

**BEFORE THE HEARING COMMISSIONER  
AT CENTRAL OTGAO**

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

**AND**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the Proposed Plan Change 19 to the Central Otago District Plan

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**SUMMARY STATEMENT BY LYNETTE PEARL WHARFE  
FOR HORTICULTURE NEW ZEALAND  
9 MAY 2023**

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## **1. SUMMARY STATEMENT**

- 1.1 My evidence addresses the submissions that Horticulture New Zealand made on Proposed Plan Change 19 Residential to the Central Otago District Plan.
- 1.2 My qualifications and experience are set out in my Evidence in Chief (EIC).
- 1.3 The submission points I address are:
  - (a) Setbacks for the Large Lot Residential Zone (LLRZ)
  - (b) Definition of noxious activity.

### **Setbacks for the Large Lot Residential Zone (LLRZ)**

- 1.4 HortNZ sought that LLRZ-S6 Setback from internal boundary be amended to 30m where the zone borders the Rural Resource Area and the addition of a matter of discretion for potential reverse sensitivity effects on adjacent rural activities.
- 1.5 The s42A Report rejects the submission and I do not concur with that recommendation.
- 1.6 The re-zoning will change the dynamics of the area as some rural activities will become adjacent to residential activities. It is proposed that the setback in the LRZ is 3m from the boundary.
- 1.7 It is important that where the LLRZ abuts the Rural Resource Area that there is sufficient setback distance between residential activity and rural activities.
- 1.8 A larger setback is a mechanism that can be used to achieve such separation.
- 1.9 Unfortunately, PC19 is only on the residential zonings so is not looking at the district zones in an integrated manner to ensure the integrity of all the zones in the district.
- 1.10 The Operative District Plan has a 25m side yard in the Rural Residential areas and Rural Resource Area (5) has a setback of 25m for residential activity from the zone boundary to protect rural production.
- 1.11 I consider that such lots are similar to the LLRZ and the same principle of managing the zone boundary interface applied.
- 1.12 This is an effects based response to a resource management issue and will assist achieve sustainable management.

- 1.13 While HortNZ sought a 30m setback I support a 25m setback from the zone boundary for the LLRZ so that it is consistent with other provisions in the CODP.
- 1.14 The change sought is:
- (a) *That LLRZ-S6 (1) be amended as follows:*
- Except where the zone borders the Rural Resource Areas the setback is 25m.*
- (b) Amend LLRZ-S6 RDIS to include an additional matter of discretion:
- The potential reverse sensitivity effects on adjacent rural activities.*

#### **Definition of noxious activity**

- 1.15 HortNZ made a submission regarding the definition of noxious activity, which is a non-complying activity in residential zones.
- 1.16 In particular, HortNZ is concerned about a wider application of the term in other parts of the plan.
- 1.17 The s42A Report (238 o) is recommending that the definition be limited to residential zones, but notes that in future it could be applied to other zones.
- 1.18 While the recommendation addresses the immediate issue I consider that there is potential for the term to be applied inappropriately in the future.
- 1.19 I am uncertain why keeping of 'plants' is regarded as a 'noxious activity'. I appreciate that intensive confinement of animals and keeping fungi may be regarded as noxious in a residential environment. But it is not clear why plants are also included.
- 1.20 Therefore I support deletion of 'plants' from clause 2 of the definition of noxious activity.

**Lynette Wharfe**

**9 May 2023**