

Submission on Limited Notified LUC23/0109

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SUBMITTER DETAILS

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TRADE COMPETITION DECLARATION

The submitter could not gain an advantage in trade competition through this submission.

CONSENT APPLICATION

Name of applicant: Southern Parallel Equine Centre Ltd (SPEC)

Application number: LUC23/0109

We support this application

We oppose this application

HEARING OPTIONS

We wish to be heard in support of our submission

SUBMISSION DETAILS

The reasons for making our submission are:

John Skevington and Jo Ruane and JA and MJ Skevington (the submitter) have several concerns regarding the resource consent application by Southern Parallel Equine Centre Limited (SPEC) for an equine stud and associated facilities at 279 Stranges Road, Ashburton:

1. Loss of Land Use Capability Class 1 productive land
2. Intensive nature of the proposed activity:
 - Noise effects
 - Effects of light spill
 - Effects of odour from wastewater discharge and manure
 - Traffic effects and parking
 - Visual, landscape and character effects
3. Inconsistencies in information and potential for future development

The reasons for the concerns listed are set out below.

1.0 Loss of Land Use Capability Class 1 Productive Land

- 1.1 The site is predominantly Land Use Class (LUC) 1 productive land and is zoned Rural B under the Ashburton District Plan (ADP).
- 1.2 The application assesses the proposal against the provisions of the National Policy Statement for Highly Productive Land (NPS-HPL) and considers the proposed use of the land to be, "...the very type of activity the NPS-HPL seeks to encourage on the site."¹
- 1.3 The NPS-HPL definitions of 'land-based primary production' and 'supporting activities' are:

"land-based primary production means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land"

"supporting activities, in relation to highly productive land, means those activities reasonably necessary to support land-based primary production on that land (such as on-site processing and packing, equipment storage, and animal housing) [my emphasis]
- 1.4 Although the proposal may fit within the construct of pastoral land-based production, the submitter questions whether the scale and intensity of the proposed associated facilities are in fact supported by the NPS-HPL definitions.
- 1.5 As discussed below, the submitter considers that the scale and intensity of the proposal, along with its supporting activities may not be feasible for the size and location of the

¹ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 133.

subject site, and therefore may not represent land-based primary production “that is reliant on the soil resource of the land”. The submitter suggests that the proposal will effectively turn top quality irrigated arable farmland into sports fields.

- 1.6 Further, the supporting activities proposed appear much larger in scale and intensity as to be considered “reasonably necessary” to carry out the activity on site, such as the amount of stabling (animal housing) proposed. These matters are discussed in more detail below.

2.0 Intensive Nature of the Proposed Activity

Overview

- 2.1 The application provides for 650 stables, plus an additional 50 stables associated with the Breeding Services Centre and 8 stables for the Equine Veterinary Clinic. This would indicate up to a maximum of 708 animals, although the submitter acknowledges that it is unlikely for every stable to always be occupied. Provision will be made for stud stallions, brood mares and foals (along with others located within the Breeding Services Centre), yearlings, and horses in training².
- 2.2 The Breeding Service Centre is to utilise breeding and research facilities such as ultrasonography, frozen embryo and embryo implanting, harvesting, storage, artificial insemination and a semen catalogue³. The Equine Veterinary Clinic will also utilise the latest technologies⁴. Use of the site and its facilities will be by appointment only and not open to the general public.

Animal numbers and associated effects

- 2.3 The submitter is concerned about the intensive nature of the proposal, and considers a conservative estimate is in the vicinity of 500 – 600 animals on site. This raises many concerns around potential adverse effects:
- Noise effects
 - Effects from light spill
 - Effects of odour from wastewater discharge and manure
 - Traffic effects and parking
 - Visual, landscape and character effects
- 2.4 Given the potential number of animals and the extensive range of facilities to be offered the submitter is concerned that there may be adverse noise effects, effects from traffic and access to the site and light spill particularly during the large events that are described in the application. The submitter is also concerned about odour effects from

² Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 20 and 21

³ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 25

⁴ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 26

the proposed wastewater treatment and discharge, and that there may not be adequate staff facilities and parking. Will any staff stay on site, and if so, will the existing dwelling provide adequate space? How will 500 visitors be accommodated and where will parking be located on sale and event days? Only 45 car parks are proposed, which the submitter is concerned will not be enough.

- 2.5 The application discusses the need for adequate pasture and nutrients in the soil as a source of balanced nutrition for the fertility and temperament of the brood mares. However, the grazing areas are to also serve as training arenas.⁵ The submitter has the following concerns:
- The dual use of the grazing/training areas may not be feasible given that training horses tends to 'cut up' the pastures making them less suitable for grazing.
 - The application for discharge of wastewater at the site proposes to also use the grazing areas for the irrigated reticulation of the wastewater to land. The discharge application (CRC242401) proposes discharges applied as sub-surface drip irrigation 150 – 200 mm below the ground surface, as well as a drip system to irrigate pasture for horse grazing⁶.
 - Given the potential number of animals, the submitter considers that 65 ha would not be adequate to ensure the food supply along with the other demands being made of the pasture. Is it proposed that animals will be kept in stables with external feed brought to the site?
 - Given the embryo implanting, harvesting, storage, artificial insemination and a semen catalogue facilities proposed, will the breeding service require quarantine facilities with paddocks and lanes set up to avoid cross contamination between animals?
- 2.6 A resource consent has recently been lodged with Environment Canterbury (ECan) for the proposed wastewater system design by BioGill (BioGill Ultra). The application (CRC242401) sets out the following population to be served by the wastewater system:
- A minimum of 100 and a maximum of 250 clients over a 125-day period
 - Up to 40 staff over each 365-day period
 - Up to 10 visiting veterinary consultants over each 365-day period
 - An average of 100 horses over 340 days out of 365 days in the year
 - A maximum of 600 horses over 25 days out of 365 days in the year. These numbers are expected when the stud breeding centre will have its annual yearling sale⁷.
- 2.7 These numbers raise several questions for the submitter. Regarding the intensive nature of the activity, the proposed wastewater system is the largest bioreactor in the BioGill

⁵ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 11

⁶ CRC242401, Southern Parallel Equine Centre Limited, Environment Canterbury Consent Report, Reeftide, November 2023, Section 4.6.3 Discharge Area Location, 4.6.5 Irrigated "Crop"

⁷ CRC242401, Southern Parallel Equine Centre Limited, Environment Canterbury Consent Report, Reeftide, November 2023, Section 3.3.1 Wastewater Sources and Population Estimates

product range⁸. The BioGill Report states that the design is specified for a loading equivalent of 500 patrons on site at any one time⁹.

- 2.8 The application states that horse manure is to be removed from the site on a daily basis¹⁰. Where will the manure be discharged, and what are the volumes likely to be?
- 2.9 How many additional truck movements will be required for the manure removal? Is an additional resource consent from ECan required for the site where discharge of the manure will take place?

Ashburton District Plan rules

- 2.10 Resource consent is required for a non-complying activity under the ADP. Non-compliances with the ADP that are concerned with intensive farming activities include:
- Farm buildings exceeding 500m² in area (Rule 3.8.5)
 - Intensive farming within 1500m of Residential C Zone (Rule 3.8.6 and Zone Standard 3.10.7)
 - Site coverage of buildings and impervious surfaces exceed 3.25 ha (Site Standard 3.9.2)

- 2.11 The ADP definitions include the following:

“Intensive Livestock Management (Intensive Farming)

means the use of land and/or buildings for the production of commercial livestock, including where the regular feed source for such livestock is substantially provided other than from the site concerned, and includes:

- *the farming of pigs outdoors at a stocking rate exceeding 15 pigs per hectare. (Stocking rate in relation to pig farming, means the number of pigs(excluding progeny up to weanerstage) carried per hectare of land, where the area of land fenced, available and used for pig farming shall only include that area on which the pigs are regularly run.);*
- *herd houses, feed pads, or any building providing shelter to stock where stock are confined within the building for any continuous period exceeding 2 weeks;*
- *boarding of animals;*
- *mushroom farming;*
- *fish farming;*
- *the disposal of effluent from any of the above, whether on the same site as the intensive livestock management activity or not.*

Intensive livestock management excludes:

⁸ CRC242401, Southern Parallel Equine Centre Limited, Environment Canterbury Consent Report, Reeftide, November 2023, Section 4.4.2 Recommended Treatment Systems

⁹ CRC242401, Southern Parallel Equine Centre Limited, Environment Canterbury Consent Report (Appendix F), Reeftide, November 2023 – WW Discharge Consents, BioGill, November 2023, Design, Flow (Volume)

¹⁰ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 74

- *buildings used for housing or sheltering animals that are giving birth or raising juvenile stock, where no individual animal is housed or sheltered for more than 3 months in any calendar year.* [my emphasis]
- 2.12 The application explains that at times parts of the activity would fall under the exclusion within the definition around birthing or raising juvenile stock. However, it also acknowledges that for the most part the proposed activity falls within the definition of intensive livestock management¹¹.
- 2.13 Rule 3.10.2 of the ADP is a requirement for any new residential unit to be setback at least 400m from any intensive farming activity, and the application contends that this is achieved by the proposal¹². However, Rule 3.10.2 deals with reverse sensitivity by ensuring appropriate setbacks for sensitive activities (such as residential) locating in proximity to an established activity that has actual or potential adverse effects. It is incorrect to use Rule 3.10.2 to describe the proposed intensive farming activity as complying with a reverse sensitivity setback because this uses the reverse sensitivity setback in reverse. There is a separate requirement (Zone Standard 3.10.7) that relates to setbacks required when establishing a new intensive farming activity.
- 2.14 ADP Zone Standard 3.10.7 Intensive Farming and Disposal or Storage of Effluent is clear in its intent to avoid intensive farming within proximity to residential zones. It reads:
- “a) There shall be no intensive farming and/or disposal or storage of any farm-related effluent:*
- *within 1500m of Residential A, B and C Zones and/or ...”*
- 2.14 Rule 3.9.10 provides for retail sales and commercial activities but these are limited as follows:
- a) *Retail display and sales are limited to single retail outlets, not exceeding a gross floor area of 40m² and location within buildings.*
 - b) *Group visits to sites used for farming or residential activities shall not result in the maximum number of vehicles visiting the site exceeding 3 buses per week and 25 cars per week.*
 - c) *There shall be no lighting from external light source at night (between one hour after sunset and one hour before sunrise) of any retail sales or commercial activity...*
- The selling centre proposed would not comply with the 40m² requirement at part a) of the rule. It is questionable as to whether part b) could be complied with given the numbers of horses and large events proposed. The application has not assessed the activity against this rule.

¹¹ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 73

¹² Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 74

Ashburton District Plan objectives and policies

2.15 “Objective 3.1: Rural Primary Production

To enable primary production to function efficiently and effectively in the Rural A and B Zones, through the protection and use of highly versatile and/or productive soils and the management of potential adverse effects.”

2.16 “Policy 3.1C

Avoid the establishment or expansion of intensive farming or other rural activities in close proximity to settlement boundaries and residential activities; to manage any adverse effects created by such activities for example noise, odour and dust.”

2.17 Policy 3.1C is key to the proposed activity on the site and was not assessed in the application. The proposal is for the establishment of an intensive farming activity adjacent to an existing residential settlement, which is contrary to Policy 3.1C that requires this to be avoided. Further explanation is provided in the Explanation and Reasons:

“Given that the adverse impacts of these activities are so dependent on the management practices used, and the sensitivity of the surrounding environment, the Council will consider intensive farming proposals on their merit in the Rural B Zone, and have appropriate standards attached to each operation. While many people who live in the rural areas are willing to accept a level of noise or smell associated with some intensive farming, these may be irritating or unacceptable to people living in urban areas. Accordingly, these activities will be discouraged from establishing near the urban environment. Conversely, new residential activities will be discouraged from locating close to intensive farming operations.” [my emphasis]

2.18 “Objective 3.2: Biodiversity

Protect, maintain and/or enhance indigenous biodiversity and ecosystems by controlling and managing activities that have the potential to affect the life supporting capacity of soils, and water quality in the lakes, rivers and wetlands and significant nature conservation values.”

2.19 Although the site does not contain any significant nature conservation values, the submitter has concerns regarding the volumes of wastewater and its discharge in proximity to Lake Hood and waterways that feed the Ashburton River/Hakatere (Laghmor Creek and Carters Creek along with other unnamed drains and tributaries). Regarding the questions around daily removal of horse manure from the site and the location(s) of its disposal, the submitter questions the effects on soils and water resources in the location of the disposal of the manure.

2.20 “Objective 3.4: Natural Character

Preserve the natural character of the District’s coastal environment, rivers, lakes, wetlands and their margins, and protect such areas from inappropriate subdivision, land use and development.”

- 2.21 Lake Hood is man-made and therefore not 'naturally occurring'¹³, however, the site contains waterways that feed the Ashburton River/Hakatere, which need to be carefully managed in order that its natural character is preserved in accordance with Objective 3.4 and associated policies.
- 2.22 *“Objective 3.5: Rural Character and Amenity*
To protect and maintain the character and amenity values of the District's rural areas, considering its productive uses whilst providing for non-rural activities that meet the needs of local and regional communities and the nation.”
- 2.23 *“Policy 3.5E*
Retain an open and spacious character to the rural areas of the District, with a dominance of open space and plantings over buildings by ensuring that the scale and siting of development is such that:
- it will not unreasonably detract from the privacy or outlook of neighbouring properties;*
 - sites remain open and with a rural character as viewed from roads and other publicly accessible places;*
 - the character and scale of buildings is compatible with existing development within the surrounding rural area;*
 - the probability of residential units being exposed to significant adverse effects from an activity on a neighbouring property is reduced.”*
- 2.24 Given the scale and intensive nature of the proposed development, the submitter is concerned that the site will not retain an open rural character compatible with the existing surrounding rural area and that it could unreasonably detract from the privacy or outlook of neighbouring properties.
- 2.25 The Landscape and Visual Assessment (Appendix 9 of the application) also concedes that although the buildings are consistent with farm and utility sheds in rural areas, they are “...somewhat larger in accumulated scale.” This is the concern of the submitter. Although farm buildings and pastoral use should be undertaken on rural land, the scale and intensity of the proposal is more intense than what could reasonably be expected on a site in such proximity to residential zoning and development.
- 2.26 *“Objective 10.3 Transport Safety and Accessibility*
The maintenance and improvement of the safety and ease of pedestrian, cyclist and vehicle movement throughout the District.”
- 2.27 *“Policy 10.3B*
To preserve road safety and accessibility by ensuring that standards of road design, vehicle access, vehicle crossings, loading, parking for people with disabilities and cycle parking are related to intended use of each site and the relationship to the adjoining

¹³ Ashburton District Plan, Section 17: Definitions, definition of Lake

road classification, and that visual distractions that may affect the safety of road users are avoided or mitigated e.g. lighting and advertising."

2.28 "Policy 10.3F

To ensure that convenient and accessible car parking for people with disabilities and cycle parking is available for both staff and visitors for all activities."

2.29 "Policy 10.3G

"To require loading facilities appropriate for the vehicles servicing land use activities."

2.30 "Objective 10.4: Environmental Effects of Transport

To provide for a transport network that avoids adverse effects on the surrounding environment.

2.31 "Policy 10.4G

To avoid the adverse effects of land transport activities on sensitive areas, natural and physical resources, amenity and landscape values."

2.32 The submitter is concerned that the anticipated traffic movements and parking requirements do not match the scale and intensity described in the application. Large numbers of vehicles, including horse floats, feed trucks and manure trucks need to be provided with adequate parking and loading facilities. These vehicles have the potential for adverse effects on the adjacent residential neighbourhoods particularly where access is proposed off Huntingdon Avenue.

2.33 "Objective 11.1: Effects of Noise

Minimise the potential for conflict between noise emissions from land use activities and other more sensitive land uses."

2.34 The application describes a horse stud as "...a relatively quiet rural activity..."¹⁴. However, the submitter remains concerned about adverse effects from noise given the scale and intensity of the proposed activity and the potential conflict with established residential land uses.

Other Objectives and Policies

2.35 Within the wider planning framework there are relevant objectives and policies against which the proposal has varying degrees of inconsistency.

Canterbury Regional Policy Statement

2.36 Section 5 – Land Use and Infrastructure

Objective 5.2.1(2)(i) Development is located and designed so that it functions in a way that avoids conflicts between activities.

¹⁴ Southern Parallel Equine Centre Limited, Land Use Consent Application, novogroup, November 2023, paragraph 112

Policy 5.3.2(1)(c) To enable development which ensures that adverse effects avoided, remedied or mitigated, including where these would compromise or foreclose the productivity of the region's soil resources.

Policy 5.3.2(2)(b) To enable development which avoids or mitigates reverse sensitivity effects and conflicts between incompatible activities.

Polic 5.3.8(2) Integrate land use and transport planning in a way that avoids or mitigates conflicts with incompatible activities.

Policy 5.3.12 Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:

(1)(a) avoiding development which forecloses the ability to make appropriate use of that land for primary production.

(2)(a) enabling tourism, employment and recreational development in rural areas, provided that it is consistent and compatible with rural character, activities, and an open rural environment.

2.37 Section 15 – Soils

Objective 15.2.1 Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.

Policy 15.3.1(2) Promote land-use practices that maintain and improve soil quality.

Canterbury Land and Water Regional Plan

2.38 Policy 4.33 Any system to store, treat and dispose of animal effluent onto land has sufficient storage capacity to avoid the need to dispose of effluent when soil moisture or weather conditions may result in effluent run-off into surface water or leaching into groundwater and to avoid fugitive discharges in the case of equipment or system failure.

2.39 Policy 4.38B When considering any application for resource consent for the use of land for a farming activity, the consent authority should not disregard any adverse effect of the proposed activity on water quality on the basis that this Plan permits an activity with that effect.

2.40 Policy 4.40 Farm Environment Plans are used as a primary means of identifying and delivering good environmental practice across a range of farm activities, including nutrient loss management, efficient and effective use of water for irrigation, riparian management, stock movements across waterways, offal and farm rubbish pits, the storage and application of effluent and fertiliser use.

Statutory matters – sections 104, 104D, and Part 2

2.41 Section 104 of the Resource Management Act 1991 (RMA) requires that when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to-

“(a) any actual and potential effects on the environment of allowing the activity;
and

- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
 - (b) *any relevant provisions of-*
 - (i) *a national environmental standard:*
 - (ii) *other regulations:*
 - (iii) *a national policy statement:*
 - (iv) *a New Zealand coastal policy statement:*
 - (v) *a regional policy statement or proposed regional policy statement:*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
- 2.42 Section 104D of the RMA sets particular restrictions for non-complying activities, known as 'gateways' or the 'threshold test':
- "Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either-*
- (a) *the adverse effects of the activity on the environment ... will be minor; or*
 - (b) *the application is for an activity that will not be contrary to the objectives and policies of*
 - (i) *the relevant plan..."*
- 2.43 In this case the proposed activity is contrary to ADP Policy 3.1C, which seeks to "Avoid the establishment or expansion of intensive farming or other rural activities in close proximity to settlement boundaries and residential activities; to manage any adverse effects created by such activities for example noise, odour and dust." This policy is key to the application for an intensive farming operation in the Rural B Zone but is not assessed in the application.
- 2.44 The submitter is also concerned that the actual and potential adverse effects of the proposed activity will be more than minor.
- 2.45 As a non-complying activity, if the application does not pass one of the s104D 'gateways' the consent authority cannot grant consent.
- 2.46 Part 2 sets out the purpose and principles of the RMA. Given the scale and intensity of the proposal and for the reasons described in this submission, it does not promote the sustainable management of the land resource (s5), nor does it have particular regard for the efficient use and development of the land resource (s7(b)), the maintenance and enhancement of amenity values (s7(c)), the maintenance and enhancement of the quality of the environment (s7(f)), or the finite characteristics of the land resource (s7(g)).

3.0 Inconsistencies in Information and Potential for Future Development

- 3.1 The application documentation is not entirely clear on the numbers of animals (and people) that can be expected, and clarification is required in order to properly consider the effects.
- 3.2 The submitter is concerned that this resource consent application forms only Stage 1 of a much larger project, so if consent is granted wishes to see specific conditions attached to restrict the proposal to a reasonable scale and intensity.
- 3.3 Although not part of this application, the submitter notes that Southern Parallel Sports Campus (SPSC) was declined resource consent by the Ministry for the Environment (MfE) for a sports campus that would have included 32 residential units, café and restaurant, indoor equestrian arena, showjumping arena, indoor stables, and polo fields. That application was applied for through the Covid-19 Recovery Fast-Track Consenting Act (FTCA), but the then Minister for the Environment (David Parker) declined to refer it for fast-track as the project did not meet the referral criteria under section 18 of the FTCA.¹⁵
- 3.4 The submitter also notes the SPSC website¹⁶ which includes details around the development of SPEC facilities at the subject site. The website information includes many facilities in addition to those described in the current application, such as:
- Architecturally designed residential style homes in gated grounds
 - Private health spa
 - Life skills and education centre, including a gym and jogging/walking tracks, wellness clinic, academic lecture halls, and management offices
 - Multi-equestrian sports centre, including 2 competition standard polo fields with sponsor stands between fields
 - Underwater treadmills
 - Internation standard cross-country course
 - Member only clubhouse
 - Potential to cater for other events such as music festivals, classic car, and various field day events
- 3.5 Although the submitter is aware that additional facilities and expansion at the site will be subject to new resource consent applications, they remain concerned at the scale and intensity of the application at hand, and that the 'end-game' for SPEC development at this site may be much more intensive still.
- 3.6 The current SPEC resource consents lodged with ECan are:
- | | |
|-----------|---|
| CRC242397 | to use land for earthworks |
| CRC242398 | to install a culvert and construct a bridge |

¹⁵ <https://environment.govt.nz/what-government-is-doing/areas-of-work/fast-track-consenting/southern-parallel-sports-campus/>

¹⁶ <https://southernparallelcampus.nz/>

- | | |
|-----------|---|
| CRC242399 | to take and use groundwater for dewatering purposes – a resubmission of CRC241844 |
| CRC242400 | to discharge dewatering water |
| CRC242401 | to discharge contaminants to land from an onsite wastewater system |
- 3.7 The submitter notes that the application for stormwater discharge has not been applied for (at the time of writing), and questions whether there is also a requirement for an application for the daily discharge of the manure that is to be removed from the site.
- 3.8 Given the interconnectedness of the consents required from ECan to the land use consent required from ADC, these should be dealt with concurrently by the consent authorities with all consent applications considered together.

We wish the consent authority to make the following decision (please give reasons, including the general nature of any conditions sought):

Decline the application. It does not promote the sustainable management of the land resource in this location. It is contrary to the key policy related to intensive farming (Policy 3.1C), with actual and potential adverse effects that are more than minor, and therefore does not pass the section 104D 'gateways' for a non-complying activity.

Alternatively, in the first instance require specific details to be provided on the questions and concerns raised above and place the application on hold until such time as ECan consents (including a stormwater discharge consent application) processing has caught up so that all actual and potential adverse effects can be assessed together.

If granted the submitter requests that robust and enforceable conditions are applied to the resource consent to ensure that the activity operates in accordance with the stated scale and intensity, and to ensure that no additional activities, or an increase in the scale and intensity of the activity occurs in future.

Please return this form to: info@adc.govt.nz or Ashburton District Council, PO Box 94, Ashburton 7740

Submitter Details

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Consent Application

Name of applicant:

Southen Parallel Equine Centre

Application number:

LUC23/0109

I/We support this application

I/We oppose this application

The reasons for making my submissions are (please state the nature of your submission and give reasons):

Our submission is neutral in relation to the proposed development for 279 Strangers Road. However having review the application we do have concerns we want the consent authority to consider when deciding whether to grant consent for the proposed activity.

I wish the consent authority to make the following decision (please give details, including the general nature of any conditions sought):

Should the consent authority decide to grant the consent for the proposed activity we would want to the consent authority to have particular regard to the matters raised in our submission. If consent is granted we would want to see conditions in place to ensure wastewater is appropriately managed on an on-going basis, if they are needed conditions that ensure nitrogen and phosphorus loss is adequaetly managed and that rural amenity is provided for. We would also want to see a a robust consideration of the NPS HPL requirements against all elements of the proposed activity.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

Signature and Date

Signature:

ARead

craig Read

Having reviewed the information provided to us for the Southern Parallel Sports Stadium Complex Limited (SPSSCL), which consists of an equine stud, with associated buildings and outdoor buildings providing for a selling centre, vet clinic, stabling grazing pasture training arenas and associated parking, at 279 Strangers Road, we are neutral regarding the application. However, there are a series of matters we would want the Ashburton District Council (ADC) to consider when assessing the effects of the activity against the relevant objective, policies and rules of the Ashburton District Plan, and other higher-order documents provided for under the Resource Management Act 1991. Please note we have had prior correspondence with the applicant about the proposed activity subject to this application, and at no point have we agreed to provide any formal affected party approval by way of a signed Form 8A; any indications to the contrary need to be corrected.

Appropriate wastewater disposal and monitoring.

One of the matters we want ADC to consider is the proposed wastewater disposal for the proposed activity; reading the application, we understand the applicant proposes to address the significant wastewater disposal demand created by the proposal with a new municipal wastewater treatment plant (WWTP) supplied by BioGill capable of treating wastewater from the sports facility itself and additional 750 people at any one time.

While we expect the ADC will seek engineering advice to ensure the viability of the proposed system for its intended use, should consent for the SPSSCL be granted, we would like conditions to be included requiring the consent holder to carry out regular inspections of the WWTP system by a suitably qualified and experienced person to ensure the various systems and infrastructure that constitute the WWTP system are adequately maintained to ensure any adverse effects on the receiving environment are less than minor. If the WWTP were to malfunction and adversely affect the receiving environment, we would like conditions to establish a process for affected parties to raise these potential issues with the consent holder and the ADC monitoring and enforcement team to help limit these potential effects.

Consideration of the National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land (NPS HPL) is applicable to 279 Strangers Road, which has a mix of land use capacity (LUC) classes ranging from LUC 1 to 3, meaning the land is capable of supporting arable use with LUC class 1 land being the predominant

class at 279 Strangers Road. This LUC class captures land that is most versatile and capable of supporting multiple land uses, with minimal limitations; it is highly suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

The purpose of the NPS HPL is to protect highly productive land for use in land-based primary production, both now and for future generations. This requires highly productive land to be protected against inappropriate use and development, with highly productive land for land-based primary production being prioritised and supported per Policy 4 & 8 of the NPS HPL. The applicant has identified the NPS HPL as a matter of concern, considering the rearing, keeping, breeding, and grazing of horses, an activity that is reliant on soil resources or highly productive land.

However, having read the application, we understand the proposal also aims to provide for the sale of horses, hosting up to 500 prospective buyers at any one time during annual sale events. Additionally, grazing areas will provide land to host competitive show jumping, dressage, hunter class and polo events, and training areas for these activities. Additionally, the proposal will enable the establishment of a 6,066m² Stud Selling Centre, which will provide for stud offices, meeting rooms and client-only entertainment areas.

While we appreciate these activities are associated with the rearing, keeping, breeding, and grazing of horses, they are not activities that lend themselves to the use of land for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry and are activities that could be provided for in areas of the district which are better suited for these sort of commercial uses. Therefore, we ask ADC to carefully and thoroughly consider all elements of the proposal to ensure it is consistent with the relevant objective, policies, and clauses of the NPS HDL.

Nitrogen Budgeting & Management provisions

Runoff and leaching of nitrogen and phosphorus can adversely impact the environment in several ways. One is the eutrophication of water bodies, producing hypoxic conditions that result in increased mortality and disease in fresh and saltwater ecosystems. This can negatively impact significant indigenous vegetation and fauna, which is worth considering as the protection of significant indigenous vegetation and fauna is a matter of national importance per Section 6 of the Resource Management Act 1991. Runoff and leaching of nitrogen and phosphorus can also affect the life-supporting capacity of soils and water. This is a matter of concern per Objective 3.2 of the Ashburton District Plan.

Having completed nutrient budgets to determine the historic nitrogen and phosphorus loss from farming activities at 703 Gramhams Road, we understand intensive winter grazing and livestock accommodation are not feasible within the immediate area due to nitrogen and phosphorus that would be released into the environment, something that would be contrary to Objective 3.2 of the Ashburton District Plan and Section 6 of the Resource Management Act 1991. While these budgets are dependent on historic farming practices, soil types and parameters that are unique to each property, we ask ADC to consider where the proposed activity is technically viable in light of these nitrogen and phosphorus budgeting and management requirements so consent isn't granted for an activity that would breach these budgeting requirements. If consent is granted and the management and control of livestock numbers will enable compliance with these budgeting requirements, we believe robust stock reporting and monitoring conditions should be provided for in the consent.

Objectives and policies of the District Plan for rural amenity

When considering the impacts of the proposed activity on the receiving environment, we would want ADC to have regard to rural character and amenity, which is provided for under Objective 3.5 of the Ashburton District Plan. We understand that Rural B is zoned primarily to provide for agriculture practices such as dairy farming, cropping, sheep and deer farms; as a result, a certain level of noise, odour and traffic is to be expected within this zoning.

However, this zoning also provides for a particular amenity and rural character, which is important to us; the privacy, open space with minimal built form, clean air and quietness found within this area is something we have highly valued since moving to 703 Gramhams Road nearly 25 years and have often considered when deciding how best to utilise what we have at 703 Gramhams Road.

Policy 3.5B demonstrates there needs to be a give-and-take, allowing for the establishment of non-rural activities within the rural resource area, whilst managing any potential adverse effects on the character and amenity of the rural environment. Reading the documentation provided, it is clear to us that the proposed activity could significantly affect the rural amenity and character found within the Rural B zone. Therefore, we want the ADC to carefully consider the impacts of the proposed activity on the rural character and amenities provided for within the Rural B zone as defined by the Ashburton District Plan. If consent is granted, robust conditions should be included to ensure rural character and amenities are provided for on an ongoing basis.