

Ashburton Rifle Range Users Association Inc.

- 4.89 The submission from Ashburton Rifle Range Users Association Inc³⁴ seeks to add a scheduled activity to Appendix 8-1. However, the Ashburton Rifle Range has never been a scheduled activity in terms of the District Plan i.e. it is not identified in the operative District Plan either on the planning maps or within the text of the Plan. Neither has a schedule been sought through the District Plan review process, rather its addition to Appendix 8-1 is described in the submission as correcting a mistake. As such, there are no specific standards or conditions associated with the activity.
- 4.90 I consider that the submitter may be confused by the term ‘schedule’. When the Ashburton Rifle Range Uses Association was appointed to control and manage the reserve it currently occupies by the Department of Conservation (DOC), this was recorded in a ‘schedule’. I assume ‘schedule’ refers to a document managed by DOC and does not have the same meaning as ‘schedule’ in the District Plan. The submitter may wish to address this further at the hearing.

Catholic Diocese of Christchurch

- 4.91 Catholic Diocese of Christchurch³⁵ seeks to amend the wording of the purpose of their listed scheduled activities from “Private” to “State Integrated”.
- 4.92 I consider that the change sought to the wording of the ‘purposes’ of St Joseph’s and Our Lady of the Snows primary schools is administrative and does not affect any rules or environmental outcomes. Therefore, I recommend that changes be made to reflect the relief sought in the submission.

TrustPower Limited

- 4.93 TrustPower Limited³⁶ seeks amendments to its listed scheduled activities. As shown on the operative planning maps, the Highbank hydro-power station scheduled area includes a section of the Rangitata Diversion Race (RDR). Under the operative Plan, the RDR is subject to the Rural Zone rules; however, Rangitata Diversion Race Management Limited has sought, through its Notice of Requirement, to designate the RDR. The proposed Plan shows the RDR as designated with the two power stations, Montalto and Highbank being scheduled.
- 4.94 I assume TrustPower seeks to include this section of the RDR in the schedule for Highbank as it provides for maintenance operations to ensure the efficient running of the power station. I therefore recommend that if the designation of the RDR is accepted, the aforementioned section not be included in the schedule, as this would permit works by a third party within the designation. If the designation of the RDR does not proceed, this section of the RDR could be included in the scheduled activity for the Highbank power station. I also recommend that the wording of Appendix 8-1 is amended, accordingly.

³⁴ Submission 629, point 1

³⁵ Submission 223, point 8

³⁶ Submission 598, point 30

Ashburton Golf Club

- 4.95 Ashburton Golf Club³⁷ seeks to make amendments to its activities as listed in the proposed Plan.
- 4.96 I recommend that the activities listed as permitted within the site occupied by the Ashburton Golf Club be amended in Appendix 8-1 to reflect changes made to clause 8.6.2.9, as discussed above under paragraph 4.79.

Ashburton District Council, MJ Beauvais and TrustPower Limited

- 4.97 Three submissions from Ashburton District Council³⁸ supported by Ashburton Licensing Trust³⁹, MJ Beauvais⁴⁰ and TrustPower Limited⁴¹ seek changes to the numbering within Appendix 8-1.
- 4.98 I agree that the numbering of Appendix 8-1 is incorrect after Schedule 27 and consider that it needs amending. However, I note that further amendments may be required if existing scheduled activities are removed from Appendix 8.1 and new schedules are added. Whilst I consider this to be an administrative change as it will not affect the intent of any rule, I recognise that the numbering of scheduled activities in Appendix 8-1 will not be finalised until Council has made decisions on this section of the Plan. I also note that the planning maps will need to be amended accordingly.

Canterbury District Health Board

- 4.99 Canterbury District Health Board⁴² seeks to include the extension to Tuarangi House in the existing schedule that provides for Ashburton Hospital and Tuarangi House.
- 4.100 I recommend that the extension to Tuarangi House, granted consent in 2010, be reflected in the existing schedule that provides for Ashburton Hospital and Tuarangi House. The proposed extension represents an increase, rather than a change in activity and its inclusion in the schedule will accurately reflect the activities that occur at Ashburton Hospital. It also provides protection for the activity which has an underlying residential zone and provides an important service to the community. Furthermore, the effects of the extension have been considered through the consent process and deemed to be acceptable.

Plains Historic Village and Allenton Rugby Football Club

- 4.101 New Zealand Historic Places Trust⁴³ seeks to retain a schedule over the Plains Historic Village and Allenton Rugby Football Club Inc⁴⁴ seeks to retain the schedule over its site.

³⁷ Submission 641, point 4

³⁸ Submission 639, point 38

³⁹ Further Submission F65

⁴⁰ Submission 630, point 1

⁴¹ Submission 598, point 29

⁴² Submission 484, point 1

⁴³ Submission 554, point 16

4.102 I consider it appropriate that the Plains Historic Village and Allenton Rugby Football Club continue to be provided for as scheduled activities given that this will ensure the on-going operation of these activities that cannot meet the underlying zone standards.

Federated Farmers

4.103 Federated Farmers⁴⁵ seek clarification that private recreational facilities other than those listed such as heli-ski-ing, horse riding and game parks are not included as scheduled activities.

4.104 With reference to the Federated Farmers submission point, I note that not all private recreational activities in the District are scheduled. Under the operative District Plan, some activities such as golf clubs, football clubs etc were scheduled but this occurred as part of a statutory process and in consultation with owners/operators. Activities such as Mt Hutt ski-field and other private recreational activities in the District are not scheduled and operate under the relevant zone and district wide standards in the Plan. This will continue to be the case, although the owner/operator may apply to the Council for a schedule to be considered for their activity.

Appendix 8-2: Scheduled Area – Five Star Beef Ltd

4.105 Two submissions from Five Star Beef Ltd⁴⁶ and Ashburton District Council⁴⁷ seek to include a new effluent pond that has been approved by resource consent, within the schedule that applies to Five Star Beef's operations. The pond will be in a new area known as Area C.

4.106 I recommend that Appendix 8-2 is amended to reflect the new pond in Area C as it has obtained consent and is part of Five Star Beef's site and operation.

5.0 STATUTORY CONSIDERATIONS

5.1 The relevant statutory considerations in relation to these submissions are whether the outcomes will be consistent with sections 31 and 32 of the Act, along with Part II of the Act. I consider that the recommendations below are both effective and efficient and will ensure that the methods contained in this section are the most appropriate for achieving the objectives of the Plan. I consider that this section of the Plan is appropriate under Part II of the Act in achieving sustainable management within the Ashburton District.

⁴⁴ Submission 628, point 2

⁴⁵ Submission 553, point 131

⁴⁶ Submission 58, point 1

⁴⁷ Submission 639, point 39

6.0 ERRORS AND CORRECTIONS

6.1 In reviewing this section, it has been identified that there is one minor typographical error that should be corrected at this time. This is:

- 8.1 Introduction. Scheduled activities are generally grouped as follows:

.....

- Other facilities, including Winchmore Research Station.....

6.2 For the purposes of consistency, and in line with requests sought by AgResearch on other clauses in Section 8, this should read: - Other facilities, Winchmore Research Farm..’

6.3 As this is a minor correction and does not alter the effect of any rule, I recommend that it be amended as part of the decisions on this section.

7.0 RECOMMENDATIONS

7.1 Based on the discussion above, I consider that, subject to the recommended changes to text set out below, this section of the proposed District Plan should be accepted.

APPENDIX ONE: SUMMARY OF RECOMMENDATIONS ON SUBMISSIONS

Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S240	Silver Fern Farms	19	<p>To provide for Silver Fern Farms land-based activities either through:</p> <ul style="list-style-type: none"> • including the Silver Fern Farms activity in the definition for 'Farming Activity' thereby giving effect to the permitted activity status in the Rural B Zone. • Providing for the Silver Fern Farms agricultural and livestock activities in a scheduled activity within the Rural B Zone. • Providing for the entire Silver Fern Farm activities by including the agricultural and livestock areas in the associated Business F Zone alongside the processing activities. 	<p>Reject</p> <p>4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14</p>
<i>F71</i>	<i>Electricity Ashburton Limited</i>	<i>19</i>	<i>Oppose</i>	<i>Accept</i>
S240	Silver Fern Farms	28	<p>There are 3 options:</p> <ul style="list-style-type: none"> • Change the zoning of the effluent disposal blocks from Rural B to Business F as for the Bridge St and Seafield Rd meat processing operations, or • Amend the Rural B rule to allow effluent disposal closer than 1500m to Residential A, B and C, or • Change the effluent disposal activity of the Silver Fern Farms 	<p>Reject</p> <p>4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14</p>

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			to a scheduled activity within the Rural B Zone.	
F71	<i>Electricity Ashburton Limited</i>	28	<i>Oppose</i>	<i>Accept</i>
S240	Silver Fern Farms	57	<p>It would seem appropriate to reword paragraph five of Section 8.1 to read, or something similar:</p> <p>Scheduled activities are generally grouped as follows:</p> <p>Other facilities, including Winchmore Research Station, Five Star Beef Ltd, <u>Silver Fern Farms Limited</u>, Plains Historic Village and Lake Hood Storage Park.</p>	<p>Reject</p> <p>4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14</p>
S240	Silver Fern Farms	58	<p>It would seem appropriate to reword 8.4.11 to read, or something similar:</p> <p>Heading Scheduled Power Stations, Winchmore Research Station, <u>Silver Fern Farms Limited</u> and Fiver Star Beef Ltd, Feedlot.</p> <p>Paragraph one: The existence of the significant resources and activities of...Winchmore Research Station, <u>Silver Fern Farms Limited</u> and the Five Star Beef Feedlot is provided for and acknowledged...</p>	<p>Reject</p> <p>4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14</p>
S240	Silver Fern Farms	59	No change required to Section 8.5.2 which provides for listed scheduled activities as a permitted activity.	<p>Accept in part</p> <p>4.6, 4.7, 4.8, 4.9, 4.10,</p>

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
				4.11, 4.12, 4.13, 4.14
S240	Silver Fern Farms	60	<p>Insert the following section, or something similar into section 8.6:</p> <p><u>Permitted Activities:</u></p> <p><u>On land showing on the Plan contained as Area A in Appendix 8.3:</u></p> <ul style="list-style-type: none"> • <u>All activities as permitted under Business F Zone shall apply at Silver Fern Farms except for residential site standards and recreational activities , where these activities are carried out within the Business F Zone standards.</u> <p><u>On land shown as Area B on the Plan contained in Appendix 8-3:</u></p> <ul style="list-style-type: none"> • <u>Disposal of effluent and wastewater from the Silver Fern Farms Meat Processing Facility activities as allowed under Business F ZoneStandards.</u> <p><u>Standards:</u></p> <ul style="list-style-type: none"> • <u>All standards applicable in the Rural B Zone shall apply to the scheduled permitted activities at Silver Fern Farms.</u> 	<p>Reject</p> <p>4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14</p>
S639	Ashburton District Council	105	Tinwald Domain (Designation) be scheduled with a condition that any development/ activities are in accordance with a Management Plan prepared under the Reserves Act, and the underlying zoning is Open Space A.	Defer to later report

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S639	Ashburton District Council	106	Area of open space between Lagmhor Road, Tarbottons Road and George Street be scheduled with a condition that any development/activities are in accordance with a Management Plan prepared under the Reserves Act, and the underlying zoning is Open Space B.	Defer to later report
S634	New Life Church	2	Amend S7 of Appendix 8.1 to read 'New Life Church' instead of 'Tinwald Club Inc' and list it under the sub-heading 'Community Activities' as set out in the submission.	Reject 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	3	Add New Life Church to the list of community facilities under 8.6.1, so that it reads; 8.6.1 Community Facilities (These rules relate to scheduled community facilities at St Joseph's, Our Lady of the Snows, Ashburton Christian School, Ashburton Hospital and Tuarangi Home, Methven Fire Station, Rakaia Fire Station and <u>New Life Church</u> .)	Reject 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	6	Amend 8.6.1.1 Height of Buildings to read: 8.6.1.1 Height of Buildings a) Buildings shall not exceed a maximum height of 10m, except that at Ashburton Christian School the maximum height of buildings shall be 8m <u>and except that the New Life Church the maximum</u>	Reject 4.15, 4.16, 4.17, 4.18, 4.19, 4.20

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<u>height of buildings shall be 14m.</u>	
S634	New Life Church	7	<p>Retain 8.6.1.2 Setback from Streets without change:</p> <p>Or, in the alternative:</p> <p>Amend 8.6.1.2 by adding an exception for the New Life Church so that all buildings are set back a minimum of 10m from road boundaries:</p> <p>except that at Our Lady of the Snows, <u>New Life Church</u> and Ashburton Christian School all buildings shall be set back a minimum distance from road boundaries of 10m.</p>	<p>Reject</p> <p>4.15, 4.16, 4.17, 4.18, 4.19, 4.20</p>
S634	New Life Church	8	<p>Retain 8.6.1.3 Setback from Neighbours</p> <p>Or, in the alternative: Amend 8.6.1.3 by adding an exception for the New Life Church so that all buildings are set back a minimum of 6m from internal boundaries: except that at Our Lady of the Snows and <u>New Life Church</u> all buildings shall be set back a minimum distance of 6m from internal boundaries.</p>	<p>Reject</p> <p>4.15, 4.16, 4.17, 4.18, 4.19, 4.20</p>
S634	New Life Church	9	Retain 8.6.1.4 Recession Lines without change.	<p>Accept</p> <p>4.15, 4.16, 4.17, 4.18, 4.19, 4.20</p>

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S634	New Life Church	10	Retain 8.6.1.5 Lighting without change.	Accept 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	11	Retain 8.6.1.6 Screening without change.	Accept 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	12	Retain 8.6.1.7 Landscaping without change.	Accept 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	13	Retain 8.6.1.8 Hours of Operation, with the addition of sub section c); <u>At New Life Church no activities shall be conducted on the site between the hours of 12 midnight and 7am.</u>	Reject 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S634	New Life Church	14	Retain 8.6.1.9 Building Coverage and Surfacing with the addition of sub section b), and delete 'and surfacing'; from the heading: <u>b) At New Life Church the total area of buildings on site shall not exceed a maximum of 25% of the total site area.</u>	Reject 4.15, 4.16, 4.17, 4.18, 4.19, 4.20
S531	Methven Motor Services	1	Planning Map U05: Rezone Lot 1 DP44162 to Business C. If relief above is not accepted:	Accept in part 4.21, 4.22, 4.23, 4.24,

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<p>Chapter 8: Scheduled Activities: Insert a new Scheduled Activity '<u>Methven Motor Services Ltd</u>' which would provide for the continued use, operation, maintenance, upgrade and any other future development of the existing service station, workshop and ancillary activities at Lot 1 DP44162.</p> <p>This could be achieved by the following:</p> <p><u>8.6.9 Methven Motor Services</u></p> <p><u>8.6.9.1 Permitted Activities</u></p> <p><u>The following activities are Scheduled Permitted Activities in the Residential C Zone on the site of Methven Motor Services Ltd (Lot 1 DP44162):</u></p> <ul style="list-style-type: none"> • <u>service station retail and forecourt</u> • <u>petrol pump bays</u> • <u>underground storage of petroleum and diesel</u> • <u>storage of LPG</u> • <u>6 bay motor repair workshop; and</u> • <u>vehicle lube and tyre workshop</u> <p><u>8.6.9.2 Standards</u></p> <p><u>All Site Standards applicable to service activities and service stations</u></p>	4.25

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<p><u>in the Business C Zone shall apply to the Scheduled Permitted Activities at Methven Motor Services Ltd.</u></p> <p><u>8.6.9.3 Restricted Discretionary Activities</u></p> <p><u>Any proposed extension or intensification of the listed permitted activities in Rule 8.6.9.1 that do not comply with any one or more of the relevant Business C Site Standards shall be a restricted discretionary activity. The Council's discretion being restricted to the matter(s) specified in the relevant rule.</u></p>	
S59	RT and EJ Mascull Family Trust	1	<p>That provision be made to acknowledge the historical and continued use of the industrial activities at 7-11 Allens Road, Ashburton. It is considered the most appropriate way to achieve this is to:</p> <p>Either:1) Rezone the three sites (7-11 Allens Road) from Residential C to Business D or;</p> <p>(2) Include the three sites as a scheduled activity within the Plan or;</p> <p>(3) Retain the residential zoning and include site specific provisions providing for industrial activities.</p>	<p>Reject</p> <p>4.26, 4.27, 4.28, 4.26, 4.29, 4.30</p>
S154	Bakker Bulbs Ltd	1	<p>There are two possible ideas that would allow us to continue operating our business into the future. Either idea we would support as an amendment but we do give our preference to idea 1)</p> <p>i) The business becomes a scheduled activity so that it can continue as in the past without having to go through the resource consent</p>	<p>Accept in part</p> <p>4.32, 4.33, 4.34, 4.35</p>

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<p>process.</p> <p>ii) A maximum building area of 10% of net site area and a maximum impervious surface area of 10% of net site area which combines to a total developed area of 20% of net site area.</p>	
S598	TrustPower Limited	21	Retain section 8.1 as notified.	Accept in part 4.36
S541	AgResearch Limited	6	<p>That the following Objectives and Policies are included in section 8.2 in relation to recognising, providing for and protecting the Winchmore Research Farm:</p> <p><u>Objective 1: Investments in strategic nationally and regionally important research sites (such as Winchmore Research Farm) are protected.</u></p> <p><u>Policy 1: Strategic nationally and regionally important research sites (such as Winchmore Research Farm); must be recognised for the important benefits they contribute to the community.</u></p> <p><u>Policy 2: Subdivision, use and development must not compromise the ongoing efficiency of strategic nationally and regionally important research sites (such as the Winchmore Research Farm)</u></p> <p><u>Policy 3: Agricultural Research Centres (such as Winchmore Research Farm) must retain their opportunities for continued use and expansion.</u></p>	Reject 4.37, 4.38, 4.39

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<p><u>Policy 4: Protection of Agricultural Research Centres (such as Winchmore Research Farm) from incompatible neighbours</u></p> <p>OR</p> <p>Make any alternative changes appropriate to achieve the same outcome being sought by AgResearch.</p>	
F16	TrustPower Limited	6	Oppose	Accept
S598	TrustPower Limited	22	<p>Amend section 8.2 as follows:</p> <p>Scheduled Activities are located within a range of Residential and Rural zones and the objectives and policies for the Residential and Rural zones <u>will be relevant also apply</u> to the sites on which these scheduled activities occur. The objectives and policies that seek to provide for development <u>will be relevant apply</u> to these facilities, along with those that seek to protect amenity and manage adverse effects appropriately. <u>In addition, the objectives and policies of the Utilities, Energy and Designations Chapter and other District-Wide Chapters may also be relevant to some scheduled activities.</u> It is envisaged that <u>any resource consent applications for scheduled activities will be assessed against the relevant such facilities will meet</u> the general objectives and policies for the zone in which they are located <u>as well as any relevant objectives and policies from the District-Wide Chapters of the plan, and thus there is no need for objectives or policies specific to scheduled activities within this</u></p>	<p>Accept</p> <p>4.40, 4.41, 4.42, 4.43</p>

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
SECTION 8: SCHEDULED ACTIVITIES

Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			section. Where relevant, reference should be made to the appropriate objectives and policies in the applicable zone.	
S541	AgResearch Limited	7	<p>That the following "Anticipated Environmental Results" be included in Section 8.3 in relation to recognising, providing for and protecting the Winchmore Research Farm:</p> <p><u>Adequate protection of strategic nationally and regionally important research sites (such as Winchmore Research Farm)</u></p> <p>OR</p> <p>Make any alternative changes appropriate to achieve the same outcome being sought by AgResearch.</p>	Accept in Part 4.44, 4.45, 4.46
S541	AgResearch Limited	8	<p>Amend the title of section 8.4.11 as follows:</p> <p>8.4.11 Scheduled Power Stations, Winchmore Research Station <u>Farm</u> and Five Star Beef Limited, Feedlot.</p> <p>OR</p> <p>Make any alternative changes appropriate to achieve the same outcome being sought by AgResearch.</p>	Accept 4.47, 4.48, 4.49, 4.50
S541	AgResearch Limited	9	<p>Insert the following paragraph after the second paragraph in section 8.4.11: <u>The Winchmore Research Farm is involved in the research of pastoral and livestock production, arable farming and horticulture, and is significant from a local, regional and national perspective</u></p>	Reject 4.47, 4.48, 4.49, 4.50

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<p><u>being an integral part of the agricultural sector. It is the property of AgResearch Ltd which is a Crown Research Institute formed on 1 July 1992. The Winchmore Research Farm is 308ha in area and has the general appearance of a Rural Plains farm unit. In terms of stock and pasture management it is run in a similar fashion to traditional farms and the effects of these farming activities are no different from any other farm unit. In terms of these activities the rules of the Rural B Zone shall therefore apply. However, the Winchmore Research Farm does have additional facilities and functions which set it apart from traditional farms and which are not provided for in the Rural B Zone. These facilities include staff houses, laboratory buildings, office buildings, cafeteria, meeting hall and records store room in addition to farm ancillary buildings. The site is therefore characterised by a concentration of buiding not normally found on a single farm unit. It is also regularly visited by persons and groups wishing to obtain information related to research activities. This schedule provides a method of recognising and providing for, protecting the established facilities at the Winchmore Research Farm and acknowledging its research function to New Zealand's farming industry. The schedule provides for research activities as permitted activities.</u></p> <p>OR</p> <p>Make any alternative changes appropriate to achieve the same outcome being sought by AgResearch.</p>	

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S327	Lake Hood Extension Project - Joint Venture	13	No change sought to the scheduling and operation of the Lake Hood Storage Park as provided for under 8.4.13.	Accept 4.50
S639	Ashburton District Council	74	Changes may be required to the structure of rules in all Zones to provide clarification and avoid any contradiction/confusion over the interpretation of rules.	Accept 4.51, 4.52, 4.53
F3	Greenstone Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd, Chevron NZ	74	Oppose	Reject
F5	Transpower New Zealand	74	Oppose	Reject
F16	TrustPower Limited	74	Oppose	Reject
F65	Ashburton Licensing Trust	74	Support	Accept
F71	Electricity Ashburton Limited	74	Support	Accept

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S639	Ashburton District Council	36	Amend clause 8.5.2 as follows: 8.5.2 Permitted Activities The following activities shall be Permitted Activities, provided that they comply with all of the relevant Site and Zone Standards	Accept 4.52, 4.53
<i>F16</i>	<i>TrustPower Limited</i>	<i>36</i>	<i>Support</i>	<i>Accept</i>
<i>F65</i>	<i>Ashburton Licensing Trust</i>	<i>36</i>	<i>Support</i>	<i>Accept</i>
S233	Catholic Diocese of Christchurch	3	Section 8, Rule 8.5.2, scheduled activities- permitted activity. Delete reference that scheduled activities need to comply with the underlying zone and site standards.	Accept
<i>F65</i>	<i>Ashburton Licensing Trust</i>	<i>3</i>	<i>Support</i>	<i>Accept</i>
S634	New Life Church	4	Retain standard 8.5.2 Permitted Activities with the following amendment for clarification (or similar to achieve the same purpose);: '8.5.2 Permitted Activities The following activities shall be Permitted Activities, provided that they comply with all of the relevant Standards and Conditions for	Accept in part 4.52, 4.53

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			Scheduled Activities. <u>NB: Community Activities scheduled in Appendix 8.1 are not required to meet the rules in Section 4 Residential Zones.'</u>	
S598	TrustPower Limited	23	Amend section 8.5.1 of the Proposed Plan as follows: ...If anyone or more of the District-Wide Rules <u>in the sections listed below</u> is breached, the activity may require consent in respect of those rules. Subdivision (Refer Section 9) Utilities, Energy and Designations. (Refer Section 14) Relocated Buildings & Temporary Activities (Refer Section 15)	Accept in part 4.52, 4.53
S598	TrustPower Limited	24	Amend sections 8.5.2 and 8.5.3 to acknowledge that some scheduled activities are provided for as controlled activities, with the matters which the Council can assess the application against limited to those matters listed in the particular rule.	Accept 4.54, 4.55, 4.56, 4.57, 4.58
S541	AgResearch Limited	10	Amend title of section 8.6.5 as follows:8.6.5 Winchmore Research Station <u>Farm</u>	Accept 4.60, 4.61

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S541	AgResearch Limited	11	Amend the first paragraph of section 8.6.5 as follows: The following activities are Scheduled Permitted Activities in the Rural B Zone on the site of Winchmore Research Station <u>Farm</u> .	Accept 4.60, 4.61
S541	AgResearch Limited	12	Retain the list of Scheduled Permitted Activities in section 8.6.5	Accept 4.60, 4.61
S541	AgResearch Limited	13	Amend Rule 8.6.5.2 as follows: All site standards applicable in the Rural B Zone shall apply to the Scheduled Permitted Activities at Winchmore Research Station <u>Farm</u> except for Residential Density.	Accept 4.60, 4.61
S639	Ashburton District Council	37	Amend Clause 8.6.6.1 as follows: 8.6.6.1 Permitted Activities On land shown on the plan contained as Area A on the plan contained in Appendix 8-2: • Effluent Disposal pond in Area C	Accept in part 4.62, 4.63
S233	Catholic Diocese of Christchurch	4	Change Rule 8.6.1.3, setback from neighbours for St Josephs School from 3m to 1.5m and for Our Lady of the Snows from 6m to 1.8m.	Accept 4.64, 4.65, 4.66, 4.67

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
				and 4.68
S233	Catholic Diocese of Christchurch	5	Change Rule 8.6.1.8, hours of operation for Lady of the Snows School from no activity between 9pm and 7am to no activity between the hours of 10.30pm and 7am.	Accept 4.68
S598	TrustPower Limited	25	<p>Amend Rule 8.6.4.1 of the Proposed Plan as follows:</p> <p>The following activities are Scheduled Permitted Activities in the Rural B Zone on the sites of Montalto Power Station and of Highbank Power Station:</p> <ul style="list-style-type: none"> - The operation, maintenance, refurbishment, enhancement and upgrading of Highbank and Montalto Power Stations and related facilities (which includes penstocks, tailraces, intakes, <u>water conveyance infrastructure, switchyards, communication facilities, fish barriers and diversions, river protection works and equipment</u>), except where... - The maintenance of water areas where the activity involves weed, <u>debris</u> and silt removal; - <u>The maintenance of land surrounding structures</u>, including activities for the purpose of erosion control and site 	Accept 4.69, 4.70, 4.71, 4.72, 4.73, 4.74, 4.75

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			investigations works..	
<i>F56</i>	<i>Rangitata Diversion Race Management Limited (RDRML)</i>	<i>25</i>	<i>Support</i>	<i>Accept</i>
S598	TrustPower Limited	26	Retain bullet point four of Rule 8.6.4.1 as notified.	Accept in Part 4.71
S598	TrustPower Limited	27	<p>Amend Rule 8.6.4.2 as follows:</p> <p>Any major external modification or addition to a scheduled permitted activity listed above, for... the purpose of efficiency enhancement or /upgrading, shall be a Controlled Activity in respect of:</p> <p>Location, Bulk, height, cladding or colour of the proposed work; Landscaping and fencing of the proposed work; <u>Earthworks</u> Location and construction of <u>any additional</u> vehicle entry and exit; Manoeuvring and parking areas <u>necessary for the proposed work.</u></p> <p><u>Notification/Consultation</u> <u>Resource consents in relation to the above rule shall not be publicly</u></p>	Accept in Part 4.72, 4.73, 4.74, 4.75

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
			<u>notified.</u>	
S353	Grow Mid Canterbury	1	Activities permitted on the Winchmore Research Station and adjoining land should allow for potential development of the area for strategic economic development activities.	Reject 4.76, 4.77
S641	Ashburton Golf Club	1	Building offset should be reduced to 5m and car parking to 2m with 2m landscape strip within 2m of the boundary.	Accept in part 4.81, 4.82
S641	Ashburton Golf Club	2	Condition to be extended to include food, beverages and golf coaching.	Accept in part 4.79
S641	Ashburton Golf Club	3	Change time restrictions to 12 midnight to 6am.	Accept 4.83
S287	Ashburton Christian School Trust	1	To implement the proposed schedule as set out in the District Plan.	Accept 4.84, 4.85

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S327	Lake Hood Extension Project - Joint Venture	14	No change sought to the scheduling and operation of the Lake Hood Storage Park as provided for under 8.6.8.1.	Accept 4.84, 4.85
S598	TrustPower Limited	28	Delete section 8.7 from the Proposed Plan or clarify that they have no application to controlled activities under Rule 8.6.4.2.	Accept in Part 4.86, 4.87
S241	John Skevington	3	Add Lake Hood Storage Park to Appendix 8-1.	Accept 4.88
S629	Ashburton Range Users Association Inc	1	The Ashburton Rifle Range is shown on the planning maps as being zoned as Business D but that it has been omitted to list this area as a scheduled activity, or allocate this area a number as well as not cross-hatch it yellow. This should be rectified and its number listed in Section 8.	Reject 4.88
S233	Catholic Diocese of Christchurch	8	In the List of Scheduled Activities in Appendix 8-1, change the purpose for St Joseph and Our Lady of the Snows Schools from Private Primary School to State Integrated Primary School.	Accept 4.91, 4.92
S233	Catholic Diocese of Christchurch	9	Make any other consequential amendments required to give effect to the relief sought.	Accept 4.91, 4.92

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S598	TrustPower Limited	30	Amend the scheduled activity area for the Highbank and Montalto Power Station so that it reflects the land title of Part Lot 1 DP74175 and Lot 1 DP63832 and the entire length of the penstocks and head pond.	Reject 4.93, 4.94
S641	Ashburton Golf Club	4	Change activities to be consistent with 8.6.2.9 (b) as amended.	Accept 4.95, 4.96
S639	Ashburton District Council	38	Change Scheduled Activity references S28 – S33 to S27 – S32	Accept in part 4.97, 4.98
<i>F65</i>	<i>Ashburton Licensing Trust</i>	<i>38</i>	<i>Support</i>	<i>Accept in part</i>
S630	M J Beauvais	1	Amend numbering in Section 8, pages 28, 29 and 30.	Accept in part 4.97, 4.98
S598	TrustPower Limited	29	Correct the site identification for the Montalto and Highbank Power Stations in Appendix 8-1 and/or on Planning Maps R39 and R56.	Accept in part 4.97, 4.98
S598	TrustPower Limited	76	TrustPower seeks any similar amendments with like effect to those requested in Submissions 1 to 75 above.	Accept in part

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 12
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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S598	TrustPower Limited	77	TrustPower seeks any consequential amendments to the Proposed Plan that stem from the relief requested in Submissions 1 to 76 above.	Accept in part
S484	Canterbury District Health Board	1	That 266 Cameron Street is included as a scheduled activity to become attached to the existing scheduled status for Tuarangi Home at 270 Cameron Street.	Accept 4.99, 4.100
S484	Canterbury District Health Board	3	Such further or other relief, including consequential or alternative amendments to these and other relevant provisions of the Proposed Ashburton District Plan, that may be required to give effect to this submission.	Accept 4.99, 4.100
S554	New Zealand Historic Places Trust	16	Retain the Plains Historic Village as a Scheduled Activity to ensure it retains its heritage character.	Accept 4.101, 4.102
S628	Allenton Rugby Football Club Inc	2	Retain the current Scheduled Activities listing.	Accept 4.101, 4.102
S553	Federated Farmers of New Zealand	131	Clarify that private recreational facilities other than those listed such as heli-ski-ing, horse riding and game parks are not included as scheduled activities.	Accept in part 4.103, 4.104

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Sub Number	Submitter Name	Point Number	Decision Sought	Recommendation
S58	Five Star Beef Ltd	1	Amend Five Star Beef scheduled activity area to include new pond construction.	Accept 4.105, 4.106
S639	Ashburton District Council	39	Add to Appendix 8.2 Scheduled Area - Five Star Beef Limited: <u>A new area, Area C, includes the site of the proposed effluent disposal pond consented by LUC09/0060, on the seaward side of the existing area identified as Area A, legally described as RS23948.</u>	Accept 4.105, 4.106

DISTRICT PLAN AMENDMENTS

Section 8: Scheduled Activities

Amend 8.1 Introduction as follows:

.....

Scheduled activities are generally grouped as follows:

- Community Facilities e.g. St Joseph’s school
.....
- Other facilities, ~~including e.g. Winchmore Research Station Farm, Five Star Beef Ltd, Plains Historic Village, and Lake Hood Storage Park.~~

8.2 Objectives and Policies

Amend 8.2 Objectives and Policies as follows:

Scheduled Activities are located within a range of Residential and Rural zones ~~and, as such~~ the objectives and policies for the Residential and Rural zones will be relevant also apply to the sites on which these scheduled activities occur. ~~In particular, the objectives and policies that seek to provide for development apply will be relevant to these facilities, along with those that seek to protect amenity and manage adverse effects appropriately. In addition, the objectives and policies of the Utilities, Energy and Designations Section and other District-Wide Sections may also be relevant to some scheduled activities.~~

It is envisaged that any resource consent applications for scheduled activities will be assessed against the relevant such facilities will meet the general objectives and policies for the zone in which they are located, as well as any relevant objectives and policies from the District-Wide Sections of the Plan. ~~and thus there is no need for objectives or policies specific to scheduled activities within this section. Where relevant, reference should be made to the appropriate objectives and policies in the applicable zone.~~

8.3 Anticipated Environmental Results

Amend 8.3 Anticipated Environmental Results as follows:

- ...
- An environment which provides certainty and security for the significant investment in buildings and site development for traditionally recognised strategically located facilities, including strategic, national and regionally important activities located within the District.#

8.4 Reasons for Rules

Amend 8.4.11 as follows:

8.4.11 Scheduled Power Stations, Winchmore Research Station Farm, and Five Star Beef Limited, Feedlot:

The existence of the significant resources and activities of the hydro-power generation stations, Winchmore Research Station Farm, and the Five Star Beef Feedlot is provided for and acknowledged. These facilities are generally unable to comply with the standards and rules applying to typical activities within the surrounding zone.

...

8.5 Rules – Scheduled Activities

.....

Amend 8.5.2 Permitted Activities as follows:

The following activities shall be Permitted Activities, ~~provided that they comply with all of the relevant Site and Zone Standards unless otherwise identified as controlled activities:~~

- a) **Scheduled Activities:** listed in the Scheduled Activity list in Appendix 8-1 that comply with the relevant standards and conditions for the particular scheduled activity as set out below.

8.5.3 Controlled Activities

- a) **Scheduled Activities:** listed in the Scheduled Activity list in Appendix 8-1, that comply with the relevant standards and conditions for the particular scheduled activity as set out below and are specifically identified as controlled activities.

8.5.3 4 Restricted Discretionary Activities

The following activities shall be Restricted Discretionary Activities, provided they are not listed as a Permitted or Controlled Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in the relevant standard or rule:

Notes:

.....

- The rules contained in this section take precedence over any zone rules that may apply to scheduled activities in the District Plan, unless specifically stated to the contrary.
- The provisions of Section 14 do not apply to utilities that are also a scheduled activity.

8.6 Standards and Conditions – Scheduled Activities

The following standards and conditions apply to scheduled activities listed in Appendix 8-1:

8.6.1 Community Facilities

Amend 8.6.1 Community Facilities as follows:

(These rules relate to scheduled community facilities at St Joseph’s, Our Lady of the Snows, Ashburton Christian School, Ashburton Hospital and Tuarangi Home, Methven Fire Station, and Rakaia Fire Station.)

.....

Amend 8.6.1.3 Setback from Neighbours as follows:

a) Subject to meeting the recession plane requirement, all buildings shall be set back a minimum distance from internal boundaries of 3m,

Except that:

- at Our Lady of the Snows all buildings shall be set back a minimum distance of ~~6~~ 1.8m from internal boundaries.
- at St Joseph’s all buildings shall be set back a minimum distance of ~~3~~ 1.5m from internal boundaries.

Amend 8.6.1.8 Hours of Operation as follows:

a) At Our Lady of the Snows no activities shall be conducted on the site between the hours of ~~9~~ 10.30pm and 7am.

b) At Ashburton Christian School, no activities shall be conducted on the site between the hours of 12 midnight and 7am, or at any time on a Sunday.

8.6.2 Private Recreation Facilities

Amend 8.6.2 Private Recreation Facilities as follows:

(These rules relate to scheduled private recreation facilities at ~~Tinwald Club Inc~~, Collegiate Football Club, Hampstead Bowling Club,

Amend 8.6.2.1 Height of Buildings as follows:

a) Buildings shall not exceed a maximum height of:

8m	10m
Tinwald Club Inc. Collegiate Football Club...	Ashburton Celtic Football Club Collegiate Football Grounds...

Amend 8.6.2.2. Setback from Streets as follows:

5m	10m	20m
Tinwald Club Inc.	Ashburton Celtic Football	Allenton Rugby Football Club

.....	Club
-------	---------------	-------

Amend 8.6.2.3 Setback from Neighbours as follows:

a) Subject to meeting the recession plane requirement, all buildings shall be set back a minimum distance from internal boundaries of:

Tinwald Club Inc.	<p>9m (except...) 3m for carparking</p>
Ashburton Golf Club	10m (including carparking)
Ashburton Golf Course	<p><u>5m for buildings</u> <u>2m for car parking</u> <u>If any car parking is located within 10m of a boundary with a residential zone, landscaping shall be established with a minimum width of 2m and a solid wall or close boarded fence 1.8m in height.</u></p>

.....

Amend 8.6.2.6 Hours of Operation as follows:

a) Where a site immediately adjoins or, faces across a road, a Residential Zone, no activities shall be conducted on the site between the hours of midnight and 7am.

Except that on the site of the Ashburton Golf Course, no activities shall be conducted on the site between the hours of midnight and 6am.

Amend 8.6.2.7 Building Coverage as follows:

a) For the sites listed below, a single building shall not exceed 100m² in total floor area. The combined total area of all buildings on site shall not exceed a maximum of 5% of the total site area. These standards are exclusive of children’s play equipment:

- ~~Tinwald Club Inc.~~

-

Amend 8.6.2.8 Surfacing as follows:

a) The site coverage by hard surfacing, including courts, footpaths, swimming pools and car parking areas, shall not exceed:

30%	20%
Tinwald Club Inc.	Allenton Rugby Football Club

Amend 8.6.2.9 Commercial Activities as follows:

a) For the sites listed below, the sale of food and beverages shall be limited to consumption on the site.

- ~~Tinwald Club Inc,~~
- Collegiate Football Club,
- Hampstead Bowling Club,
- Allenton Sport Club,
- MSA Bowling Club,
- Mid Canterbury Basketball Association,
- Hampstead All Sports Club
- Ashburton Celtic Football Club,
- Collegiate Football Grounds

b) ~~Retail sales~~ Commercial activities on the site occupied by Ashburton Gold Club shall be limited to:

- i) the retail sale of golf equipment, accessories and apparel.
- ii) Golf coaching.

.....

8.6.4 Scheduled Power Stations

(These rules relate to scheduled hydro power stations at Highbank and Montalto.)

Note: The rules under 8.6.4.1 and 8.6.4.2 below take precedence over any rules in Section 14: Utilities, Energy and Designations.

Amend 8.6.4.1 Permitted Activities as follows:

The following activities are Scheduled Permitted Activities in the Rural B Zone on the sites of

Montalto Power Station and of Highbank Power Station:

- The operation, maintenance, refurbishment, enhancement and upgrading of Highbank and Montalto Power Stations and related facilities (which includes penstocks, tailraces, intakes, water conveyance infrastructure, switchyards, communication facilities, fish barriers and diversions, river protection works and equipment), except where a major external modification or addition to a structural component or building is involved. A major external modification or addition shall include any work which will result in an increase in floor area or an increase in an external dimension of an existing building or structure of greater than 20%.
- The maintenance of water areas where the activity involves weed, debris and silt removal.
- The maintenance of land surrounding structures, including activities for the purpose of erosion control and site investigation works, with earthworks limited to a maximum volume of 5,000m³ over an area no greater than 2,000m² per annum.
- ~~The operation, maintenance, refurbishment and upgrading of the Rangitata Diversion Race from the Rakaia River Road crossing to the Headworks to Highbank Power Station including ancillary structures.~~

Amend 8.6.4.2 Controlled Activities as follows:

The following activities are Scheduled Controlled Activities in the Rural B Zone on the sites of Montalto Power Station and Highbank Power Station.

Any major external modification or addition to a scheduled permitted activity listed above, ~~for the purpose of efficiency enhancement or upgrading~~, shall be a Controlled Activity in respect of:

- ~~location~~, Bulk, height, cladding or colour of the proposed work;
- Landscaping and fencing of the proposed work;
- Earthworks;
- Location and construction of any additional vehicle entry and exit;
- Manoeuvring and parking areas necessary for the proposed work.

8.6.5 Winchmore Research Station

Amend 8.6.5 as follows:

8.6.5 Winchmore Research ~~Station~~ Farm

8.6.5.1 Permitted Activities

The following activities are Scheduled Permitted Activities in the Rural B Zone on the site of Winchmore Research ~~Station~~ Farm:

- advanced technology activities for the purpose of research, development, manufacture and commercial application in respect of both agriculture and forestry - agritechnology,

applied physical processes, biotechnology, chemical processes, computer software development and/or use, electronics, instrumentation technology, laser physics, manufacturing technology, medical technology, new materials technology, telecommunications;

- residential activities for the accommodation of staff employed on the site;
- farm field days and conferences for the purpose of informing and advising on research activities;
- general storage and office activities accessory to advanced technology activities.

Amend 8.6.5.2 Standards as follows:

8.6.5.2 Standards

All Site Standards applicable in the Rural B Zone shall apply to the Scheduled Permitted Activities at Winchmore Research Station Farm except for Residential Density.

8.6.6 Five Star Beef Limited, Feedlot

Amend 8.6.6 as follows:

8.6.6.1 Permitted Activities

On land shown on the plan contained in Appendix 8-2 as Area A: ~~on the plan contained in Appendix 8-2:~~

- Factory farming, associated and ancillary buildings, feed storage facilities, consequential manufacturing and drying of associated by-products including manure for off-site sale.
- General storage and office buildings accessory to the above activities.

On all land shown as Areas A and B on the plan contained in Appendix 8-2:

- Residential activities for the accommodation of staff employed on site.

On land shown as Area C on the plan contained in Appendix 8-2:

- Effluent Disposal pond.

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8.7 Assessment Matters

In considering resource consents for land use activities, other than for controlled activities, and in addition to the

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Appendix 8-1: List of Scheduled Activities.

Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
COMMUNITY FACILITIES					
S1	St Joseph's	Havelock Street, Ashburton	Lots 1 and 2 DP43726 TS 659-663 and 669-672, Lot 2 DP 309517	<u>Private State</u> <u>Integrated</u> Primary School	Education and ancillary activities.
S2	Our Lady of the Snows	Ashburton-Methven- Rakaia Gorge Road, Methven	Lot 1 DP 68168	<u>Private State</u> <u>Integrated</u> Primary School	Education and ancillary activities.
S3	Ashburton Christian School	119 Albert Street, Ashburton	Lot 1, DP33475	Private school	Education and ancillary activities.
S4	Ashburton Hospital and Tuarangi Home	2-34, 11, 29-33 Elizabeth Street, Ashburton. Havelock, William and Cameron Streets, <u>and 266</u> <u>Cameron Street,</u> Ashburton	Hospital Reserve 4053 including TS967/78, TS1013, Pt TS 996/998, Ashburton TN, Lot 1 DP 68820 and <u>TS</u> <u>489 Town of</u> <u>Ashburton.</u>	Community Facilities	Health care services Hospital activities Ambulance facilities Car-parking Residential accommodation associated with primary use of the site.

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
S5	Methven Fire Station	McKerrow Street. Methven	Lot 46 DP331. Methven Township	Community Facilities	Emergency Services
S6	Rakaia Fire Station	Corner of Elizabeth Avenue and Cridland Street, Rakaia.	Lot 1 DP42728, Rakaia Township	Community Facilities	Emergency Services
PRIVATE RECREATION FACILITIES					
S7	Tinwald Club Inc	58-62 Melcombe Street, Ashburton	Lot 4 DP 398708	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S8-7	Ashburton Collegiate Football Club	1 Chalmers Avenue, Ashburton	Lot 1 DP38614	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S9-8	Hampstead Bowling Club	77A Cambridge Street, Ashburton	Lots 1 and 2 DP 13235 with interest in ROW	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S109	Allenton Sport	14-16 Cavendish	Lots 27-29, Pts 25- 26 DP 249, Pt Lot 3	Private Recreation	Recreational Activities

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
	Club	Street, Ashburton	DP 12529 with ROW over Pt Lots 2 and 3 DP 12529	Facility	and Commercial Activities limited to the sale of food and beverages.
S110	MSA Bowling Club	121-123 Racecourse Road, Ashburton	Lots 1 and 2 DP40076, Lot 6 DP 21440	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S121	Mid Canterbury Basketball Association	Oxford Street, Ashburton	Sec 1 SO 17907 Pt RS 6572 Ashburton TN Subj to easement for Recreational Purposes	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S132	Hampstead All Sports Club	44 Bridge Street, Ashburton	Lot 1 DP 46355	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S143	Ashburton Celtic Football Club	Keenans Road, Ashburton	Lot 46-51 DP 259	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
S154	Collegiate Football Grounds	Corner of Smithfield and Seafield Roads, Ashburton	Pt RS 20672	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S165	Allenton Rugby Football Club	Melrose Road, Ashburton	Lot 2 DP 382372	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S176	Tinwald Family Sport and Recreation	Shearman Street, Tinwald	Lots 1 and 2 DP 45405	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S187	Ashburton Showgrounds	Bridge Street/Seafield Road	Pt Res 2644 and Res 9878 (17.4029ha)	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S198	Ashburton Racecourse	Racecourse Road	Pt R1818 (59.6481ha)	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
					beverages.
S2019	Tinwald Golf Club	Frasers Road, Tinwald	RS 41347, Blk XIV, Westerfield SD	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S210	Ashburton Golf Club	Golf Links Drive, Ashburton	Sec 1 and Pt Sec 2 Maori Reserve 2080A, Blk IX, Ashburton SD	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages, <u>golf accessories and golf coaching.</u>
S221	Mayfield Golf Club	Bills Road, Mayfield	PT RS 31100 SEC 1 SO 19320 BLK VIII Shepherds Bush SD	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S232	Methven Racecourse	Ashburton-Rakaia Gorge Road, Methven	Lot 2 DP 3088 Blk VII Spaxton S.D.	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
S24 <u>3</u>	Rakaia Golf Club	Acton Road, Rakaia	Lot 1 DP 25020, Blk II Rakaia SD	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S25 <u>4</u>	Methven Golf Club	Hobbs Road/Pudding Hill Road, Methven	Lot 2 DP 16786, Pt Lot 8 DP 1780, Blk VII Spaxton SD	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
S26 <u>5</u>	Mania-o-roto Park	4-8 Chalmers Avenue, Ashburton	Lot 1 DP 16781	Private Recreation Facility	Recreational Activities and Commercial Activities limited to the sale of food and beverages.
OTHER FACILITIES					
S28 S26	Ashburton Hotel	Racecourse Road, Ashburton	Lot 500 DP 392953 (3.386ha)	Hotel Facility	Visitor Accommodation; Commercial Activities; limited to: <ul style="list-style-type: none"> the sale of food and beverages

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
					<p>for consumption on the site;</p> <ul style="list-style-type: none"> • the sale of liquor; • conference, function and meeting facilities. <p>Car-parking associated with the above activities.</p>
S29-S27	Highbank Power Station	This schedule shall cover both the Highbank and Montalto Hydro Power Stations and their its immediate environs, and that part of the Rangitata Diversion Race from the Rakaia River Road	Part Lot 1 DP 74175, Part Lot 1 DP 63832	Hydro Power Station	<p><u>The operation, maintenance, refurbishment, enhancement and upgrading of Highbank Power Stations and related facilities (which includes penstocks, tailraces, intakes, water conveyance infrastructure, switchyards,</u></p>

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
		crossing to the head pond above Highbank Power Station.			<p><u>communication facilities, fish barriers and diversions, river protection works and equipment),</u></p> <p><u>The maintenance of water areas where the activity involves weed, debris and silt removal.</u></p> <p><u>The maintenance of land surrounding structures.</u></p>
S30 S28	Montalto Power Station	This schedule shall cover both Highbank and the Montalto Hydro Power Stations and their <u>its</u> immediate environs, and that part of the Rangitata Diversion Race	Pat Lot 1 DP 43889	Hydro Power Station	<p><u>The operation, maintenance, refurbishment, enhancement and upgrading of Montalto Power Stations and related facilities (which includes penstocks, tailraces, intakes, water conveyance</u></p>

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
		from the Rakaia River Road crossing to the head pond above Highbank Power Station.			<p><u>infrastructure, switchyards, communication facilities, fish barriers and diversions, river protection works and equipment),</u></p> <p><u>The maintenance of water areas where the activity involves weed, debris and silt removal.</u></p> <p><u>The maintenance of land surrounding structures.</u></p>
S31 <u>S29</u>	Winchmore Research Farm	Dromore Methven Road	Lot 1-3 DP 1625 and RS 27968 Blk I, II V, VI Ashburton SD.	Research Farm	<p><u>Advanced technology activities</u></p> <p><u>Residential activities</u></p> <p><u>Farm field days and conferences</u></p> <p><u>General storage and office activities.</u></p>
S31 <u>S30</u>	Five Star Beef	Fitzgerald Road,	Rural Sections 18247, 23948,	Feedlot	<u>Factory Farming</u>

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
	Limited	Wakanui. Limited to the area shown within the Scheduled Area on Planning Maps 79, 80, 84 and 85.	24208, 24209, 24273, 25255, 25589, 26275, 26276, 28773, 30783, 34505, 34870 and Part Rural Section 20748, Blocks VI and X Wakanui Survey District. Rural Section 24273X. Rural Sections 39387, 39388 and 39428, Blocks VI and X Wakanui Survey District Rural Section 39952. Lot 1 DP 23552 and part Rural Section 20748, Block VI Wakanui Survey District. Part Rural Section		<u>Feed storage facilities</u> <u>Manufacturing and drying of associated by-products</u> <u>General storage</u> <u>Office buildings</u> <u>Residential activities</u> <u>Effluent disposal</u>

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Site ID	Site Name	Site Location	Legal Description	Purpose	Activities
			35863. Rural Section 3805, 20747 and 30898.		
<u>S33_1</u>	Plains Historic Village	Maronan Road, Tinwald	Part RS 41245, SO 16320	Historic Village	
<u>S32</u>	<u>Lake Hood Storage Park</u>	<u>Huntingdon Avenue, Tinwald</u>	<u>Lot 3001 DP311174</u>	<u>Storage facility</u>	<u>Storage facility, office and associated signage as permitted under RC040165</u>