

SUBMISSION ON Draft Waitaki District Plan

31 August 2022

To: Waitaki District Council

Name of Submitter: Horticulture New Zealand

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OVERVIEW

Submission structure

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Our submission

Horticulture New Zealand (HortNZ) thanks Waitaki District Council for the opportunity to submit on the draft Waitaki District Plan and welcomes any opportunity to continue to work with council and to discuss our submission.

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

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

HortNZ's Role

Background to HortNZ

HortNZ represents the interests of approximately 5,500 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruit, and vegetables. The horticultural sector provides over 40,000 jobs.

There is approximately, 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain; and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

Submission

1. Horticulture in Waitaki

There are ~187 growers in the Waitaki district growing a range of vegetables, fruit and indoor crops.

Table one: Hectares of fruit

Wine grapes	Peaches	Apricots	Nectarines	Cherries	Plums	Raspberries	Strawberries	Other	Total
26	3	12	3	6	5	1	4	28	88

Table one: Hectares of vegetables

Asparagus	Broccoli	Cabbage	Cauliflower	Lettuce	Potatoes	Leafy vegetables	Other	Total	
7	104	13	19	10	83	3	33	272	

Table two: Hectares of indoor horticulture

Cucumber	Cooking herbs	Lettuce/salad greens	Other	Total
270	27	2,181	4	2,259

This data is provided by the Statistics New Zealand Agricultural Production Census with most recent data to 2017. The next Agricultural Production Census will be released in December 2022.

The region has significant areas of highly productive land which enables horticulture production. While most fruit and vegetables are grown for market garden purposes, apricots in the grown in the area are mostly exported.

2. Horticulture and Good Management Practice

HortNZ strongly supports recognition of industry led initiatives to improve practice and achieve environmental outcomes. Such initiatives include (but are not limited to):

- Farm Environment Plans
- Good Management Practice
- NZGAP¹ and GLOBALGAP² accreditation
- HortNZ Erosion & Sediment Control Guidelines for Vegetable Production³ (2014)

¹ <https://www.nzgap.co.nz/>

² https://www.globalgap.org/uk_en/

³ <https://www.hortnz.co.nz/assets/Compliance/Erosion-and-Sediment-Control-Guidelines-for-vegetable-production-v1.1.pdf>

- A Code of Practice for the Management of Greenhouse Nutrient Discharges (2007)⁴
- A Growers' Guide to The Management of Greenhouse Nutrient Discharges⁵ (2007)
- HortNZ Vegetable Washwater Discharge Code of Practice⁶

The codes of practice are underpinned by research that has been jointly funded by the government and the horticulture industry.

3. Draft Waitaki District Plan

3.1. Strategic Direction

We support the inclusion of specific strategic direction for highly productive land however note that food production is an important part of providing for essential human health needs and it is important to acknowledge and protect highly productive land to provide for this value.

3.2. Future-proofing the District Plan to enable horticulture growth

Waitaki is a potential high growth district because of the highly productive soils, water availability and cheaper land (than other regions).

It is important the district plan is future-proofed so that is fit-for-purpose and responsive to change over its approximately ten-year life (under the current RMA review timeframes) – notwithstanding the RMA reforms. The review of the rural provisions of the district plan is occurring in a dynamic space of change – including freshwater regulations, climate change mitigation and adaptation and national policy context in terms of matters such as highly productive land, biodiversity and urban development. This highlights the importance of future-proofing the availability of resources to supply the district's growing population.

3.3 General Zoning Approach

HortNZ supports the General Rural Zone providing for primary production and protection of highly productive land in the district. The existing use right for primary production in the General Residential Zone is supported however the 4m setback rule is not sufficient to protect from reverse sensitivity issues.

Protection of the rural zone from incompatible activities and reverse sensitivity is crucial. HortNZ supports rural lifestyle development being directed towards defined areas (e.g the Rural Lifestyle Zone) and a robust policy framework that limits ad-hoc development of inappropriate activities within the General Rural Zone. This is important for maintaining highly productive soils and the viability of horticultural operations within rural areas.

⁴ <https://www.hortnz.co.nz/assets/Environment/National-Env-Policy/JR-Reference-Documents-/HortNZ-2020-Greenhouse-Nutrient-Discharge-GoodPractice1.2-Feb-2020.pdf>

⁵ <https://www.hortnz.co.nz/assets/Compliance/Grower-Guide-Managing-GH-Nutrient-Discharges-1.pdf>

⁶ <https://www.hortnz.co.nz/assets/Environment/National-Env-Policy/JR-Reference-Documents-/HortNZ-2017-Vegetable-Washwater-Discharge-Code-of-Practice-v1.2.pdf>

3.4 Highly Productive Land

Horticulture in the region is predominantly grown on LUC 1-3 which is classified as highly productive land. The definition of highly productive land in the draft plan has the same meaning as the draft National Policy Statement Highly Productive Land.

While HortNZ supports this definition there needs to be consideration in the plan to allow for buildings that support primary production on highly productive land e.g postharvest facilities, wash houses seasonal accommodation etc.

3.5 Reverse Sensitivity

Reverse sensitivity issues are becoming an increasing problem for the horticulture sector as more people move into productive areas who do not have realistic expectations with regards to the activities that can occur because of primary production. Horticulture tends to be particularly susceptible to reverse sensitivity effects due to the location of highly productive land often being located near urban centres and/or the land they operate on being subject to demand for urban development.

It is important for District Plans to include a robust management response. Setbacks are an important management tool in helping to manage the potential for reverse sensitivity effects. As a permitted activity requirement, they do not preclude development within a lesser distance, but at least ensure that a site-specific assessment can be made through a resource consent process.

The 4m setback for habitable buildings from the boundary of a rural zone is not sufficient to achieve the policy outcome of avoiding reverse sensitivity effects on primary production activities.

3.6 Providing for horticultural activities in the rural environment

3.6.1 SEASONAL WORKER ACCOMMODATION

Seasonal worker accommodation provides for temporary and often communal living arrangements; it is quite distinct from permanent worker accommodation which might support a full-time employee and their family. It is a definable activity that requires a specific resource management response to reflect the nature of the activity. Accommodating seasonal workers in appropriate accommodation near their places of employment is more efficient for the horticulture industry, than accommodation that will need to be found further afield and workers will be required to commute.

Immigration New Zealand (INZ) administer the Recognised Seasonal Employer (RSE) scheme⁷. There are strict RSE worker accommodation standards that must be complied with to qualify RSE employers to recruit RSE workers. In some areas of New Zealand, INZ specifically require that employers provide purpose-built accommodation for their RSE workers (unless criteria are met), to ensure that RSE workers are not occupying housing that would normally be available to local residents.

⁷ <https://www.immigration.govt.nz/employ-migrants/hire-a-candidate/employer-scheme-overview/recognised-seasonal-employer>

The district plan will provide a planning framework for the community for at least the next decade and therefore, seasonal worker accommodation should be provided for within the General Rural Zone. Several district plans have taken the approach of providing for such facilities based on a concept of shared kitchen and ablution facilities and separate sleeping quarters. This type of facility is cost efficient and adequately provides for seasonal accommodation.

3.6.2 ARTIFICIAL CROP PROTECTION STRUCTURES (ACPS) AND CROP SUPPORT STRUCTURES (CSS)

Artificial Crop Protection Structures (ACPS) are structures that use permeable materials to cover and protect crops and are now essential for horticulture production of some crops.

Crop Support Structures (CSS) extend to a variety of structures upon which various crops rely for growth and support and are positioned and designed to direct growth to establish canopies. They include 'A', 'T' and 'Y' frames, pergolas and fences.

Land use controls imposed by district plans have the most direct impact on the resource management regulatory framework for CSS and ACPS. It is here that growers typically have interaction and issues with the regulatory authority. HortNZ has experienced inconsistency in how these structures are controlled under 'generic' building or structure rules, due to the broadness of these definitions (and ensuing uncertainty in whether they are a building or not). Often then being caught by controls such as - yard setbacks, height limitations, height to boundary controls, building coverage limitations, impervious surface limitations, amenity controls (colour, reflectivity) etc. - which are not always relevant.

Several District Plans around the country specifically provide provisions for artificial crop protection structures (including for example, Far North, Whangarei, Auckland, Opotiki, Western Bay of Plenty, Whakatane, Hastings, Tasman).

The National Planning Standards now define building. We note the following commentary from the Ministry for the Environment's 'Recommendations on Submissions Report for the first set of National Planning Standards' for 2i Definitions Standard⁸:

"It was considered that any exclusion for a permeable roof could result in a loophole in the definition. Is a roof that leaks a permeable roof? How impermeable would it need to be to qualify? This could make it difficult for compliance and enforcement purposes. We consider that it would be better for the plan provisions (rather than the building definition) to clearly enable crop protection structures or other similar structures if this is the desired outcome" (pg 52)

In light of this, HortNZ has submitted seeking that a specific definition is provided for ACPS and CSS so that a specific, clear and appropriate rule framework can be applied.

⁸ <https://environment.govt.nz/publications/2i-definitions-standard-recommendations-on-submissions-report-for-the-first-set-of-national-planning-standards/>

3.6.3 SHELTERBELTS

Shelterbelts are part of primary production activities and assist in realising productive potential. They are an important mechanism for growers by providing shelter from wind and prevent agrichemical spray drift. Shelterbelts are also a mechanism that can reduce the potential for reverse sensitivity complaints as there is barrier between the primary productive activity and adjoining properties.

Generally, boundary shelter is evergreen (internal is more deciduous) and is around eight metres tall and can be up to one meter wide (once fully grown). Shelter trimmer machinery can only reach to around eight metres which is why shelter doesn't generally grow taller. Shelter is generally maintained and trimmed every 12-18 months.

While HortNZ supports the definition of shelterbelt, rules around shelterbelts and management of wildfire risk need to be pragmatic, as shelterbelts are a part of primary production and overly onerous setbacks could result in inefficient use/inability to use areas of highly productive land. Shelterbelts play an important role in providing protection from wind and also mitigating spray draft, and so functionally are generally necessary on a boundary.

3.6.4 EARTHWORKS

HortNZ supports the approach of specifically defining ancillary rural earthworks and providing for this activity. This submission seeks minor amendments to how this activity is reflected in the draft plan - as detailed in the table below.

HortNZ has developed a code of practice for erosion and sediment control to provide guidance at an industry level for cultivation of vegetables crops (Horticulture New Zealand Code of Practice 'Erosion and Sediment Control Guidelines for Vegetable Production' (June 2014⁹). We also note that Farm Environment Plans also assist in managing day-to-day activity and are requirements at a regional level in some catchments and coming through at a national level - this lessens the need for regulation at a district plan level.

3.6.5 APPROACH TO MANAGING GREENHOUSES

Historically, and with changing practice, crop types and diversification in the horticultural sector, growers have become increasingly reliant on a variety of covered cropping methods to support rural production activities. Growing within a greenhouse can produce a more consistent yield and consistent quality of product for longer periods of the year in comparison to outdoor growing

In the draft plan, greenhouses are not included in the definition of 'Intensive Primary Production' which HortNZ supports. This is consistent with the definition for Intensive primary production in the National Planning Standards:

"Means primary production activities that principally occur within buildings and involve growing fungi or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry"¹⁰.

⁹ <https://www.hortnz.co.nz/assets/Compliance/Erosion-and-Sediment-Control-Guidelines-for-vegetable-production-v1.1.pdf>

¹⁰ <https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

HortNZ does not consider that the rules for intensive primary production are appropriate for greenhouses, and instead they can be addressed through the rules applicable to primary production (which include performance standards relating to matters such as building coverage, height, setbacks, transport, light, noise etc.).

3.6.6 NOISE

Rural environments are working rural production areas and should not be portrayed as quiet. Noise does occur in those areas, sometimes on an intermittent basis. Ensuring adequate setbacks of dwellings from horticultural properties is an important part of minimising the potential for reverse sensitivity complaints.

If rural noise standards are being considered, the following factors should be incorporated:

- Rural activities in rural areas should not be subject to urban standards for noise as it will curtail rural productivity
- Daytime noise controls should be effective 7 days per week - not limited to Monday to Friday as primary production activities are not limited Monday to Saturday
- Noise standards in rural zones should be at least 55 LAeq to ensure that any assessment against the permitted baseline represents the normal rural environment
- An exemption should be provided for some rural production activities that are not able to be controlled by noise standards such as frost fans and audible bird scaring devices. Such a provision is included in most district plans, such as Whakatane and Western Bay of Plenty and an example is provided below.

The example below has a similar effect to sections 326-328 of the RMA.

Exemption from noise standards

Subject to best practicable option being adopted the following activities are exempt from complying with noise standards:

- Rural production activities, including agricultural and horticultural vehicles and equipment; aircraft used for agricultural and horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans and audible bird scaring devices) associated with agricultural and horticultural activities such as: spraying, harvesting,
- Livestock

In the draft plan, frost fans and audible bird scaring devices are a permitted activity if they meet noise requirements and operate within certain times. HortNZ supports the permitted activity rules in the general rural zone for these devices.

3.7 Biosecurity

The issue of biosecurity relates to the maintenance and enhancement of biodiversity values in the district. There is a need for rapid response in the event of a biosecurity incursion of an unwanted organism. Vegetation removal, burial, burning and spraying of material are methods that may be used. It is therefore important that the plan adequately provides for these activities to be undertaken.

The year 2020 marked 10 years since the PSA incursion that crippled the kiwifruit industry. At the time of the event, it was evident that regional and district plans can unintentionally be regulatory hurdles to rapid response through provisions such as limiting earthworks for burying infected material or clearance of infected vegetation. Only when a biosecurity emergency is declared by the Governor-General on the recommendation of a Minister (s144 BA), can the emergency provisions in the Biosecurity Act 1993 override the RMA provisions. Such a declaration has never been made.

In other situations, a Chief Technical Officer can notify the MPI Director-General about an unwanted organism, but the biosecurity response mechanisms are still subject to RMA plan controls. With such a declaration the regional and district plan rules still need to be met regarding the disposal of infected material. Given the urgency required in such a situation, it is not practical to have to obtain resource consent.

In the 2010 PSA incursion, only a Chief Technical Officer declaration was made, so regional and district plan requirements still needed to be met. This presented challenges in terms of timely and appropriate destruction of material which is what resulted in the rapid spread of and destruction from the disease.

If an incursion of an unwanted organism was unable to be appropriately managed due to regulatory barriers, it could have a significant impact on the region and the rural economy. The effects of a biosecurity incursion are not just limited to rural production. Such incursions can also affect wider biodiversity and indigenous flora and fauna. It is therefore appropriate that exclusions are provided for within the policy and planning framework which allow for the clearance of any vegetation (including indigenous and that of significance) in the event of a biosecurity emergency declared under the Biosecurity Act or by a declaration of a Chief Technical Officer.

Submission on draft Waitaki District Plan

Without limiting the generality of the above, HortNZ seeks the following decisions on the draft Waitaki District Plan, as set out below, or alternative amendments to address the substance of the concerns raised in this submission and any consequential amendments required to address the concerns raised in this submission.

Additions are indicated by bolded underline, and deletions by strikethrough text.

Provision	Support/ oppose	Reason	Decision sought
Definitions in the plan that HortNZ is making comment on			
Definition - <u>Amenity planting</u>	Oppose	This change is sought because there are definitions for both 'amenity planting' and 'amenity tree planting' (and their differing relationship to shelterbelts and horticultural crops in the DWDP) which creates unnecessary duplication/confusion.	Amend the references to 'amenity planting' in in CE-R1 to ' <u>amenity tree planting, shelterbelt or horticultural crops</u> '.
Definition - <u>Amenity tree planting</u>	Support	HortNZ support the exclusion of shelterbelts, commercial orchards and other tree crops from this definition.	Retain
Definition - <u>Electricity distribution corridor Electricity distribution yard</u>	Oppose	Additional setbacks from electricity distribution lines (for buildings and structures) could impact on the potential to use highly productive land for horticulture, where structures - for example, artificial crop	Delete Electricity Distribution Corridor and Electricity Distribution Yard provisions and rely on the requirements in the NZECP34:2001 (or amend to only apply to subdivision

		protection structures). HortNZ do not consider there is justification for additional requirements above and beyond the NZECP34:2001.	considerations, and if it necessary to do so, sensitive activities).
Definition - <u>Farming activity</u>	Oppose	<p>The only reference in the plan to this term is in RLZ-R8 (Visitor accommodation) - the inclusion of this term is therefore not consistent with the broader use of terms in the draft plan.</p> <p>The reference in RLZ-R8 could be amended to refer to "Primary production (excluding mining, quarrying activities, intensive indoor primary production, and intensive outdoor primary production)" which is more widely used in the plan.</p>	Delete 'farming activity' definition.
Definition - <u>Helicopter landing area</u>	Oppose	The term 'helicopter landing area' is not used in the plan, alternative terms such as 'helicopter landing pads' (in GRUZ-R13) - the language should be consistent in the Plan, otherwise the definition should be deleted.	<p>Delete, or if the definition remains, delete the text in brackets because the rule for helicopter landing pads in the GRUZ permits their use:</p> <p>5. rural farming operations (where the site boundary is greater than 2km from a boundary with the Settlement Zone or Rural Lifestyle Zone):</p>

Definition - <u>Highly productive land</u>	Support in part	The definition differs from the proposed Otago Regional Policy Statement	Align with the definition that HortNZ is seeking in the Otago Regional Policy Statement a) <u>Land that has been identified as highly productive land in the relevant Regional Policy Statement,</u> b) <u>Where identification has not occurred as in a), land in the rural area that is classified as LUC1,2 or 3 as mapped by the NZ Land Resource Inventory or by more detailed site mapping.</u>
Definition - <u>Noise sensitivity activity</u>	Support	The definition provides an accurate description of noise sensitive activities.	Retain (Although note that 'retirement village' could be listed as its own point)
Definition- <u>Reverse sensitivity</u>	Support	The definition provides an accurate description of reverse sensitivity.	Retain
Definition- <u>Riparian margin</u>	Support in part	It is unclear why the distance is 20m in the rural zone, compared to 10m for the rest of land/other zones? There is	Provide justification or amend rural and urban distances to be consistent.

		<p>not a clear justification provided for the 20m distance.</p> <p>As a comparison, the Canterbury Land and Water Plan defines riparian margin as either 10m or 5m (depending on if within a High Soil Erosion Risk area).</p>	
Definition - <u>Sensitive activity</u>	Support	The definition provides an accurate description of sensitive activities.	Retain
Definition- <u>Shelterbelt</u>	Support	The definition provides an accurate description of a shelterbelt	Retain
Definitions not in the plan that HortNZ is making comment on			
New definition - <u>Artificial crop protection structures and Crop support structures</u>	New definition sought	<p>As noted above, HortNZ seek to ensure that these structures are not inadvertently covered by inappropriate effects standards, where there is a risk that they may be considered 'buildings' (due to inconsistency in interpretation).</p> <p>A way of addressing this is to provide a clear framework through a definition and specific standard or rule for the rural zone.</p> <p>For further clarity, a definition of crop support structure could also be</p>	<p>Include a definition for 'artificial crop protection structures',</p> <p><u>Artificial crop protection structure means structures with material used to protect crops and/or enhance growth (excluding greenhouses).</u></p> <p><u>Note: For the avoidance of doubt artificial crop protection structures are not a building.</u></p> <p>AND, Include a definition for 'artificial support structure'</p>

		included as this term is referred to in the plan also.	<u>Crop support structure means an open structure on which plants are grown</u>
New definition - <u>Agricultural aviation movements</u>	New definition sought	A definition would provide clarity within the plan - as detailed in this submission, HortNZ seeks to clearly provide for this activity as a permitted activity in rural zones due to its intermittent nature.	Include a definition for 'agricultural aviation movements', <u>Agricultural aviation movements means intermittent aircraft and helicopter movements for purposes ancillary to primary production activities, including topdressing, spraying, stock management, fertiliser application, and frost mitigation, and associated refuelling.</u>
New definition - <u>Ancillary rural earthworks</u>	New definition sought	There is a need to provide for 'day-to-day' activities that are integral to productive land use in the rural zone. In HortNZ's experience, providing a definition for ancillary rural earthworks and a clear rule framework is an efficient approach. Cultivation (gardening, and the disturbance of land for the installation of fence posts) are excluded from the definition of Earthworks, however there are other activities which HortNZ seeks to provide for.	Amend to include a definition of 'ancillary rural earthworks' <u>Ancillary rural earthworks means earthworks associated with normal agricultural and horticultural practices, such as:</u> <ul style="list-style-type: none"> a. <u>maintenance of drains, troughs and installation of their associated pipe networks, drilling bores and offal pits, burying of dead stock and plant waste, erosion and sediment control measures;</u> b. <u>the burying of material infected by unwanted organisms as</u>

			<p><u>declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u></p> <p><u>Note: For clarity, it is noted that cultivation is not 'defined as earthworks'.</u></p>
New definition- <u>Seasonal worker accommodation</u>	New definition sought	Include a definition for seasonal worker accommodation as it is distinct from visitor accommodation.	Insert new definition as follows: <u>Seasonal worker accommodation means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u>
District Wide Matters			
SD - Strategic Direction			
SD-RA-O1 Productive rural environments	Support in part	HortNZ support the strategic direction to enable productive use of the rural environment however, suggest an amendment to focus the strategic direction for the rural area	Amend wording: A range of primarily Rural productive opportunities are enabled in the rural environment to recognise and sustain the significant contribution of primary production and rural industry activities

		in first and foremost providing for productive land use.	to the social and economic well-being of the district.
SD-RA-O2 Protecting highly productive land	Support in part	HortNZ support the inclusion of highly productive land in the strategic direction, however note that food production is an important part of providing for essential human health needs and it is important to acknowledge and protect highly productive land to provide for this value.	Amend wording: Protect highly productive land from inappropriate subdivision, use or development, <u>and recognise the need to protect productive soils for growing food.</u>
SD-RA-O3 Avoiding incompatible activities and reverse sensitivity	Support in part	It is important to recognise in the strategic direction the need to manage reverse sensitivity effects, suggest amendment to link more closely with the primary production role of the zone.	Amend: Ensure development remains compatible with rural character and avoids reverse sensitivity impacts <u>that would compromise primary production or the use of highly productive land.</u>
SD-UFD-O6 Urban growth	Support in part	Highly productive land is an important consideration in respect of planning urban growth, and it would assist in creating this linkage in the plan by including reference in these objectives.	Amend SF-UFD-O6: 'Future urban growth is appropriately located <u>to protect highly productive land</u> , and serviced with relevant infrastructure,

INF Infrastructure			
INF-O4 Protection of regionally significant infrastructure	Support/oppose in part	To ensure the focus is on new activities establishing.	The national, regional and local benefits of regionally significant infrastructure are recognised and provided for; its functions and operations are protected from adverse effects, including reverse sensitivity effects <u>from the establishment of new activities.</u> of other activities.
INF-P4 Appropriate infrastructure	Oppose in part	Infrastructure that crosses private property can limit the potential to use productive land - HortNZ seek that this be included as a consideration.	Amend INF-P4: ... 1. it is of a form, location and scale that minimises adverse effects on the environment, <u>including consideration of effects on existing land uses or the ability to use the land productively;</u> and
INF-P6 Upgrading of the National Grid	Oppose in part	Upgrades to the National Grid can impact on the ability to use private	Amend, to include additional clause: <u>8. having regard to the extent to which there are adverse effects on existing</u>

		land and these effects should be taken into account.	<u>land use or the ability to use highly productive land</u>
INF-P7 Development of the National Grid	Oppose in part	The policy currently only considers effects on land uses in urban areas, there may also be significant impacts on the ability to productively use rural land.	Amend, to include additional clause: <u>1A. in rural areas, avoiding, remedying or mitigating effects on existing land use or the ability to use highly productive land</u>
INF-P24 Electricity Distribution Yard	Oppose	HortNZ has sought elsewhere (refer comments on definitions above) to delete the Electricity Distribution Corridor and Electricity Distribution Yard provisions and rely on the requirements in the in NZECP34:2001 (or amend to only apply to subdivision considerations, and if it necessary to do so, sensitive activities). There are also some inconsistencies within the policy, including reference to the electricity transmission network (which is different to the distribution network) and reference	Delete INF-P24

		<p>to substations which do not appear to be covered by the definition.</p> <p>Additionally, it is unclear the need to manage 'amenity' effects of building, structure or activity on the electricity distribution network.</p>	
<p>INF-R28</p> <p>Upgrading of existing transmission lines above 110kV that are not regulated by the NESETA</p>	Oppose in part	<p>Transmission lines often cross private land and impose restrictions or limitations on the use of that land, the effects of upgrades on the use of that land should be considered (not just surrounding properties)</p>	<p>Support the requirement for upgrading of transmission lines to require an effects assessment through a consenting process.</p> <p>Amend the matters of discretion, to include:</p> <p><u>8. any adverse effects on existing land uses.</u></p>
<p>INF(NGN)-R2</p> <p>Buildings and structures within the Electricity Distribution Yard</p>	Oppose	<p>NZECP34:2001 sets out provisions for distances from electricity lines dependent on voltage. There is no need for duplication in the district plan.</p>	<p>Delete INF(NGN)-R2 and rely on distances set out in NZECP34:2001,</p> <p>OR</p> <p>Amend INF(NGN)-R2 to simply refer to NZECP e.g. PER where 'Any buildings or structures complies with the New Zealand Electrical Code of Practice for Electrical Safety Distances.'</p>
<p>INF(NGN)-R5</p>	Oppose in part	<p>HortNZ does not support a 'blanket' limitation on any reticulation and storage of water for irrigation</p>	<p>Seek to amend PER-1, such as:</p> <p>Where:</p>

Infrastructure and associated earthworks in the National Grid Yard outside of any overlay		purposes, as there may be situations where reticulation and storage of water for irrigation may need to pass through the National Grid Yard. In our view the key issue is where this blocks access to the national grid.	PER-1 The infrastructure is not for the reticulation and storage of water for irrigation purposes <u>does not impede access to National Grid infrastructure</u> ; and
INF-(NGN)-R6 Construction of a building or additions or alterations to an existing building for use by a sensitive activity located within the National Grid Substation Buffer	Support in part	Additional clause sought in accordance with similar district plan approaches elsewhere.	Amend to add to PER-3, <u>; or</u> <u>x. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.</u>
HAZS - Hazardous Substances			
HAZS-R1 Use and/or storage of hazardous substances, excluding a major hazard facility	Support in part	The amendment is sought to ensure that ensure the plan is clear in providing for agrichemical use which is regulated by other means and would be inefficient to manage within the District Plan (which should only focus on any 'gaps' in the	Amend to include : ... <u>PER-2</u> <u>Use and/or storage of agrichemicals in compliance with NZS8409:2021 Management of Agrichemicals, or the</u>

		<p>management of hazardous substances).</p> <p>The everyday use of hazardous substances (such as agrichemicals, fertiliser, fuels) is not of a nature that requires additional management in the listed sensitive environments.</p>	<p><u>use and/or of storage of fertiliser or fuel as part of a primary production activity</u></p>
NH - Natural Hazards			
<p>NH-R1</p> <p>Flood tolerant activities in all Flood Assessment Overlays</p>	Support in part	<p>The definition recognizes horticulture as a flood tolerant activity/land use; in terms of managing effects in relation to natural hazards in a District plan, HortNZ support this approach.</p> <p>However to be consistent with the defined term 'flood tolerant activities and land uses recommend amending the title of this rule.</p>	<p>Retain, but with an amended title: 'Flood tolerant activities <u>and land uses</u> in all Flood Assessment Overlays'</p>
<p>NH-R2</p> <p>Buildings, structures and fences in the Otago Flood Assessment Overlay</p>	Support in part	<p>Support the provision for farm buildings (that have an unsealed or permeable floor), however we see a gap in this rule for horticultural structures.</p>	<p>Include in this rule as a PER activity, 'horticultural structure', as follows:</p> <p><i>Where:</i></p> <p><i>PER-1</i></p> <p><i>The building or structure is:</i></p> <p>....</p>

			<p><i>7. a farm building in a Rural Zone that has an unsealed or permeable floor; or</i></p> <p><i><u>8. a horticultural structure; or</u></i></p>
<p>NH-R3</p> <p>Buildings, structures and fences in the Canterbury Flood Assessment Overlay</p>	<p>Support in part</p>	<p>Support the provision for farm buildings (that have an unsealed or permeable floor), however see a gap in this rule for horticultural structures.</p>	<p>Include in this rule as a PER activity, 'horticultural structure', as follows:</p> <p><i>Where:</i></p> <p><i>PER-1</i></p> <p><i>The building or structure is:</i></p> <p>....</p> <p><i>7. a farm building in a Rural Zone that has an unsealed or permeable floor; or</i></p> <p><i><u>8. a horticultural structure; or</u></i></p>
<p>NH-R4</p> <p>Buildings and structures in the Waitaki River Floodplain Assessment Overlay</p>	<p>Support in part</p>	<p>Support the provision for farm buildings (that have an unsealed or permeable floor), however see a gap in this rule for horticultural structures.</p>	<p>Include in this rule as a PER activity, 'horticultural structure', as follows:</p> <p><i>Where:</i></p> <p><i>PER-1</i></p> <p><i>The building or structure is:</i></p> <p>....</p> <p><i>7. a farm building in a Rural Zone that has an unsealed or permeable floor designed and located not to impede or</i></p>

			<i>displace the flow of water during a flood event; or</i> <u><i>8. a horticultural structure; or</i></u>
NH-R5 Earthworks in all Flood Assessment Overlays	Oppose in part	The earthworks standards in PER-1 (particularly volume) would not readily accommodate some 'day-to-day' rural activities that are part of a horticultural land use.	Amend to include as a PER activity ' <u>ancillary rural earthworks</u> ', as PER-3.
NH-R7 Activities in all Flood Assessment Overlays except flood tolerant activities and flood vulnerable activities	Oppose in part	The note of this rule refers to requiring a flood assessment in accordance with NH-S1 (which is specific to the Canterbury Flood Assessment overlay, despite the rule applying to all Flood Assessment Overlays). The drafting of this rule and/or note needs to be clarified.	Amend NH-R7 to specifically exclude activities that are already addressed by activity-specific rules, for clarity: <i>NH-R7 Activities in all Flood Assessment Overlays except flood tolerant activities and flood vulnerable activities not otherwise covered by those addressed by NH-R1, NH-R2, NH-R3, NH-R4, NH-R5 or NH-R6.</i>
NH-R14 Wildfire - buildings, woodlots and shelterbelts	Support/oppose in part	Shelterbelts support productive use of rural land. Providing for shelterbelts of limited dimensions mitigates risks while providing a pragmatic approach that enables the	Amend PER-1, Where: PER-1

		use of productive land for a productive purpose.	The woodlot or shelterbelt is no wider than 30m and is setback (measured from the outside extent of the canopy): ... <u>4. Except that (1) to (3) do not apply if a shelterbelt is no more than 5m high and 3m wide, regularly trimmed and trimmings are removed from the site.</u> AND retain PER2
ECO - Ecosystems and Indigenous Biodiversity			
ECO-P3 Appropriate activities within Significant Natural Areas	Support in part	Refer to commentary provided above in relation to biosecurity response provisions.	Amend ECO-P3 2. enable limited clearance of indigenous vegetation within a Significant Natural Area where it is: a) of a scale and nature that maintains biodiversity values; or b) undertaken for mahika kai purposes in accordance with tikaka Māori by mana whenua; <u>or</u> <u>c) required as part of a biosecurity response.</u>
ECO-R1	Support in part	PER-1, support retaining this because this is a pragmatic	Retain PER-1.

<p>Indigenous vegetation clearance outside of a Significant Natural Area listed in SCHED6 - Significant Natural Areas</p>		<p>approach of providing for existing activities which are part of primary production.</p> <p>PER-7, support retaining this because it is important to provide for shelterbelts, agree their management should be permitted</p> <p>A permitted activity rule is sought to enable a biosecurity response, as explained elsewhere.</p>	<p>AND</p> <p>Retain PER-7</p> <p>AND</p> <p>Amend to include a permitted activity condition that provides enables a biosecurity response:</p> <p>... or</p> <p><u>PER-X</u></p> <p><u>The indigenous vegetation clearance required as part of a biosecurity response, of indigenous vegetation infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1193.</u></p>
<p>ECO-R2</p> <p>Indigenous vegetation clearance within a Significant Natural Area listed in SCHED6 - Significant Natural Areas</p>	<p>Support in part</p>	<p>PER-1, support retaining this because this is a pragmatic approach of providing for existing activities which are part of primary production.</p> <p>Shelterbelt management should be provided for.</p>	<p>Retain PER-1</p> <p>AND</p>

		<p>A permitted activity rule is sought to enable a biosecurity response, as explained elsewhere.</p>	<p>Amend ECO-R3 to include a permitted activity condition that provides for shelterbelts akin to ECO-R1:</p> <p><u>... or</u></p> <p><u>PER-X</u></p> <p><u>The indigenous vegetation clearance is part of a planted garden or shelterbelt;</u></p> <p>AND</p> <p>Amend ECO-R3 to include a permitted activity condition that provides enables a biosecurity response:</p> <p><u>... or</u></p> <p><u>PER-X</u></p> <p><u>The indigenous vegetation clearance required as part of a biosecurity response, of indigenous vegetation infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the</u></p>
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			<u>Minister under the Biosecurity Act 1193.</u>
NATC - Natural Character			
NATC-P1 Preserving and protecting the natural character of Waitaki’s riparian margins	Oppose in part	HortNZ consider that erosion and sediment controls should be provided for, as well as biosecurity response activities.	Amend NATC-P1, Enable the following on riparian margins: <u>X. structures, earthworks, vegetation clearance and planting necessary for the implementation of erosion or sediment controls, or for the purpose of mitigating effects on the waterbody</u> 4. vegetation clearance where it is to remove pest species, <u>or is required as part of a biosecurity response</u> , and appropriate planting of indigenous vegetation, recognising it can help to restore or enhance natural character;

NATC-R1 Structures within a riparian margin	Oppose in part	Other parties may also be installing structures for flood and/or management, HortNZ seeks that this be provided for.	Amend, to include <u>PER -X The structures is an erosion or sediment control</u>
NATC-R2 Vegetation clearance within a riparian margin	Oppose	As noted in the submission on the definition of riparian margin, there is not a clear justification for a 20m distance as the defined riparian margin. The definition of vegetation clearance includes 'cultivation'. This makes the rule more stringent than the NES-FM rules (Regulation 50) for natural wetlands. This activity is also managed by regional rules.	Amend to permit cultivation, where it meets the Regulation 50 of the NES-FM 2020, or is permitted by the applicable regional rules.
NATC-R3 Planting indigenous vegetation within riparian margins	Support	Support enabling planting of riparian margins	Retain
NFL - Natural Features and Landscapes			
NFL-P4 Inappropriate activities within Significant Natural Features and Rural Scenic Landscapes	Oppose in part	The amendment is proposed as HortNZ consider that the amenity should include a link to what is expected in the zone	Amend (1) 1. maintains amenity values <u>it is consistent with the anticipated</u>

			<u>amenity and character of the zone</u>
NFL-P6 Earthworks	Oppose in part	The amendment is proposed to include a link to what is expected in the zone	Amend to include, <u>x. The earthworks are consistent with anticipated activities in the zone</u>
NFL-R2 Buildings and structures (excluding fences) within Rural Scenic Landscapes and on Significant Natural Features	Oppose in part	NFL-S1 is not very applicable to horticultural structures - HortNZ seek a specific provision to provide for these within Rural Scenic Landscapes and on Significant Natural Features	Amend to include, <u>; or PER-4 The structure is a horticultural structure</u>
NFL-R4 Earthworks on or within Outstanding Natural Features or Landscapes, Significant Natural Features or Rural Scenic Landscapes		Ancillary rural earthworks is sought to be provided for within the General Rural Zone, to provide for productive based activities not provided for by PER-1.	Amend to include, <u>or;</u> <u>PER-X In the General Rural Zone, ancillary rural earthworks; and</u>
NFL-R6 Amenity tree planting and shelterbelts on or within Outstanding Natural Features and Landscapes, Significant Natural Features or Rural Scenic Landscapes	Oppose in part	The justification for a 100m setback is not clear - shelterbelts often part of rural landscapes and inherent to some forms of primary production.	Delete, 1. set back at least 100m from State Highways; and
SUB - Subdivision			

SUB-O2 Subdivision design	Support in part	Highly productive land is an important consideration (expressed in the strategic direction) that should be carried through into this objective.	Amend to include reference to HPL: Subdivision occurs in a sequenced and coherent manner and is designed so that it: ... <u>X. maintains or enhances the productive capacity of highly productive land</u>
SUB-P10 Esplanade reserves and strips - other waterbodies	Oppose in part	Providing for public access along land adjoining productive land has the potential to increase health and safety risks.	Amend to include the following consideration: <u>3. Any health and safety risks or constraints on the ability to use highly productive land.</u>
SUB-P12 Subdivision Design	Support in part	Support (11) because setbacks are an important tool for managing potential reverse sensitivity effects, it is important that this is considered in relation to rural activities. But also seek amendment to link to highly productive land strategic direction.	Retain (11), AND Amend to add link to strategic direction relating to highly productive land: <u>X. Protect highly productive land from loss, fragmentation or incompatible use</u>
SUB-P16 Subdivision in the Rural Zones	Retain	Setbacks are an important tool for managing potential reverse sensitivity effects and it is important that this is considered at the time of subdivision.	Retain (7)

EW - Earthworks			
New objective - <u>EW-OX</u>	New objective sought	The current objectives focus only on managing adverse effects (avoid, remedy, mitigate lens) rather than any recognition of the positive outcomes of earthworks - despite there being policies which 'enable' certain earthworks activities.	Amend, to include an objective which recognises the benefits of earthworks, <u>EW-OX Earthworks enable people and communities social, economic and cultural well-being, and their health and safety, where adverse effects are appropriately managed.</u>
EW-P4 Primary production activities		HortNZ support enabling primary production, however suggest amendment to include ancillary rural earthworks (for which a definition is proposed).	Amend, Enable earthworks that support the operational efficiency of primary production activities, including the maintenance and repair of existing tracks, yards, irrigation infrastructure, fences and dams <u>and ancillary rural earthworks.</u>
EW-P6 The effects of earthworks	Support in part	The term manage is suggested as more appropriate in this context.	Amend, Require <u>Manage</u> any earthworks to avoid, remedy or mitigate adverse effects on the following:
New rule - <u>EW-RX Ancillary Rural Earthworks</u>	New rule	This is an activity consistent with the expectations of a rural environment, of a scale that is bounded by the	Amend to add, <u>EW-RX Ancillary Rural Earthworks General Rural Zone</u>

		<p>definition of 'ancillary rural earthworks.</p> <p>Do not support volume limit in General Rural Zone applying to ancillary rural earthworks - relates to approach of seeking ancillary rural earthworks provisions.</p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-EW-S5 is complied with.</u></p>
<p>EW-R5</p> <p>Earthworks within a riparian margin</p>	<p>Support in part</p>	<p>This is an activity consistent with the expectations of a rural environment, of a scale that is bounded by the definition of 'ancillary rural earthworks'</p>	<p>Amend to add,</p> <p>Where:</p> <p>.. or</p> <p><u>PER-4</u></p> <p><u>The earthworks are ancillary rural earthworks</u></p>
<p>EW-S4</p> <p>Earthworks within 20 metres of a waterbody or wetland</p>	<p>Oppose in part</p>	<p>HortNZ seeks that there is alignment with the NESFW in relation to natural wetlands (which provides for earthworks for the purpose of arable land use or horticultural land use outside, but within a 10 m of a natural wetland subject to conditions), and to provide for erosion or sediment controls.</p>	<p>Amend:</p> <p>Earthworks shall not take place within 20m of a waterbody or wetland, <u>except where it is for the construction or maintenance of erosion or sediment controls or is permitted by Regulation 50 of the National Environmental Standard for Freshwater 2020.</u></p>
<p>Noise</p>			

<p>NOISE-E1 Exemptions to noise standards</p>	<p>Support in part</p>	<p>These are activities inherent to land use in the rural zone, by their nature intermittent and should be provided for.</p> <p>HortNZ seeks that agricultural aircraft movements (i.e. including helicopters) are included in the list of exemptions for the same reason.</p>	<p>Retain the exclusion in 1. AND amend to include, 'The noise standards and rules in this Plan, unless specifically stated, will not apply to noise generated by the following: ... <u>'X. agricultural aircraft movements'</u></p>
<p>TEMP - Temporary Activities</p>			
<p>TEMP-R6 Temporary helicopter take-offs and landings, excluding Ōamaru Airport and Ōmārama Airfield</p>	<p>Support in part</p>	<p>Support exclusion of 'rural farming operations' in PER-5, however seek to amend to the term 'Agricultural aviation movements' (for which a definition is proposed) to provide clarity as to what this applies to.</p>	<p>Amend, PER-5 The following activities are exempt from the provisions of PER-1 to PER-4: ... 4. rural farming operations <u>agricultural aviation movements</u></p>
<p>RESZ - Residential Zones</p>			
<p>RESZ-P1 Location of residential development</p>	<p>Support in part</p>	<p>Support the direction for compact urban areas (to prevent urban sprawl across productive land), recognition of the need to manage potential reverse sensitivity effects and avoiding highly productive land.</p>	<p>Amend, to either: 4. reverse sensitivity effects on rural and industrial land uses, and infrastructure, are minimised where practicable; and</p>

		In clause (4) relating to reverse sensitivity, either the deletion of 'where practicable' because the term minimised already incorporates a similar consideration, (i.e dictionary meaning to reduce to the smallest possible amount or degree), or an 'avoid, remedy or mitigate' direction (where the obligation is to first avoid) to ensure this is a genuine consideration.	OR 4. reverse sensitivity effects on rural and industrial land uses, and infrastructure, are <u>avoided, remedied or mitigated</u> minimised where practicable ; and
RESZ-P5 Non-residential activities	Support	Support clause (5) setting out setbacks as a means of managing reverse sensitivity, particularly at the interface between urban and rural zones.	Retain clause (5)
GRZ - General Residential Zone			
GRZ-S6 Minimum building and structure setbacks	Oppose in part	Policy RESZ-P5 (5) sets out setbacks as a method for managing potential reverse sensitivity effects. GRZ-S6 requires a 4m setback for habitable buildings from the boundary of a Rural zone, however this may not be sufficient to manage reverse sensitivity.	Amend to a larger setback distance adjacent to the GRUZ, The minimum setback of any part of a building or structure for an activity shall be: ... <u>x. from a boundary adjacent to the General Rural Zone: 10m</u>

RURZ - Rural Zone			
RURZ-O1 Providing for primary production activities	Support	Support the direction of providing for/enabling primary production activities in the rural zone	Retain
RURZ-O2 Highly productive land	Support in part	<p>HortNZ support the recognition of the benefits of highly productive land and the buildings and structures that support horticulture production</p> <p>The objective generally provides for the need to protect this land from fragmentation, reverse sensitivity etc. through protection from 'inappropriate subdivision, use and development'</p> <p>We note the need to be cognisant of the need to review the direction regarding HPL should an NPSHPL come out ahead of notification of the Plan.</p>	<p>Amend O2</p> <p>The benefits of highly productive land are recognised, and its availability for agricultural, horticultural and pastoral production <u>and associated building and structures</u> is protected from inappropriate subdivision, use and development.</p>
RURZ-O3 Sustainable growth in settlements	Support in part	Reverse sensitivity is a consideration which is important to manage at the zone interface	<p>Amend, to include:</p> <p><u>5. Manages potential reverse sensitivity effects on the adjacent General Rural Zone.</u></p>

<p>RURZ-O4</p> <p>Rural amenity values</p>	<p>Oppose in part</p>	<p>Amendment is sought to replace 'range of activities' with primary production so that amenity is linked to this.</p>	<p>Amend,</p> <p>Rural amenity values are consistent with the <u>primary production</u> range of activities anticipated in the Rural Zones and do not create unacceptably unpleasant living or working conditions for the District's residents and visitors, and maintain the quality of the rural environment.</p>
<p>RURZ-O5</p> <p>Business development in rural areas</p>	<p>Support in part</p>	<p>The amendments sought provide greater specificity to the respective rural zones which have differing functions.</p> <p>The phrase referring to rural lifestyle purposes should link specifically to the Rural Lifestyle zone as rural lifestyle type development is not necessarily appropriate across the General Rural Zone.</p> <p>Support the policy direction requiring that 'commercial, industrial, service, recreational and large-scale accommodation activities' have a functional or operational need to be located in the rural environment.</p>	<p>Amend,</p> <p>'Rural areas (excluding <u>the Settlement Zone</u> the settlements) are retained for primary production, conservation purposes or rural lifestyle purposes (<u>in the Rural Lifestyle zone</u>), ...</p>

RURZ-P1 Maintenance of highly productive land	Support	Support policy direction relating to highly productive land.	Retain
RURZ-P2 Maintenance of clear urban, rural lifestyle and rural areas	Support in part	Generally support the direction articulated here, of avoiding ad-hoc subdivision. Seek to add reference to setbacks as a method.	Amend, Maintain a clear distinction between urban, rural lifestyle and rural areas through the use of clear land use zones <u>and setbacks</u> , and avoid ad-hoc subdivision where growth to settlements or rural lifestyle areas has not been planned for
GRUZ - General Rural Zone			
GRUZ-O1 Purpose of the General Rural Zone	Support	Support providing for primary production in the General Rural Zone; productive use of rural land is important for the economic opportunities it provides, as well the food it produces.	Retain
GRUZ-O2 Character of the General Rural Zone	Support in part	Further detail is required to expand what is 'rural character' - it is important to set realistic expectations of rural character, amendment is sought to expand the description of character in the General Rural Zone, to include other	Amend, The character of the General Rural Zone remains <u>overall</u> dominated by open space and vegetation, including paddocks, trees, natural features and primary production activities over <u>a</u>

		<p>matters such as buildings and structures associated with primary production and sounds, and smells and traffic anticipated from a working rural environment.</p>	<p><u>built environment buildings, and includes:</u></p> <ol style="list-style-type: none"> 1. <u>Associated buildings such as barns and sheds, post-harvest facilities, worker accommodation and horticultural structures; and</u> 2. <u>Sounds, smells and traffic associated with primary production activities and anticipated from a working rural environment.</u>
<p>New policy - <u>GRUZ-PX -Primary production in the General Rural Zone</u></p>	<p>New policy</p>	<p>There is a need for policy direction that enables primary production, given this is a key feature of the zone, this should be set out as a policy.</p>	<p>Amend to add, <u>GRUZ-PX Primary production in the General Rural Zone</u> <u>Enable primary production and associated activities in the General Rural Zone</u></p>
<p>GRUZ-P1 Development in the General Rural Zone</p>	<p>Support in part</p>	<p>Amend to link to a range of primary production activities and associated buildings/structures, and integrate consideration of reverse sensitivity: Support ‘functional or operational need’ direction for non-rural activities.</p>	<p>Amend,</p> <ol style="list-style-type: none"> 1. ensuring an <u>overall</u> dominance of open space and vegetation, including paddocks, trees, natural features and primary production activities over <u>a built environment buildings</u>; and 2. providing for <u>activities, buildings and structures associated with primary production including postharvest facilities, seasonal accommodation and activities that are reliant on the natural</u>

			<p>and physical resources of the General Rural Zone while ensuring that any adverse effects occurring beyond the site are minimised; and</p> <p>3. limiting activities that are not reliant on the resources, or do not have a functional or operational need to establish in a General Rural Zone, <u>undermine the primary productive purpose and predominant character of the General Rural Zone, constrain the establishment and use of land for primary production, or result in reverse sensitivity and/or lead to land use conflict</u></p> <p><u>x. managing the density and location of residential development</u></p>
<p>GRUZ-R1</p> <p>Primary production (excluding mining, quarrying activities, intensive indoor primary production, and intensive outdoor primary production)</p>	<p>Support in part</p>	<p>Support PER rule for primary production, however seek an amendment to clarify status of associated buildings and structures (for example, artificial crop protection structures and crop support structures).</p> <p>The definition of primary production includes in (c) <i>'any land and buildings used for the production of</i></p>	<p>Amend,</p> <p>Primary production (excluding mining, quarrying activities, intensive indoor primary production, and intensive outdoor primary production) <u>including associated buildings and structures</u></p> <p>...</p> <p>Where:</p> <p>...</p>

		<p><i>the commodities from a) ...'</i> however it would assist plan useability to make this explicit.</p> <p>As noted previously, HortNZ seek a clear framework for artificial crop protection structures - this could be achieved through a specific standard for ACPS as is proposed in this submission (or via a specific permitted activity rule).</p> <p>Crop support structures and other horticultural structures can be provided for within the rule (subject to the clarification sought above) without the need for additional standards.</p> <p>A new standard - GRUZ SX Artificial crop protection structures is proposed below (with specific height and setback controls).</p>	<p><u>PER-2 New or expansion of existing artificial crop protection structures comply with GRUZ-SX.</u></p> <p><u>Activity status when compliance is not achieved: Restricted Discretionary</u></p> <p><u>Where: RDIS-1 Compliance is not achieved with PER-2</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth</u></p>
<p>GRUZ-R8 Visitor accommodation</p>	<p>Oppose in part</p>	<p>As a sensitive activity, it is important the visitor accommodation in the rural environment is of a scale and/or managed such that it does not impact on the ability to productive use rural land.</p>	<p>Amend, to require resource consent for visitor accommodation in the GRUZ, OR amend PER-1 to manage the scale permitted activities, PER-1</p>

			The visitor accommodation is limited to homestays accommodating no more than 48 visitors at any one time
GRUZ-R12 Commercial activity	Oppose in part	HortNZ does not consider it is effects based to limit the definition to only produce grown on site, as sometimes growers may sell multiple items	Amend, Retail sales are limited to: 1. farming produce (including milk, fruit, vegetables, plants, flowers, or eggs) produced on the site , or honey processed on the site; or
GRUZ-R13 Aeroplane airstrips and helicopter landing pads, and the use of these by aircraft	Support/oppose in part	Support permitted the use of aeroplane airstrips and helicopter landing pads for purpose of primary production activities (not subject to movement limitations) however it may not be possible or practical to avoid a flight path over the specified zones (and the management of noise-in flight is outside of the scope of what can be managed in the RMA, nor would it seem to be a 'land use activity').	Retain PER-1 (and this is not subject to PER-2 to PER-4, being an "or" list). AND, Delete PER-5 In relation to both PER-1 and PER-2, no flight path is over a Residential Zone, Rural Lifestyle Zone, or Settlement Zone
New rule - <u>GRUZ-RX Rural Industry</u>	New rule	The policy framework seeks to provide for rural industry (e.g SD-RA-O1) however, there are no rules which specifically provide for this activity in the GRUZ.	Amend to include, <u>GRUZ-RX Rural Industry</u> <u>Activity status: PER</u> <u>Where:</u>

		A permitted activity rule is proposed, the 200m ² threshold aligns with other rules in the plan., to default to restricted discretionary.	<u>PER-1</u> <u>Limited to an area of 200m²</u> <u>PER-2</u> <u>GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5</u>
GRUZ-R15 Carbon forestry	Support	HortNZ support the condition relating to highly productive and as this land should be retained for food production	Retain CON-2
GRUZ-R17 Community facility	Support	Reverse sensitivity can result from the establishment of sensitive activities adjacent to primary production - HortNZ support assessment through a consent process to manage this.	Retain
GRUZ-R22 Retirement village	Support	Reverse sensitivity can result from the establishment of sensitive activities adjacent to primary production - HortNZ support assessment through a consent process to manage this.	Retain
GRUZ-R23 Educational facility	Support	Reverse sensitivity can result from the establishment of sensitive activities adjacent to primary production - HortNZ support	Retain

		<p>assessment through a consent process to manage this.</p>	
<p>New rule - Seasonal worker accommodation</p>		<p>The provision of seasonal worker accommodation is becoming a necessary supporting activity to horticultural operations. HortNZ is seeking a suite of provisions to provide for this activity - this is explained in more depth in the submission.</p> <p>HortNZ seeks that where seasonal worker accommodation does not meet the permitted activity standards, that this default to a Restricted Discretionary rule.</p>	<p>Include a permitted activity rule for Seasonal Worker Accommodation</p> <p><u>GRUZ-RX - Seasonal Worker Accommodation</u></p> <p>Activity Status: PER</p> <p><u>1. The establishment of a new, or expansion of existing seasonal worker accommodation.</u></p> <p>Where:</p> <p>a. <u>The seasonal worker accommodation is associated with horticultural activity</u></p> <p>b. <u>The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities</u></p> <p>c. <u>The accommodation provides for no more than 12 workers</u></p> <p>d. <u>It complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u></p>

			<p>Where this activity complies with the following rule requirements:</p> <p><u>GRUZ S4 - Building and structures height</u></p> <p><u>GRUZ S5 - Height in relation to boundary</u></p> <p><u>GRUZ S6 - Minimum building and structure setbacks</u></p> <p>Activity status when compliance not achieved:</p> <p><u>2. When compliance with GRUZ-RX 1. (a)-(d) is not achieved: RDIS Matters of discretion:</u></p> <ul style="list-style-type: none">o Those matters in GRUZ-RX 1. (a)-(d) that are not able to be meto Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise controlo The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers,
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			<p>published by Dept of Building and Housing 2008</p> <p>4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p> <p>Note: HortNZ has elsewhere in this submission sought definitions be included for Seasonal Worker Accommodation.</p>
GRUZ-S3 Building coverage	Support in part	The suggested amendment will add clarity.	Amend to include, <u>This standard does not apply to greenhouses and tunnel houses.</u>
GRUZ-S5 Setback from internal boundaries	Support	HortNZ support the use of setbacks for residential dwellings to manage potential reverse sensitivity	Retain
New standard GRUZ-SX	New standard	As discussed previously to ensure artificial crop protection structures are specifically provided for (and not inadvertently captured by building rules) specific provision is sought. (Either through amendment to GRUZ-S1 to clarify that rule also covers associated buildings or structures and an associated specific	Amend to provide for artificial crop protection structures specifically, <u>GRUZ-SX Artificial crop protection structures</u> <u>For new, or expanded artificial crop protection structures</u> 1. <u>The height of the structure does not exceed 6m</u>

		<p>ACPS standard, or a specific rule to the same effect).</p>	<p>2. <u>The minimum setback from any internal boundary with another site shall be:</u></p> <ul style="list-style-type: none">a. <u>3m, or</u>b. <u>No setback applies where green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council.</u> <p>Activity status when compliance not achieved:</p> <p>3. <u>When compliance with GRUZ-RX (a) is not achieved: RDIS Matters of discretion:</u></p> <ul style="list-style-type: none">o <u>Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth</u>
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			<p><u>4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u></p> <p>Note: HortNZ has elsewhere in this submission sought definitions be included for ACPS and CSS.</p>
<p>RLZ-P1 Rural Lifestyle Zone character and amenity values</p>	<p>Support in part</p>	<p>Amendment to recognise the need to manage reverse sensitivity which can adversely impact on the ability to use productive land.</p>	<p>Amend,</p> <p>8. ensuring any activity:</p> <p>a) has a built form and scale of activity consistent with the rural lifestyle character and amenity values of the zone; and</p> <p>b) does not result in adverse effects which are incompatible with the character and amenity values of the Zone; <u>and</u></p> <p><u>c) when adjacent to the General Rural Zone, does not result in reverse sensitivity effects or unreasonably compromise rural activities in the General Rural Zone</u></p>