

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2025-CHC

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under Clause 14(1) of the First
Schedule of the Act in relation to the
Proposed Waimakariri District Plan

BETWEEN **Horticulture New Zealand**

Appellant

AND **Waimakariri District Council**

Respondent

**NOTICE OF APPEAL
ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN**

To: The Registrar
Environment Court
Christchurch

1. Horticulture New Zealand ("**HortNZ**") appeals part of the decisions of the Waimakariri District Council on the Proposed Waimakariri District Plan.
2. HortNZ made a submission and further submissions on the Proposed Waimakariri District Plan (submission number 295)
3. HortNZ is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. HortNZ received notice of the decisions on 14 July 2025.
5. The decisions were made by the Waimakariri District Council.
6. Decisions appealed against:
 - (a) GRUZ-R16(1)
 - (b) GRUZ-BFSA(4)
 - (c) Advisory note, GRUZ-BFS1
 - (d) Advisory note, BSF6
 - (e) Definitions: Artificial Crop Protection Structures
 - (f) EX-RX
 - (g) Definitions: Ancillary rural earthworks
 - (h) GRUZ-R35 (now R37)
 - (i) GRUZ-R15
7. The reasons for the appeals and relief sought are detailed in the table below.
8. General relief sought:
 - (a) That consequential amendments be made as a result of the relief sought from the specific appeal points above (including where the same provisions are in several different zone chapters).
9. The following documents are attached to this notice:
 - (a) a copy of HortNZ's submission and further submissions
 - (b) a copy of the relevant parts of the decision

Charlotte Wright
Senior Policy Advisor
Horticulture New Zealand

18 August 2025

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Decisions of Waimakariri District Council on the Proposed Waimakariri District Plan which are appealed by HortNZ:

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
1.	GRUZ-R16(1) GRUZ-BFSA(4) Advisory notes Definitions Artificial Crop Protection Structures	Definition HortNZ submitted on Definitions, 'General' 295.60 New rule – GRUZ-RX Artificial Crop Protection Structures 295.138	HortNZ sought a new definition and a new rule for Artificial Crop Protection Structures. The S42a author rejected the relief sought. The hearing decision rejected the definition relief sought but agreed to include a rule for ACPS. As currently drafted the rule and standard would require green or black cloth on vertical faces of any Artificial Crop Protection Structure within 30m of any boundary, regardless of ownership. HortNZ seeks that the requirement only applies to ACPS where the neighbouring site is in different ownership or where the ACPS is adjacent to a road boundary. Similarly, GRUZ-BFSA(4) requires any Artificial Crop Protection Structure to be set back at least 5 metres from an internal boundary, regardless of ownership. Again, HortNZ seeks that the requirement only applies to ACPS where the neighbouring site is in <u>different</u> ownership or where the ACPS is adjacent to a road boundary. Advisory notes have no legal weight and therefore do not provide the necessary clarity as they are not enforceable. A definition for Artificial Crop Protection Structures will provide the necessary clarity for growers and the council.	Amend GRUZ-R16(1) dark green or black cloth is used on vertical faces within 30m of the <u>internal</u> boundary <u>of the site in different ownership or a road boundary</u> Amend Gruz-BFSA (4) Any artificial crop protection structure shall be setback at least 5m from an internal boundary <u>in different ownership or a road boundary</u> Change advisory notes under GRUZ-BFS1 and BSF6 to exemptions Insert definition for Artificial Crop Protection Structures Artificial Crop Protection Structures <i>'Means structures with material used to protect crops and/or enhance growth (excluding greenhouses).'</i> Structures <i>'Has the same meaning as in section 2 of the RMA (as set out below):</i> <i>'Means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.'</i>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
2	EI-O3	HortNZ submitted on Definitions – General 295.58	HortNZ sought a definition and rule for Ancillary Rural Earthworks. The S42a author rejected the relief sought. The hearing decision also rejected the relief sought however added an advisory note. Advisory notes have no legal weight and therefore do not provide the necessary clarity as they are not enforceable. The advisory note wording only covers a biosecurity emergency not burying of material infected by unwanted organisms (as declared by Ministry for Primary Industries Chief Technical Officer). If the unwanted organisms wording is not included this means a grower would likely have to apply for a consent to bury diseased vegetation.	1. Change the status of EW-AN4 from advisory note to exemption. Amend the wording of the exemption. These standards do not apply in the following situations: During a state of emergency or transition period declared or where direction to undertake specific earthworks has been issued by the controller or recovery manager under the Civil Defence Emergency Management Act 2002; or during a biosecurity emergency declared by an authorised person under the Biosecurity Act 1993 <u>or the burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer.</u> OR 2. Insert a PER rule for earthworks that covers a biosecurity emergency declared by an authorised person under the Biosecurity Act 1993 and the burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer. Include relevant exclusions for sensitive overlays.
3.	GRUZ-R35 (now R37) Industrial activity	HortNZ submitted on GRUZ – R35 295.160	GRUZ R35 (now R37) provided a discretionary activity status for Industrial Activity in the General Rural Zone. HortNZ sought a change in activity status to non-complying. The S42a author rejected the relief sought. Industrial activities do not have a functional need to be located in rural production zones.	Amend activity status to non-complying.

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
			Activities are not supported by objectives and policies. Only rural industry should be a discretionary activity in the General Rural Zone and other industry must be provided for in Industrial Zones, as for retail activities NPS HPL policies support this argument: Policy 8: Highly productive land is protected from inappropriate use and development. Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land 3.9 Protecting highly productive land from inappropriate use and development 3.12 Supporting appropriate productive use of highly productive land 3.13 Managing reverse sensitivity and cumulative effects	
4.	GRUZ-R15 Rural tourism	HortNZ submitted on 295.149	Hort sought to change the activity status or deletion of the rule. The S42a author rejected the relief sought. Sensitive activities conflict with primary production. Objectives and policies do not lead to a permitted activity being an appropriate resource management for these activities in the zone. Permitted activity standards consider setbacks from a residential unit/sensitive activity but, except for 10m yard setback, don't consider activity relative to primary production. This would mean the activity could be located next to the boundary of primary production, and reverse sensitivity impacts on primary production activities. NPS HPL policies support this argument: Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land 3.13 Managing reverse sensitivity and cumulative effects	Amend GRUZ-R15 <u>(7) any buildings, yard, storage, or parking areas associated with the activity shall not be located within 60m of the internal boundary of site in different ownership of any primary production activity</u>

SUBMISSION

Submission on Proposed Waimakariri District Plan

Friday 26th November 2021

To: Waimakariri District Council

Name of Submitter: Horticulture New Zealand

Contact for Service:

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OVERVIEW

Submission structure

- 1 Part 1: HortNZ's Role
 - 2 Part 2: Submission
Overarching submission themes, including rationale for the amendments sought in this submission. This includes Horticulture in the Waimakariri District, Horticulture and Good Management Practice, Food Security, Recognition of soils, Provisions for activities and buildings /structures that are an inherent part of horticulture and General Comment on the Rural Zones.
 - 3 Part 3: Submissions Table
Submissions sought in relation to specific provisions of the proposed Waimakariri District Plan.
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Executive Summary

Background to HortNZ

HortNZ represents the interests of 6000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers. HortNZ is active within the RMA system, representing the interests of growers in district, regional and national planning processes. This submission summarises the key issues for horticulture.

Key high-level issues for horticulture Horticulture in the Waimakariri District

There are approximately 26 commercial horticultural operations in the Waimakariri District. These grow a range of both fruit and vegetable crops.

Horticulture and Good Management Practices

HortNZ strongly supports recognition of industry led initiatives to improve practice and achieve environmental outcomes.

Food Security

Food security is a nationally important issue which needs to be addressed at a strategic level, it is integral to human health. It is critical that New Zealand's domestic food supply (and food security) is one of the outcomes that is promoted and considered when making trade-offs that will inevitably be required to meet environmental limits and outcomes.

The effects of climate change

The impacts of climate change and extreme weather events that destroy food crops are expected to become more frequent and intense in the coming years. Therefore, it is important to ensure the resilience of growing areas across New Zealand (of which Canterbury and the Waimakariri District are) to be able to meet our food needs in the future. This will ensure a resilient food production network.

Recognition of HPL and Soils

HortNZ seeks recognition of the importance of highly productive land (HPL), including LUC 1, 2 and 3 soils as an environmental outcome within the proposed Waimakariri District Plan. Also, amendments to promote its use for primary production are sought, as well as protection from inappropriate subdivision, use and development. We consider the management of HPL must be addressed in the proposed District Plan.

Provisions for activities and buildings /structures that are an inherent part of horticulture

Buildings and structures that are now inherent to horticulture in New Zealand including Seasonal Workers Accommodation, Farm Workers Accommodation, Artificial Crop Protection Structures, Crop Support Structures, Frost Fans, Covered Crops / Greenhouses and rural accessory buildings. The proposed District Plan should clearly provide for these and activities within them to avoid ambiguity in the future.

General Comments on Rural Zones

In a District that has competition for land by potentially conflicting activities, it is important to set clear expectation through District Plan provisions for the Rural Zone. HortNZ is concerned that the plan as proposed does not achieve this.

Amendments sought to the proposed Waimakariri District Plan

Without limiting the generality of the above, HortNZ's specific submissions are detailed in the Table in Part 3 below. HortNZ seeks decisions on the proposed Waimakariri District Plan (**pWDP**) as set out in the table, 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.

HortNZ's Role

Background to HortNZ

HortNZ represents the interests of 6000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers.

There is approximately 120,000 hectares of horticultural land in New Zealand - approximately 80,000 ha of this is fruit and vegetables. The remaining 40,000 ha is primarily made up of wine grapes and hops, which HortNZ does not represent.

It is not just the economic benefits associated with horticultural production that are important. The rural economy supports rural communities and rural production defines much of the rural landscape. Food production values provide a platform for long term sustainability of communities, through the provision of food security.

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

Horticulture New Zealand (HortNZ) thanks the Waimakariri District Council for the opportunity to submit on the proposed Waimakariri District Plan and the extended timeframes provided by Council for lodging submissions. HortNZ welcomes any opportunity to continue to work with the Waimakariri District Council and to discuss our submission.

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

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

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

1. Horticulture in Waimakariri District

There are approximately 26 growing operations in the Waimakariri District. They grow a variety of fruit and vegetable crops as follows; Apples, Pears, Plums, Melons, Blackcurrants, Cucumber, Gherkins, Capsicums, Eggplant, Chillies, Asparagus, Courgette, Sweetcorn, Lettuce, Broccoli, Broccoflower, Cauliflower, Leeks, Parsley, Potatoes, Seed Potatoes, Pumpkins, Onions, Beans, Leeks, Radish, Turnips, Rhubarb, Shallots, Spring Onions, Marrows, Celeriac, Chinese Cabbage, Brussel Sprouts, Beetroot and Artichokes. These crops may change with market and population demands.

The Waimakariri District is a potential growth area for horticulture due to its close proximity to market and transport links. Both Progressive Enterprises and Foodstuffs South Island headquarters are located in Christchurch and there is also a strong support for local Farmers Markets in the District. There is easy access to State Highway 1, which runs through the District, Christchurch Airport and Lyttleton Port.

Of particular appeal to vegetable growers are the larger land parcels (20-50ha) that remain in the Waimakariri District. However, some crops, and in particular covered crops, are economically viable when grown on smaller land parcels (2ha-10ha).

In addition to location, there are a number of factors which growers consider when looking for land - soil type, climate, elevation, aspect, access to water and surrounding activities are a few key factors. When considering relocation, expansion and short-term leases growers will consider local regulations and how enabling and supportive they are to horticultural activities. Growers require flexibility in a district plan to rotate crops, expand and/or change crops as the markets change.

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, EUROGAP, and GLOBALGAP accreditation
- HortNZ Erosion & Sediment Control Guidelines for Vegetable Production (2014)
- A Code of Practice for the Management of Greenhouse Nutrient Discharges (2007) and A Growers' Guide to The Management of Greenhouse Nutrient Discharges (2007)
- HortNZ Vegetable Washwater Discharge Code of Practice
- Transpower - Let's Grow Together. A design guide.

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

The above, and more, can be found at: <https://www.hortnz.co.nz/compliance/grower-resources/>.

3. Food Security

Prior to Covid-19, projections around New Zealand's expected population increase and annual food volumes available for consumption in New Zealand show that domestic vegetable supply will not be able to sustain our future population consumption needs².

Already many New Zealanders, are struggling to meet the recommended daily intake of 3 plus vegetables and 2 plus fruit a day. In 2018/2019, only 33.5% percent of New Zealand adults and 49.9 percent of children met the recommended daily fruit and vegetable intake³. Those living in the most deprived neighbourhoods were less likely to meet the recommended intakes and were more likely to be obese⁴. 1 in 5 children are living in food insecurity⁵.

Reasonably priced, healthy food is essential for human health. The Waimakariri District plays a role in the national food production system and is particularly important to Canterbury and the South Island.

4. The effects of Climate Change

The effects of climate change are highlighting the importance of food production, food security and the importance of recognising our growing regions in the context of a New Zealand food producing network.

In recent years, Canterbury growers have had crops destroyed through floods, droughts and hailstorms. When this occurs, food is brought into the local market from other growing regions such as Tasman. This also works in reverse. Produce grown in Canterbury was sent to Tasman when they experienced extreme events in recent years. Due to the limited availability and additional transport costs, consumers will pay more for the produce. However, the produce is still available for a healthy diet.

The impacts of climate change and extreme weather events that destroy food crops are expected to become more frequent and intense in the coming years⁶. Therefore, it is important to ensure the resilience of growing areas across New Zealand (of which Canterbury and the Waimakariri District are) to be able to meet our food needs in the future. This will ensure a resilient food production network.

¹ <http://www.newzealandgap.co.nz/>

² <http://www.hortnz.co.nz/assets/Media-Release-Photos/HortNZ-Report-Final-A4-Single-Pages.pdf>

³ https://minhealthnz.shinyapps.io/nz-health-survey-2019-20-annual-data-explorer/#/w_869093ed/#!/explore-topics

⁵ <https://www.health.govt.nz/system/files/documents/publications/household-food-insecurity-among-children-new-zealand-health-survey-jun19.pdf>

⁶ <https://environment.govt.nz/assets/Publications/our-land-2021.pdf> page 45

The food we eat and how we produce it will determine the health of our people, communities and our environment, directly contributing to our overall social wellbeing.

5. Recognition of HPL and Soils

HortNZ seeks recognition of the importance of highly productive land (HPL), including LUC 1, 2 and 3 soils as an environmental outcome within the proposed Waimakariri District Plan. Also, amendments to promote its use for primary production are sought, as well as protection from inappropriate subdivision, use and development.

The Waimakariri District has a significant proportion of LUC 1, 2 and 3 soils which can be highly productive for horticulture. The proposed plan fails to acknowledge the finite characteristics of these soil as a natural resource (s7(g)) of the Resource Management Act 1991 (**the Act**) and in doing so fails to safeguard the life-supporting capacity of soil (s5(2)(b) of the Act). On this basis, the proposed plan is not consistent with the sustainable management purpose of the Act in this respect.

The Canterbury Regional Policy Statement (**CRPS**) seeks to manage the effects of development so that adverse effects are avoided, remedied or mitigated, including when these would compromise or foreclose 'the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land' (Policy 5.3.12 of the CRPS). The method associated with Policy 5.3.12 states that territorial authorities will set out objectives and policies, and may include methods in district plans which, among other things, ensure that subdivision and development does not foreclose the ability to utilise natural resources such as soil which is, or foreseeably could be, valued for rural productive purposes.

We consider the management of HPL must be addressed in the proposed District Plan. HortNZ seeks recognition of this significant resource through objectives, policies, rules, standards and assessment matters across the plan. Without limiting the generality of the above, we have sought some specific submission points in the table below in relation to HPL and LUC 1, 2 and 3 soils. However, more amendments will likely be required throughout the proposed plan to adequately address the issue we raise here.

6. Provisions for activities and buildings/structures that are an inherent part of horticulture

Seasonal Worker Accommodation and Farm Workers Accommodation

Horticulture is a labour-intensive industry with seasonal employment peaks for some crops at harvest and pruning times. To assist in meeting this labour demand (and the ongoing shortage of seasonal workers), the Recognised Seasonal Employer (RSE) scheme was established by the Government in 2007. The scheme allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers.

Immigration New Zealand (INZ) administer the scheme and has 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 RSE 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.

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 in close proximity to 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.

Regardless of the current New Zealand border restrictions, the Waimakariri 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. A number of 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.

HortNZ has also made submissions seeking provisions for Farm Workers Accommodation to provide for permanent workers accommodation on site.

The issue of accommodating workers will be further exacerbated with the proposed 20ha residential unit density in the General Rural Zone of the pWDP if the provisions sought for seasonal workers accommodation and farm worker accommodation are not accepted into the proposed plan.

Artificial crop protection structures and crop support structures

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. They are quite distinct from Greenhouses. Benefits of these structures include protect fruit from sunburn, windburn and hail, assist with spray coverage, reduce mowing and weeding, assist pruning and picking, and less birds get into the crops.

Some ACPS are covered (with cloth) only for part of the year, as the cloth will be taken off in winter for longevity reasons. Also, there is no fruit to protect at that time.

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 regulatory impact 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.

A number of 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 document "*21 Definitions Standard Recommendations on Submissions*

Report for the first set of National Planning Standards Recommendations on Submissions Report for the first set of National Planning Standards' for 21 Definitions Standard:

"... 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.

Covered Cropping / 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. This is particularly appealing in Canterbury with low overnight temperatures and the number of frost degree days experienced.

There are a range of resource management and building consent issues that have arisen across the country and it has been HortNZ's experience that the response by regulatory authorities to these issues has been inconsistent. Much of the inconsistency has arisen from a lack of understanding of the requirements for this form of horticulture and how best to address in district or regional plans and interpret through the Building Act.

From a resource management perspective, HortNZ has consistently sought that planning frameworks should differentiate between covered cropping that relies on Greenhouses which are a totally enclosed structure made of impermeable material (glass, plastic) where plants are grown in a controlled environment, and other forms of crop cover that are permeable and rainfall passes through, being Artificial Crop Protection Structures.

Frost Fans

A frost fan is essentially a steel tower with a rotating fan near the top. Frost fans are expensive pieces of equipment that growers invest in to provide a means of protecting their crops if frosts occur. Frost fans cost money to operate and need to be supervised while in operation. They are generally operated during the very early hours of the morning and therefore growers certainly do not operate them unnecessarily. Growers need to be able to operate them if temperatures drop below the critical threshold for their crop, and more plan provisions that enable this.

HortNZ were pleased to see that Frost Fans have been provided for in the proposed plan, but also seek provisions to manage reverse sensitivity impacts of noise sensitive activities establishing near legally established frost fans.

Audible Bird Scarers

A bird scarer is a noise emitting device being used for the purpose of disturbing or scaring birds and can include a gas gun, avian distress alarm, or firearm when being used specifically for bird scaring.

This is a necessary part of horticulture to protect the crop ready for harvest as birds can destroy an entire crop if not managed.

It is important to understand that audible bird scarers are used for a limited period of the year pre-harvest, typically mid-December to mid-January. They are not used year-round.

HortNZ has been involved in a number of district plans that have considered provisions for audible bird scaring devices. These plans include Gisborne, Hastings, Whakatane, Whangarei, Western Bay of Plenty and Marlborough where audible bird scaring devices are used for both horticulture and viticulture purposes.

Over time there have been a number of principles that have emerged as being important in terms of how such devices are managed. These principles are:

- Permitted activity subject to conditions
- Based on best practice
- Recognise seasonal/ intermittent use
- Recognise as important part of primary production
- Recognise as appropriate in rural areas
- Differentiate between bangers and sirens as the effects are different
- Apply to fixed devices
- Link conditions to location of dwellings – not amenity for open rural space
- Require compliance with noise standard rather than mandatory distance as distance can vary depending on mitigating factors such as contour
- Standards should not apply to sites in the same ownership
- Default activity status RDA with clear matters of discretion

Any setback distance should be based on meeting the noise standard and can vary according to a range of circumstances such as location of the device, orientation, nature of the device, crop canopy, shelterbelts and land contour.

HortNZ support the inclusion of provisions for audible bird scarer and has made specific submissions in the table below.

Shelter belts

Shelterbelts are part of primary production activities and assist in realising productive potential. They are an important mechanism for farmers and growers to manage production of pasture and crops 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.

Rural Accessory Buildings - horticulture

There are a number of initial post-harvest activities that are undertaken within rural accessory buildings in relation to horticultural crops. For example: washing, sorting, packing and storing of

produce. The washing, sorting and packing are typically undertaken in packing sheds and then the produce is stored in cool stores until it is collected and delivered to market.

Horticultural operations will also have general farm storage buildings for storing machinery and equipment when not in use, such as a harvester, which is only used at time of harvest, or cultivator, which is only used at time of cultivation.

Also, often forgotten is the small pump shed which has a functional need to locate close to a water source.

HortNZ considers the activities that occur within these rural accessory buildings to be part of *Rural Production* as per the definition within the National Planning Standards. Whereas secondary processing such as juicing vegetables or fruit or making berries into jam is *Rural Industry*.

The HortNZ submissions in the table below seek to clarify this.

7. General commentary on the Rural Zones

In a District that has competition for land by potentially conflicting activities, it is important to set clear expectations for the Rural Zones. SD-O4 does this through setting an expectation that rural land remain available for rural production activities, activities that support rural production and activities that are reliant on the natural resources of the rural zone and *limited* other activities. SD-O4 also seeks to ensure that new incompatible sensitive activities do not limit the operation of rural production. HortNZ supports the intent of this strategic direction but consider that the proposed provisions for the Rural Zones do not achieve this.

HortNZ seeks policy that clearly articulates the elements of 'rural character and amenity' to provide clarity when considering effects on character and amenity and in determining extent of adverse effects. It is important to set clear expectations of rural character, which includes production related activities.

HortNZ support retaining open character as part of rural character but there also needs to be accepted that some buildings and structures for primary production activities do exist in the environment.

In addition to the above concerns, there are many terms used as an alternative to primary production and it is unclear how the terms interrelate or why so many terms are required. Interpretation of the plan would benefit from a nesting table in the definitions to assist the plan reader and potentially some rationalisation of the terms uses.

When considering the above, it is important to bear in mind that the rural zones are the only location for primary production in the district. It is important that the Rural zones enable primary production and manage reverse sensitivity impacts on primary production.

HortNZ seeks amendments to enable:

- Primary production in the rural zones
- Other activities are only provided for in the rural zones that either support primary production or have a functional need to be there, and appropriately limit all other activities
- Recognition and protection of Highly Productive Land, including LUC 1, 2 and 3 soils which are a significant natural resource in the district

- Provisions for activities and buildings/structures that are an inherent part of horticulture – e.g., seasonal workers accommodation, artificial crop protection structures and crop support structures
- Strengthening of the reverse sensitivity management methods; and
- Rules that enable a rapid biosecurity response should the need arise.

Submission on proposed Waimakariri District Plan

Without limiting the generality of the above, HortNZ seeks the following decisions on the proposed 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 underline, and deletions by strikethrough text.

Provision	Support/ oppose	Reason	Decision sought
Part 1 - Introduction and General Provisions			
Kupu Arataki - Introduction			
Purpose	Support	Provides clarity for plan readers	Retain as notified
Description of the District	Oppose in part	Support acknowledgement that a large part of the district is used for farming. However, the term 'farming' is not defined in the plan, and we consider a further explanation that farming is referred to as primary production would assist plan readers and implementation.	Amend the second paragraph after the heading "Description of the District" as follows: "The close proximity of Christchurch District influences growth and development patterns in the District. A large portion of the District is flat land used for <u>farming-primary production purposes (including food, fibre and timber, amongst others)</u>. More recently, smaller rural properties have established for those wanting to live near Christchurch District but within a rural area. The north-western portion of the District is hill and high country including Mt Oxford, Mt Richardson and Mt Thomas. Much

			of the high country is conservation estate and is a dominant feature of the western landscape.”
Te whatamahi mahere - How the Plan works			
Statutory Context	Support	Support this section in its’ entirety. It is helpful to the plan reader, consistent with RMA and requirements of the National Planning Standards.	Retain as notified
General Approach	Support	Support this section in its’ entirety. It is helpful to the plan reader, consistent with RMA and requirements of the National Planning Standards.	Retain as notified
Cross Boundary Matters	Support	Support this section in its’ entirety. It is helpful to the plan reader, consistent with RMA and requirements of the National Planning Standards.	Retain as notified
Relationship between Spatial Layers	Support	Support this section in its’ entirety. It is helpful to the plan reader, consistent with RMA and requirements of the National Planning Standards.	Retain as notified
Te whatamaramatanga - Interpretation			
Definitions Nesting Tables	Oppose in part	HortNZ considers that use of nesting tables is helpful to show the relationship between terms used within the proposed plan. However, the format adopted in the proposed plan is not tabular, rather it is a list, and therefore	Amend the list within the “Definitions Nesting Tables” section to become a table; and add to the table all defined terms relating to rural activities. In particular such terms should include (but not limited to) agriculture;

		does not coordinate with the commentary that precedes it. Further to the above, HortNZ notes that there are a number of defined terms that relate to rural activities and that the relationship between these should be included in the “Definition Nesting Tables” section of the proposed plan.	primary production; rural production; afforestation; carbon forest; plantation forestry; cultivation; equestrian and ancillary activities and facilities; farm building; farm quarry; intensive indoor primary productions; and intensive outdoor primary production (or their equivalents following the relief sought that follows).
Definitions			
Accessory building	Support	Consistent with National Planning Standards	Retain as notified
Accessway	Support	Provides clarity	Retain as notified
Addition	Support	Provides clarity	Retain as notified
Amenity values	Support	Consistent with National Planning Standards	Retain as notified
Audible bird scaring device	Support	Provides clarity	Retain as notified
Best practicable option	Support	Consistent with National Planning Standards	Retain as notified
Building	Support	Consistent with National Planning Standards	Retain as notified
Childcare facility	Support	Provides clarity. Support recognition that it is ‘paid care’ and a minimum of four unrelated children. Larger childcare facilities within rural areas can create reverse sensitivity impacts on growing operations.	Retain as notified

Cleanfill area	Support	Consistent with National Planning Standards	Retain as notified
Cleanfill material	Support	Consistent with National Planning Standards	Retain as notified
Community facility	Support	Consistent with National Planning Standards	Retain as notified
Conference facility	Support	Provides clarity. Support acknowledgement of irregular nature of events.	Retain as notified
Conservation activities	Oppose in Part	The proposed definition limits Conservation activities to parks, reserves, beach areas and open space and recreation zones. Therefore, on farm activities are excluded from the definition. This conflicts with the policy direction to enable conservation activities throughout the Rural Zones (RURZ-P4). Including plant nurseries, research and educational activities in the definition may cause tension when administering the plan as they have different and more permanent effects compared to the other activities listed. This is scale dependant. Also being open to the public (such as with a retail component) will have greater impacts on neighbours. This should be managed. Oppose carbon sequestration until the plan adequately safeguards the life supporting capacity of soils because carbon sequestering forests are to remain in perpetuity, preventing the use of highly productive land for productive purposes. It is also	Amend as follows: means the management, maintenance and enhancement of ecological values of parks and reserves, beach areas and open space and recreation zones. This includes: a) pest control; b) fencing; c) plant nurseries; d) conservation and restoration planting; e) planting for stormwater treatment, erosion and coastal protection, and carbon sequestration; f) ancillary environmental research and education activities; g) ancillary access tracks and ancillary structures; h) the ancillary use of vehicles, machinery or equipment.

		questioned if carbon sequestration is a conservation activity. Cause (f) is about activities while the rest of the clauses are largely about structures or temporary activities (e.g. pest control).	
Contaminant	Support	Consisted with RMA and National Planning Standards	Retain as notified
Contaminated Land	Support	Consisted with RMA and National Planning Standards	Retain as notified
Critical Infrastructure	Support	The proposed definition adopts the definition for the same from the Canterbury Regional Policy Statement and clarifies that the National Grid and radio communications are within the definition. HortNZ supports this clarification.	Retain as notified
Cultivation	Support	Consistent with National Planning Standards	Retain as notified
Discharge	Support	Consistent with RMA	Retain as notified
Drain	Support	Consistent with National Planning Standards	Retain as notified
Drinking water	Support	Consistent with National Planning Standards	Retain as notified
Dust	Support	Consistent with National Planning Standards	Retain as notified
Earthworks	Support	Consistent with National Planning Standards	Retain as notified
Effect	Support	Consistent with National Planning Standards	Retain as notified

Electricity transmission	Support	Consistent with NPSET	Retain as notified
Environment	Support	Consistent with National Planning Standards	Retain as notified
Farm quarry	Oppose in part	The reference to 'farming and horticulture' is inconsistent with reference to various other similar terms across the plan – agriculture, plantation forestry, forestry, primary production, and rural production used in the plan. Also noting that Intensive Primary Production (indoor and outdoor) are also a subset of farming and could require a farm quarry provision.	Amend as follows: means the extraction of minerals taken for use ancillary to farming, <u>forestry and horticulture and other rural activities</u> , and only used within the property of extraction. It includes the extraction of material for farm and forestry tracks, accessways and hardstand areas on the property of origin. It does not include the exportation or removal of extracted material (including any aggregate) from the property of origin or for retail or other sales of such material.
Farming and agricultural suppliers	Oppose	The definition does not describe farming and agricultural suppliers. It is potentially more akin to Garden and Landscape Supplies.	Delete definition in its entirety or rename to Garden and Landscape supplies or similar.
Fertiliser	Support	Consistent with National Planning Standards.	Retain as notified
Freshwater	Support	Consistent with National Planning Standards.	Retain as notified
Functional need	Support	Consistent with National Planning Standards.	Retain as notified
Groundwater	Support	Consistent with National Planning Standards.	Retain as notified

Indigenous vegetable clearance	Oppose in part	The proposed definition includes a range of actions that are not means of clearing or removing vegetation such as irrigation, drainage or stop banking. HortNZ seeks the exclusion of vegetation clearance relating to routine works for existing activities and works necessary to support survival and productivity of horticultural crops. Productive rural land use requires the ability to manage some vegetation, including its growth, to ensure production activities are not compromised. Unmanaged vegetation (such as shelter belts) can cause root intrusion, overhang productive land, adverse shading effects, adverse effects and risks on infrastructure (roads, tracks, pipes, powerlines, buildings etc) and can harbour pests and diseases. HortNZ therefore seeks amendments to the definition to confine it to clearance or removal and also provide exclusions to avoid the issues outlined.	Amend as follows: means the felling, clearing, damage or disturbance of indigenous vegetation by cutting, mob stocking, crushing, cultivation, irrigation, earthworks, chemical application, artificial drainage, stop banking, <u>or burning, or any other activity in or directly adjacent to an area of indigenous vegetation that destroys or directly results in extensive failure of an area of indigenous vegetation. It does not include clearing or maintenance of:</u> 1. <u>Hedges, shelter belts, amenity and landscaping plants, or</u> 2. <u>Vegetation along fences and around farm or forestry dams and ponds, or</u> 3. <u>Vegetation associated with public utility networks, or</u> 4. <u>Vegetation that impedes or is likely to impede flood flows, or</u> 5. <u>Vegetation for the maintenance of farm and forestry roads and tracks, or</u> 6. <u>Scattered trees, shrubs or regenerating bush amongst pasture, forestry or horticultural crops, or</u> 7. <u>Vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an</u>
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			<u>emergency declared by the minister under the Biosecurity Act 1993.</u>
Industrial activity	Support	Consistent with National Planning Standards	Retain as notified
Intensive indoor primary production	Support	Consistent with National Planning Standards	Retain as notified
Intensive outdoor primary production	Support	Does not relate to growing fruits and vegetables	Retain as notified
Land	Support	Consistent with National Planning Standards and the Act	Retain as notified
Land disturbance	Support	Consistent with National Planning Standards	Retain as notified
Loading area	Support	Provides clarity	Retain as notified
Loading space	Support	Provides clarity	Retain as notified
Manoeuvring area	Support	Provides clarity	Retain as notified
Minor residential unit	Support	Consistent with National Planning Standards	Retain as notified
Noise sensitive activities	Support	The activities listed can be sensitive to noise, causing reverse sensitivity impacts on primary production.	Retain as notified
Natural Hazard Sensitive Activity	Support	Provides clarity as to what buildings the Natural Hazard provisions apply to.	Retain as notified
Primary Production	Support	Consistent with National Planning Standards	Retain as notified

Residential unit	Support	Consistent with National Planning Standards	Retain as notified
Reverse sensitivity	Support	Reverse sensitivity is a considerable issue for primary production activities, especially when they have multiple rural 'lifestyle' neighbours who do not appreciate that the rural environment is a working environment.	Retain as notified
Rural industry	Support	Consistent with National Planning Standards	Retain as notified
Rural produce retail	Oppose in part	Often crops are grown by a horticultural operation across multiple 'sites' (as per the proposed district plan's definition of "Site"). Growers rotate land to avoid soil borne diseases. The land parcels they grow on may not be adjacent to one another or even in the same ownership as leasing land is coming for vegetable growing. It is more efficient and would have less impact to have a rural produce retail on one site to cater for the entire horticultural operation.	Amend as follows: means the use of land or building on, or within which, rural produce grown or produced on the site and products manufactured from it <u>the rural produce</u> are offered for sale.
Rural production	Support	The definition proposed is a subset of Primary Production, removing activities that can have more intensive effects on the surrounding environment. This is the approach that has been taken in other District Plans.	Retain as notified
Rural zones	Support	Provides clarity both the RLZ and GRUZ are rural zones.	Retain as notified
Sensitivity activities	Oppose in part	The definition is too open and will result in confusion.	Amend as follows: means activities and facilities including, but is not limited to , educational facilities,

			community facility, healthcare facility, childcare facilities, residential units, minor residential units, retirement village, visitor accommodation, community facility, offices and hospitals. Alternatively, include the full list of sensitive activities within the definition.
Shelterbelts	Support in part	Shelterbelts are a tool used on the open plains to reduce soil erosion which is important in a District with the quantum of high-class soils such as Waimakariri. Reducing soil erosion by wind also assists in prevent silting of waterways.	Amend as follows: means a row or rows of trees or hedges planted to partially block wind flow <u>and reduce soil erosion</u>.
New definition – Ancillary rural earthworks	New Definition	A definition is required for ancillary rural earthworks, a specific earthworks activity to provide for earthworks undertaken as part of normal operations on a horticultural property (or other farm), so that this activity can be specifically provided for in the plan (as explained elsewhere in this submission).	Insert new definition as follows: <u>Ancillary rural earthworks</u> means any earthworks associated with the maintenance and construction of facilities typically associated with farming activities, including, but not limited to, farm tracks or roads (up to 6m wide), landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing, erosion and sediment control measures, and burying of material infected by unwanted organisms (as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993).

New definition - Artificial crop protection structures	New Definition	A definition should be included for artificial crop protection structures	Insert new definition as follows: <u>Artificial crop protection structure means structures to protect crops and/or enhance growth (excluding greenhouses).</u>
New definition - Crop support structures	New Definition	A definition should be included for crop support structures	Insert new definition as follows: <u>Crop Support Structure: means an open structure on which plants are grown.</u>
New definition – Horticultural Greenhouse	New Definition	A definition should be included for Horticultural greenhouses as it is referenced in plan provisions.	Insert new definition as follows: <u>Horticultural Greenhouse</u> means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in a controlled environment.
New definition - Seasonal worker accommodation	New Definition	For the reasons explained above HortNZ seeks that the plan specifically provides for Seasonal Worker Accommodation.	Insert new definition as follows: <u>Seasonal worker accommodation</u> 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.
Abbreviations	Support	Support this section in its' entirety. It is helpful to the plan reader.	Retain as notified

Glossary	Support	Support this section in its' entirety. It is helpful to the plan reader.	Retain as notified
National Direction Instruments	Support	Support this section in its' entirety. It is helpful to the plan reader.	Retain as notified
Part 2 - District Wide Matters			
SD - Rautaki ahunga - Strategic Directions			
SD-O1 Natural environment	Oppose in part	HortNZ supports that this SD applies across the district. Particularly as it then applies to all land, including Council owned land and urban areas. HortNZ supports the intent of this policy, including 'overall net gain' in clause 1. However, we question how the 'overall net gain' in clause 1 will be measured and monitored at the district level. This Objective also provides support for the proposed SNA subdivisions.	Retain. Provide clarity on how overall net gain will be measured and monitored. This could be through a cross reference to other plan provisions.
SD-O2 Urban Development	Support in part	HortNZ supports SD-O2 but considers that it can be strengthened and provide greater balance of considerations if avoidance of versatile soils and reverse sensitivity impacts on primary production were added.	Amend SD-O2 as follows: ... 11. that avoids versatile soils and avoids creating incompatible activities on rural zone boundaries.

SD-O3 Energy and infrastructure	Support in part	Energy and infrastructure have not only benefits, but also costs to private landowners where it crosses their land and restricts the activities that they can undertake. Costs can occur through not only new infrastructure, but also through maintenance and upgrading of existing infrastructure. For example, additional setback requirements from increasing transmission line voltage. Therefore, clause 2.b.i. should also require consideration of costs, not just benefits.	Amend SD-O3 as follows: ... 2. ... b. is enabled, while: i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic costs and benefits, functional need and operational need of the infrastructure; and ...
SD-O4 Rural land	Support in part	HortNZ supports a separate rural strategic objective and in particular supports the wording of the strategic objective but considers that the name 'rural land' doesn't encompass all that the objective seeks to achieve or respond to (refer pages 10 and 17 of strategic directions s32). Naming it Rural Environment would better reflect the content of this strategic objective.	Retain SD-O4 and amend name to be SD-04 Rural Environment.
SD-O6 Natural Hazards and resilience	Support	HortNZ support this strategic objective as notified.	Retain as notified
UFD - Āhuatanga auaha ā tāone - Urban Form and Development			
UFD P1-P9	Oppose in part	The policies fail to safeguard the life supporting capacity of soils, in particular LUC 1, 2 and 3 soils.	Amend P1-P9 to ensure that the life supporting capacity of soils are safeguarded.
UFD-P10 - Managing reverse sensitivity effects from new development	Oppose in part	HortNZ supports the requirement to minimise reverse sensitivity effects from new urban form and development on primary production	Amend UFD-P10 as follows:

		activities. However, considers that the policy as drafted is weak and would not provide the direction necessary to ensure reverse sensitivity effects on primary production from activities in new development are avoided or mitigated.	Within Residential Zones and new development areas in Rangiora and Kaiapoi: ... 2. minimise <u>avoid</u> reverse sensitivity effects on primary production from activities within new development areas. <u>Where avoidance compromises through setbacks and screening, without compromising the efficient delivery of new development areas-, then impacts are mitigated through development design, setbacks, and screening.</u>
Energy, Infrastructure and Transport			
EI - Pūngao me te hanganga hapori - Energy and Infrastructure			
EI-P6 – Effects of other activities and development on energy and infrastructure	Oppose in part	The policy seeks that ‘sensitive activities’, including ‘intensive farming activities’ are excluded from establishing within identified safe buffer distances. It is not clear what ‘intensive farming activities’ are and why the defined term of ‘sensitive activities’ is being extended to include ‘intensive farming activities’ through this policy. This policy places a priority for energy and infrastructure over other activities. The NPSET does not take such an approach as it has a caveat ‘to the extent reasonably possible’.	Either define intensive farming activities or remove it from the policy. Also reword the policy to give effect to the NPSET. Manage adverse effects of other activities and development on energy and infrastructure, including by the following: ... 2. with regards to the National Grid and major electricity distribution lines, in addition to (1) above, by ensuring that: ...

			b. sensitive activity and development that may compromise the National Grid and major electricity distribution lines, including those associated with intensive farming activities, are excluded from establishing within identified safe buffer distances <u>to the extent reasonably possible;</u>
EI-R13 Addition to a pole or tower	Oppose in part	Where an existing pole or tower is being added to the adverse effects on landowner can result from increased compliance required with NZECP34:2001. Such landowners should be considered as part of an upgrade.	Amend EI-R13 as follows: Where: ... <u>3. there are no increased compliance requirements with NZECP34.2001 for landowners.</u> Also, we note that consequential amendments are needed to EI-MD14 to ensure that the matters of discretion when considering a RDA include the consideration of adverse effects on landowners resulting from increased compliance requirements.
EI-R16 Upgrading above-ground lines, ducts, cables and pipes	Oppose in part	Where an existing conductor is being upgraded the voltage should not be increased above that of its original design as a permitted activity. Such an increase can led to adverse effects on landowners over whose land the line traverses, leading to increased compliance with NZECP34:2001. Such landowners should be considered as part of such an upgrade.	Amend EI-R16 as follows: Where: ... 7. <u>there are no increased compliance requirements with NZECP34.2001 for landowners.</u>

			Also, we note that consequential amendments are needed to EI-MD14 to ensure that the matters of discretion when considering a restricted discretionary activity include the consideration of adverse effects on landowners resulting from increased compliance requirements.
EI – R49 – Maintenance, repair and upgrading of existing community scale irrigation / stockwater networks	Support	Reliable water supplies are essential for horticulture.	Retain as notified
EI-R51 Activities and development (other than earthworks) within a National Grid Yard	Oppose in part	Intensive farming activities are referred to in this provision, but are not defined in the plan. It is unclear what intensive farming activities are. Oppose the inclusion of mobile irrigation equipment and reticulation and storage of water within 12m of a structure as they do not always impede access. We note that the height and setback restrictions for artificial crop protection and support structures specified in 1.c. align with the 'Lets Grow Together' guidance document that was prepared by Transpower New Zealand in association with Horticulture New Zealand and New Zealand Kiwifruit growers Incorporated. https://www.hortnz.co.nz/assets/Compliance/Transpower-Kiwifruit-Growers-Guide-DIGITAL.pdf	Amend EI-R51 as follows: Either define intensive farming activities or remove it from the rule. Delete clause f.

EI-R52 Earthworks (other than quarry or landfill) within a National Grid Yard	Support	Support clarity provided by the exemptions listed.	Retain as notified
EI-MD6 – electricity transmission and electricity distribution	Support in part	It is not clear that Clause 2 also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements.	Amend EI-MD6 as follows: ... 2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances- <u>Including increased compliance requirements for landowners and occupiers.</u>
EI-MD14 Extent of effects	Support in part	It is not clear that this provision also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements.	Amend EI-MD14 as follows: The extent of compliance, <u>including increased compliance requirements for landowners and occupiers</u> , with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects.
TRAN - Ranga waka - Transport			
TRAN-P2	Oppose in part	The Emissions Trading Scheme does not include orcharding as a land use to offset greenhouse gas emissions, therefore planting of carbon sequestering trees will likely result in carbon	Amend TRAN-P2 as follows:

		forests of pines or natives in perpetuity, which are non-productive uses. When planning for long-term carbon sequestration (and retirement of land for that purpose), it is equally important to plan for the most highly productive land in New Zealand and to protect this resource for food production for future generations. HortNZ is not opposed to the policy in principle, except to the extent that the proposed plan fails to safeguard the life supporting capacity of the significant soil resource in the district and does not have a strong policy framework to enable primary production. This proposed policy <i>promotes</i> planting carbon sequestering trees and will have unintended consequences for future land uses in the District. HortNZ's concern this provision would be addressed by the inclusion of a framework for the protection of highly productive land (for food production) in the District as sought elsewhere in this submission.	Seek more environmentally sustainable outcomes associated with transport, including by promoting: ... 7. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees or the establishment and restoration of wetlands; and OR, provide within the plan a framework that more explicitly provides for the values of highly productive land for food production.
Hazards and Risks			
HS - Matū mōrearea - Hazardous Substances	Support	HortNZ support this section in its entirety. We also note the activity status outlined in HS-R2 being discretionary in the GRUZ and Non-complying in the RLZ. The majority of our growers	Retain the HS - Matū mōrearea - Hazardous Substances sections as notified

		are in the RLZ and support the non-complying activity status.	
CL - Whenua paitini - Contaminated Land	Support	HortNZ support this section in its entirety.	Retain the CL - Whenua paitini - Contaminated Land sections as notified
NH - Matepā māhorahora - Natural Hazards			
NH-O1 – Risk from natural hazards	Support	HortNZ supports the risk-based approach outlined in the Objective	Retain as notified
NH-P1 – Identification of natural hazards and a risk-based approach	Support	HortNZ supports the risk-based approach outlined in the policy.	Retain as notified
NH-R2 – Natural hazard sensitive activities	Support	This rule only relates to natural hazard sensitive activities.	Retain as notified
NH – R3 Natural hazard sensitive addition to existing natural hazard sensitive activities	Support	This rule only relates to natural hazard sensitive activities.	Retain as notified
NH-R7 – Woodlots and Shelterbelts	Oppose	Shelterbelts are an inherent part of rural production, used for a number of reasons including preventing wind erosion of soils, shelter and shade for stock, and wind and weather breaks for orcharding. They can also reduce the potential for reverse sensitivity issues as they act as a barrier between properties – particularly they are an important mitigation tool for managing spray drift.	Delete NH-R7

		Shelterbelts are actively managed by farmers and growers because they are a valuable tool to aid primary production. There is a functional need to provide for shelterbelts in the productive rural environment. Because of this HortNZ support a permitted activity status for shelterbelts. Fire risk is also managed through rules requiring setbacks of residential units and buildings. These setbacks should be sufficient to protect life and property. HortNZ seeks that shelterbelts are recognised by including as part of rural production. By requiring large setback valuable land, including highly productive land, is lost from production if planting up to the boundary is not provided for.	
NH-R16 – Coastal Flood Assessment Overlay	Support	This rule only relates to natural hazard sensitive activities.	Retain as notified
Historical and Cultural Values			
SASM - Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori			
SASM-R4 – Earthworks and land disturbance associated with other activities	Support	Provides for an appropriate level of activity as permitted, including cultivation of previously cultivated land, and drain and track maintenance which are essential ancillary rural earthworks.	Retain as notified

Natural Environment Values

ECO - Pūnaha hauropi me te rerenga rauropi taketake - Ecosystems and indigenous biodiversity

ECO – R1 Indigenous vegetation clearance within any mapped SNA	Support in part	HortNZ seeks that the proposed rule allows for the rapid response to a biosecurity incursion of an unwanted organism. This would allow the clearance and disposal of infected / host vegetation. We note that clause 3.d would provide for active management of existing pests and diseases, but we do not think it clearly provides for unwanted organisms. This was a problem for horticulture during the PSA outbreak where the district plan did not enable the clearing of infected wilding kiwifruit that were infected with PSA within SNA's. HortNZ also support permitted activity status clearance in relation to maintenance, repair or replacement of existing access track and around existing buildings and structures, and indigenous vegetation planted as shelterbelts.	Amend ECO – R1 as follows: Where: ... 3. the indigenous vegetation clearance is: ... <u>j. to manage vegetation that is 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 1993.</u>
ECO-R2 Indigenous vegetation clearance outside any mapped SNA or unmapped SNA	Support in part	As above.	Amend ECO – R1 as follows: Where : ... 3. the indigenous vegetation clearance is: ... <u>j. to manage vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical</u>

			<u>Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u>
NATC - Āhuetanga o te awa - Natural Character of Freshwater Bodies			
NATC-R4 – Water intake structure, siphon and ancillary equipment	Support	Prevents duplication of resource consenting.	Retain as notified
PA - Tomonga mārea - Public Access			
PA-O1 Provision of public access	Support	The policy acknowledges that public access could create adverse effects on the rights of private property owners. This could include compromising the ability to continue primary production activities.	Retain as notified
PA-P2	Support in Part	HortNZ supports clause 2 that takes into account the risk to public health and safety. Many horticultural operations require the use of agrichemical sprays to ensure plant health and the use of heavy machinery. Allowing public access along land adjoining horticultural operations has the potential to increase health and safety risks. It should be noted that even if an esplanade reserve, strip or accessway is provided for public use, where this facility is located in the rural environment, the rural character and form are as much a part of the landscape as the subject water body. Public access is likely to result in reverse sensitivity issues arising as some members of the general	Amend PA-P2 as follows: Provide for new and enhanced public access to and along the CMA, water bodies and reserves by: ... 4. <u>ensuring access avoids adverse effects on productive soils and established rural production activities.</u>

		public complain of noise, spray and visual amenity. Reverse sensitivity issues contribute to the loss of productivity by limiting operation.	
PA-P3	Support	The policy acknowledges that public access could create adverse effects on the rights of private property owners. This could include compromising the ability to continue primary production activities.	Retain as notified
Subdivision			
SUB - Wāwāhia whenua - Subdivision			
SUB-P11 New policy	Support	There is no policy to consider highly productive land or versatile soils when assessing subdivision. HortNZ seeks recognition of highly productive land and versatile land and that consideration is given at the time of subdivision.	Add a new Policy – SUB-PX as follows: <u>Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production.</u>
SUB-MCD10 – Reverse Sensitivity	Oppose in Part	There are no specific matters of control and discretion for the Rural Zones. Consideration of highly productive land and the potential for reverse sensitivity effects from location of incompatible activities should be included. Subdivisions in Residential zone adjacent to the rural boundary should also be required to consider how the rural – urban interface will be managed.	Amend SUB-MCD10 as follows: Reverse sensitivity ... 2. <u>Potential reverse sensitivity effects with rural production on surrounding land.</u> 3. <u>Loss of highly productive land or versatile soils from rural production.</u>

			Or alternative relief to address the identified issue.
General District Wide Matters			
EW - Ketuketu whenua - Earthworks			
EW-O1	Oppose	Oppose the narrow focus of this objective.	Delete EW-O1 as notified and replace it with the following: Earthworks are undertaken in a way that minimises adverse effects on amenity values, cultural values, property, infrastructure and the health and safety of people and the environment. <u>Earthworks necessary for the construction, maintenance or operation of activities are enabled, provided that adverse environmental effects (including effects on health and safety and natural hazards) are avoided, remedied or mitigated.</u>
New policy EW -PX	New Policy	Include a new policy about benefits/recognition of rural earthworks in supporting rural activities.	Insert new policy: <u>EW – PX Earthworks for Rural Production</u> <u>Enable earthworks where they support rural production, including ancillary rural earthworks'</u>

New rule EW- RX	New Rule	Ancillary rural earthworks that are part of primary production activities have not been provided for in the proposed plan. This proposed rule seeks to address that admission. Note that a definition of ancillary rural earthworks has been proposed also.	Insert new rule: <u>EX-RX Ancillary rural earthworks</u> <u>Rural Zones</u> <u>Activity status: PER</u> <u>Where:</u> <u>The earthworks are ancillary rural earthworks.</u> <u>Activity status when compliance not achieved:</u> <u>RDIS</u> <u>Matters of discretion are restricted to:</u> <u>EW-MD1 - Activity operation, scale, form and location</u> <u>EW-MD2 - Nuisance and reverse sensitivity</u> <u>EW-MD3 - Land stability</u> <u>EW-MD4 - Natural hazards</u> <u>EW-MD5 - Rehabilitation</u> <u>EW-MD6 - Coastal environment and hazards</u> <u>EW-MD7 - Water bodies, vegetation and fauna</u> <u>EW-MD8 - Outstanding natural features and landscapes</u>
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LIGHT - Tūramarama - Light			
Introduction	Oppose in part	The introduction has an urban focus and would be improved by recognising and enabling artificial outdoor lighting associated with primary production.	Amend first paragraph as follows: Outdoor lighting can have both positive and negative effects on amenity values. Lighting can benefit people and communities, for example by improving pedestrian and transport safety, and can be required for <u>primary production</u>, night-time work, security and recreation. However, excessive light spill and glare can also adversely affect amenity values, the natural and cultural environment, health and safety and visibility of the night sky. For instance, glare can cause a safety hazard such as impacting on a driver's ability to see. Excessive ambient light levels can affect sleep quality.
LIGHT - O1 Objective	Oppose in part	Many terms are used throughout the plan to describe primary production activities. Rural production is a subset of primary production. Using the term Primary production in this objective is more appropriate as it includes a wider range of primary production activities that should be enabled in the rural zones.	Amend as follows: Outdoor lighting enables a range of activities including work, rural<u>primary</u> production, recreation activities, sport, entertainment, and transportation to occur beyond daylight hours while: 1. minimising adverse effects on amenity values, health and safety, ecology, significant natural values,

			areas of historic or cultural significance; and 2. maintaining the safe operation of the transport system.
LIGHT-P1 Policy	Support	Support the policy that provides for activities to use artificial lighting for operational and functional purposes.	Retain as notified.
LIGHT-S1 General standards for light	Oppose in part	The provision would only be reasonable in the case of existing sites and road corridors noting that the proposed subdivision provisions would introduce lifestyle sites and bonus allotments adjacent existing primary production activity and constrain an existing lawfully established activity. It would be unreasonable to apply this standard to an existing primary production activity.	Delete LIGHT-S1 as it relates to new sites and new road corridors.
LIGHT-S2 Control of glare	Oppose in part	The provision would only be reasonable in the case of existing sites, roads, footpaths and cycle paths noting that new sensitive activities could locate adjacent existing primary production activity and constrain an existing activity. It would be unreasonable to apply this standard to an existing primary production activity. Existing use rights would not be sufficient to avoid conflict and reverse sensitivity operational constraints.	Delete LIGHT-S2 as it relates to existing sites, roads, footpaths and cycle paths.
NOISE - Te orooro - Noise			

Introduction	Oppose in part	The introduction has an urban focus and would be improved by recognising and enabling noise associated with primary production.	Amend as follows: Residential Zones anticipate quiet night-time conditions, as noise can disturb relaxation and sleep. Commercial and Mixed-Use Zones and Industrial Zones normally have a greater tolerance for noise that reflects the working environment. <u>In the rural zones a range of animal and mechanical sounds often characterize the working nature of the rural environment.</u>
NOISE-O1 Adverse effects	Oppose in part	Oppose the narrow focus of the objective.	Amend NOISE-O1 as follows: Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment. <u>Noise effects that are compatible with the role, function and predominant character of each receiving environment.</u>
NOISE-O2 Adverse effects	Oppose in part	Oppose the urban and infrastructural focus of the objective and lack of a policy framework to address reverse sensitivity effects associated with noise in the rural zones. Rural production activities experience reverse sensitivities effects associated with noise, including the use of methods such as frost fans and bird scarers. The objective is read to include such rural production activities as 'identified existing activities' as these activities are identified in the rules of this section. However, horticulture	Amend NOISE-O2 as follows: The operation of regionally significant infrastructure and strategic infrastructure, activities within <u>Rural Zones</u> , Commercial and Mixed Use Zones an Industrial Zones and identified existing activities are not adversely affected by reverse sensitivity effects from noise sensitive activities.

		requires flexibility to respond to population and market demands. Therefore, limiting this objective to only where the identified activity is existing is too limiting.	
NOISE – P1 Minimising adverse noise effects	Oppose in part	Limiting adverse noise effects is a narrow approach. Adverse noise effects can be minimised through management.	Amend NOISE – P1 as follows: Minimise adverse noise effects by: limiting managing the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone
NOISE - PX Reverse Sensitivity Rural Production	New policy	The objectives and policies provide for a range of activities to be ‘protected’ from reverse sensitivity but there is no specific provision relating to rural production activities, which are often subject of reverse sensitivity complaints.	Add a new policy: <u>PX Reverse Sensitivity Rural Production</u> <u>Rural production activities are not constrained by reverse sensitivity effects arising from noise sensitive activities located in the Rural Zones.</u>
NOISE – R6 Audible bird scaring devices	Support in part	HortNZ supports a permitted activity rule for Audible bird scaring devices as they are a necessary tool for horticulture. However, clause d should refer to ‘the notional boundary’, not ‘any point within the national boundary’. The notional boundary will always be the closest point to the noise admitting activity (as opposed to any point within the boundary) and therefore noise beyond the boundary will dissipate as distance is increased.	Amend NOISE – R6 as follows: Activity status: PER Where: 1. audible bird scaring devices shall:

		HortNZ opposed the advisory note being attached to this rule and notes that it is not attached to any other noise admitting activity, nor any other permitted activity across the plan. The information requested to be put on a notice at the road frontage contains private details and is inappropriate, especially given the permitted activity status of the rule.	- only operate between 30 minutes before sunrise to 30 minutes after sunset; - not exceed a maximum of six events per device per hour, where each event has a maximum of three clustered shots; - not be used within 200m of a notional boundary of any residential unit or minor residential unit on any other site of different ownership; and - not exceed 65 dB LAE from any one noise emission, when assessed at any point within the notional boundary of any residential unit or minor residential unit on any site of different ownership. Advisory Note Audible bird-scaring devices should have a legible notice securely fixed to the road frontage of the site in which the device is to operate stating the name, address and phone number of the person(s) responsible for the operation of
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			the device and identify the site on which the device will operate.
NOISE – RX	new rule	HortNZ supports provision for frost fans as a controlled activity, however, the plan as proposed did not address the reverse sensitivity on rural production activities that use frost fans where a noise sensitive activity chooses to locate close to a frost fan. Therefore, this new rule is required.	Insert new rule as follows: <u>NOISE – RX Noise Sensitive activities</u> <u>Rural Zones</u> <u>Activity status : CON</u> <u>Where:</u> 1. <u>Any new noise sensitive activity located on a separate site of different ownership within 1000 m of any frost control fan must be designed and constructed to ensure that the noise level inside any bedroom of the dwelling will not exceed 30 dB LAeq with all fans operating at normal duty.</u> 2. <u>Compliance with this standard must be demonstrated by the production of a design certificate from an appropriately qualified and experienced acoustic engineer. The design certificate must be based either on actual noise measurements with all fans operating at normal</u>

			<u>duty, or on an assumed noise level from any one frost fan, corrected for the number of fans present at the time.</u> Matters of control are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation Activity status when not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation
SIGN - Ngā tohu - Signs			
SIGN – R4	Oppose in part	Signage is an important means of notifying the public when agrichemical spraying is taking place. Signage is identified as good management practice in the NZS8409:2004 Management of Agrichemicals. In an instance where a horticultural activity borders a public space that contains a surface water body, or where spraying is taking place within a farm that contains a surface water body, signage may be necessary. HortNZ seeks an exclusion for signage relating to agrichemical spraying or other matters that may impact the health and safety of people or animals.	Amend SIGN – R4 to insert the following: ... <u>f. any temporary signs relating to the notification of agrichemical spraying or other risks to the health and safety of people and animals shall be permitted.</u>

		HortNZ notes that the effects of spraying on the environment (including on water bodies) is managed by the Canterbury Air Regional Plan and Canterbury Land and Water Regional Plan.	
Part 3 - Area Specific Matters			
Zones			
RESZ Whitua Nohonoho - Residential Zones			
LLRZ – Large Lot Residential Zone			
LLRZ Chapter	Oppose	Reference to agriculture in this chapter of the plan is confusing and inconsistent with other chapters. It is difficult to understand how ‘agriculture’ can be undertaken on LLRZ properties.	Delete reference to agriculture and replace with rural production, or similar relief.
LLRZ-R16	Oppose	The rule is not effects based. The matter of discretion focuses on amenity and shading which can be impacted by any tree plantings and not just those related to agriculture. Also, it is difficult to understand how LLRZ properties can undertake ‘Agriculture’.	Delete LLRZ-R16
LLRZ-R36	Oppose	The proposed plan fails to safeguard the life supporting capacity of soils.	Delete LLRZ-R36

LLRZ-BFS7	Oppose in part	The proposed rule is too restrictive and does not provide for the scenario of a fence on zone boundary that provides mitigation for reverse sensitivity impacts created by the zone interface.	Amend LLRZ-BFS7 as follows: ... <u>4. Except this rule does not apply when the internal boundary is also a zone boundary with a rural zone.</u>
RURZ – Whaitua Taiwhenua - Rural Zones			
GRUZ - General Rural Zone			
RURZ – Introduction	Oppose in part	The majority of horticultural operations in the Waimakariri District are within the RLZ. The introduction specifically lists farming types for the GRUZ, but not the RLZ. This should be acknowledged in the paragraph on RLZ. The introduction also does not acknowledge Highly Productive Land or the significant resource of the LUC 1,2 and 3 soils in the district that are important for primary production.	Amend the 4th paragraph of the RURZ Introduction as follow: ... The Rural Lifestyle Zone, recognises that this area comprises the densest rural settlement pattern in the District. This rural area is defined by its fine grained pattern of settlement and human induced characteristics. The zone provisions retain the focus of the zone by providing for primary production activities and other rural activities, while recognising that the predominant character is derived from smaller sites. <u>While the sites are smaller than the GRUZ, they are still productive and the majority of the District's horticultural operations are within the RLZ.</u>

			 <u>Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. However, the availability of this land is gradually and irreversibly being reduced as a result of urban expansion and fragmentation by rural lifestyle developments. These developments are also causing reverse sensitivity effects and result in existing primary production being vulnerable to complaints. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development.</u>
RURZ-O1 – Rural Environment	Support	It is appropriate to have an objective that stated primary production is the predominant land use in rural zones.	Retain as notified
RURZ O2 – Activities in Rural Zones	Oppose in part	The activities listed should be enabled in the rural zone, not just supported, as this is the only location in the district that they can occur.	Amend RURZ O2 as follows: Rural Zones support<u>enable</u> primary production activities, activities which directly support primary production, and activities

		Particularly agree with the confined list of activities that are included in this objective, being: • primary production activities, • activities that directly support primary production, and • activities with a functional need.	with a functional need to be located within Rural Zones.
RURZ - P1	Oppose in part	This policy does not support O1 or O2. It should focus on ensuring recognition of the potential effects and not their scale or whether they are temporary or not	Amend RURZ - P1 as follows: Recognise the contribution of amenity values to maintaining the character of the zones, and maintain amenity values in Rural Zones by: ... 2. <u>recognising that the rural environment is a working environment with retaining generally low levels of signs, noise, traffic, odour, dust, outdoor lighting, large buildings and structures and other built form while recognising that in association</u> associated with primary production and rural industry, <u>and that these features form which are part of the character of each rural zone and that:</u> a) there may be seasonal, short term or intermittent odour, noise, dust, traffic and outdoor lighting effects; and b) large buildings may have a functional need. ...
RURZ - P2	Support in part	Support the intent of the policy, however, primary production should be enabled, not just provided for.	Amend RURZ - P2 as follows:

		Also, there is not a proposed definition of highly productive land. In addition, the lack of recognition of the importance of the versatile soils has also been discussed above.	Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by: 1. providing <u>enabling</u> for primary production activities; 2. providing for <u>enabling</u> those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: ...
RURZ - P3	Oppose in part	This policy as proposed is inconsistent with SD-04, RURZ O1 and RURZ O2. Local support activities are not defined by the proposed plan and the policy describes them very widely as <i>activities that directly support, the health, safety and well-being of people living within the rural community</i>. This policy could therefore support a wide range of activities that are not primary production, do not support primary production or do not have a functional need to locate in the rural environment. These activities should be located on land that is appropriately zoned or designated, and as a last resort locate in Rural Zones. Therefore, the policy should be strengthened to be clear that locating such activities in the rural zones should only occur	Amend RURZ - P3 as follows: Local support activities Activities that directly support the health, safety and well-being of people living within the rural community are provided for in <u>limited</u> circumstances where they: 1. will not limit or constrain the operation of primary production activities or result in adverse effects on sensitive activities; 2. have a design, scale, intensity, and built form consistent with the

		in limited circumstances where the need and benefits to the rural community are demonstrated.	character and amenity values of the zone; 3. can manage actual or potential adverse effects including visual, traffic, dust, noise, odour, or lighting consistent with the amenity values of the zone; and 4. to the extent practicable, internalises any adverse effects of the activity within the site; <u>and</u> 5. <u>There is a demonstrated need to locate in the rural environment and a demonstrated benefit to the rural community.</u>
RURZ - P4	Oppose in part	HortNZ supports the enablement of conservation activities but notes that the definition of conservation activities is very wide and includes retail. HortNZ is of the view that while conservation activities such as riparian planting and wetland enhancement should be enabled, other activities that fall under the definition should be managed.	Either constrain the definition of Conservation Activities or amend RURZ - P4 as follows: Enable <u>Provide for</u> conservation activities, including soil conservation and pest control, throughout Rural Zones.
RURZ-P6	Oppose in part	Industrial activities should be appropriately located in an Industrial Zone. Industrial activities in the Rural Zones should be limited to those that support primary production. Existing Industrial activities in the Rural Zones can rely on existing use rights.	Amend RURZ-P6 as follows: Industrial <u>Rural Industry</u> activity In relation to industrial <u>a rural industry</u> activity:

			1. provide for rural industry where the scale of the activity is compatible with the character and amenity values of the rural zone; 2. limitavoid the establishment of industrial activity (other than rural industry) to circumstances where: a) there is no reasonable and available site for the activity within any Industrial Zones; b) amenity values and character of the Rural Zones can be maintained; c) the scale of the industrial activity is such that it will not affect the availability of highly productive land within the zone to be used for primary production, to the extent that the productive potential of rural land to meet the reasonably foreseeable needs to future generations is undermined; and d) the nature, scale and degree of permanent changes that will occur on the land and soil resources on the site where the activity is located is minimised. 3. ensure that any rural industry or other industrial activity does not limit or constrain the operation of any existing primary production activity in
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			the zone, and does not have adverse effects on any sensitive activity; 4. provide for existing large scale industrial activities outside of urban environments where these are well established and have been in continuous industrial use, in order to recognise their existing environmental effects; and 5. to the extent practicable, manage adverse effects of rural industry or other industrial activities so that they are internalised within the site and any adverse effects not internalised are minimised.
RURZ-P7	Support	Provides guidance for appropriate retail in rural zones	Retain as notified
RURZ-P8	Support	Reverse sensitivity is a key issue for growers. It impacts the efficient use of land in the rural zones for primary production.	Retain as notified
New policy RURZ-PX Farm workers accommodation	New Policy	The plan does not provide for farm workers accommodation or seasonal workers accommodation. This will be especially difficult to provide in the GRUZ with the proposed 20ha residential unit density.	Insert as follows: <u>Farm workers and seasonal workers accommodation</u>

			<u>Provide for farm workers and seasonal workers accommodation on a site of a rural production activity.</u>
GRUZ- Introduction	Support in part	Does not acknowledge the Class 1, 2 or 3 soils that are a significant resource for the District.	 The General Rural Zone makes up the majority of the rural area within the District. The focus of the zone is on retaining the productive potential of land to be able to be used for primary production activity and rural activities. <u>Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development.</u> Built character is focused on residential units supporting primary production activities, activities that support rural activities and farming infrastructure, including sheds and farm tracks. The zone provisions seek to retain the focus of this zone, while retaining the current open rural character. ...

GRUZ - O1	Oppose	The Objective reads as if the economic benefits of primary production are the only consideration. This is inappropriate. There are many social, environmental and economic aspects to primary production that should be recognised. The objective is confused with reference to natural and physical resources as well as primary production activities. Overall, this objective will not provide the overarching supported needed as the objective for the GRUZ.	Delete GRUZ-O1 entirely and replace with: <u>Subdivision, use, and development in rural areas that:</u> 1. <u>supports, maintains, or enhances the function and form, character, and amenity value of rural areas;</u> 2. <u>prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;</u> 3. <u>allows primary production to operate without being compromised by reverse sensitivity and incompatible activities; and</u> 4. <u>retains a contrast in character to urban areas.</u>
GRUZ – P1 Character of the General Rural Zone	Support	Aims to maintain the rural character.	Retain as notified
GRUZ – P2 Limiting Fragmentation of land	Oppose in part	The proposed plan does not provide for seasonal workers accommodation and farm workers accommodation.	Amend GRUZ – P2 as follows: Maintain opportunities for land to be used for primary production activities within the zone by limiting further fragmentation of land in a

			manner that that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless: ... 5. <u>it is for the establishment of seasonal worker accommodation or farm worker accommodation where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan.</u>
New Rule – GRUS-RZ Seasonal worker accommodation	New Rule	Horticulture is a labour-intensive industry with seasonal employment peaks for some crops at harvest and pruning times. To assist in meeting this labour demand (and the ongoing shortage of seasonal workers), the Recognised Seasonal Employer (RSE) scheme was established by the Government in 2007. The scheme allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers. Immigration New Zealand (INZ) administer the scheme and has 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 RSE employers provide purpose-built accommodation for their RSE workers (unless criteria are met), to ensure that RSE workers are	Insert new rule GRUZ-RX as follows: <u>GRUZ-RX Seasonal worker accommodation</u> <u>Activity status: PER</u> <u>Where:</u> 1. <u>A maximum of 12 seasonal workers are accommodated on site at any one time.</u> 2. <u>No additional formed accessways are to be created to any State Highway.</u> 3. <u>The accommodation is used solely on a seasonal basis to meet labour requirements in the horticulture sector.</u> 4. <u>The accommodation comprise of a combination of communal kitchen and eating</u>

		not occupying housing that would normally be available to local residents. 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. Further explanation is provided on pages 8 and 9 above.	<u>areas and sleeping and ablution facilities.</u> 5. <u>1 parking space per 6 workers is provided on site</u> 6. <u>The buildings comply with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u> <u>Activity status when compliance with GURZ-RX is not achieved: RDIS</u>
New Rule – GRUZ-RX Seasonal worker accommodation	New Rule	As above.	Insert new rule as follows: <u>GRUZ-RX Seasonal worker accommodation</u> <u>Activity Status: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>RURZ-MD1- Natural environmental values</u> <u>RURZ-MD3 - Character and amenity values of the activity</u> <u>RURZ-MDX Seasonal workers accommodation</u> <u>Activity Status when not achieved: N/A</u>

New Rule – GRUZ – RX – Artificial Crop protection structures	New Rule	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. They are quite distinct from Greenhouses. Benefits of these structures include protect fruit from sunburn, windburn and hail, assist with spray coverage, reduce mowing and weeding, assist pruning and picking, and less birds get into the crops. 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. There is additional discussion on these structures above on pages 9 and 10 of this submission. HortNZ seeks a specific, clear and appropriate rule framework for these structures.	Insert new rule as follows: <u>GRUZ – RX – Artificial Crop protection structures</u> <u>Activity status: PER</u> <u>Where:</u> 1. Dark green or black cloth is used on vertical faces within 30m of the boundary of the property. 2. Green, black or white cloth is used on horizontal surfaces. 4. The artificial crop protection structure is setback at least 5m from the boundary with an existing lawfully established residential unit on an adjacent lot. 5. No maximum site coverage shall apply. <u>Activity status when compliance with GURZ-RX is not achieved: RDIS</u>
New Rule – GRUZ – RX – Artificial Crop protection structures	New Rule	As above.	Insert new rule as follows: <u>GRUZ- RX – Artificial Crop protection structures</u>

			<u>Activity Status: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>RURZ-MD1- Natural environmental values</u> <u>RURZ-MD3 - Character and amenity values of the activity</u> <u>Activity Status when not achieved: N/A</u>
GRUS-R1 Construction or alteration of or addition to any building or other structure	Support	Enables Construction or alteration of or addition to any building or other structure as a permitted activity.	Retain as notified
GRUS-R2 Primary production	Support in part	Enables horticulture as a permitted activity. Oppose carbon forest as a permitted activity unless the plan is amended to safeguard the life supporting capacity of soils, including LUC1, 2 and 3 soils.	Amend GRUS-R2 as follows: GRUS-R2 Primary production This rule does not apply to mining provided for under GRUS-R29; <u>carbon forests</u>, quarrying activities provided for under GRUS-R30; farm quarry provided for under GRUS-R12; intensive indoor primary production provided for under GRUS-R17; or intensive outdoor primary production provided for under GRUS-R18. Where:

			1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of: a) 40m from any residential unit or minor residential unit on a site under different ownership; b) 10m from any site boundary of a site under different ownership; and c) 10m from any road boundary of a paved public road.
GRUZ-R3 Residential unit	Support	Enables a residential unit as a permitted activity.	Retain as notified
GRUZ-R4 Minor Residential unit	Support in part	Oppose the limitation of a minor residential unit for a farm worker to a GFA of 90m². This is an impractical limitation on farming units particularly intensive primary production activities where farm workers (and families) are typically required to live onsite and not in a seasonal working arrangement. The non-complying activity pathway for non-compliance is an appropriate resource management response for the scale and likely effect of this activity which should be accommodated in the permitted activity standards.	Amend GRUZ-R4 as follows. where: ... • <u>In the case of a minor residential unit used for farm workers accommodation and seasonal worker accommodation:</u> - <u>limited to a maximum GFA of 120m² (exclusive of garages, and decks);</u>
GRUZ-R6 Accessory building or structure	Support	Enables accessory building or structures as a permitted activity	Retain as notified

GRUZ – R10 Rural produce retail	Support	Enables appropriate scale of produce retail as a permitted activity subject to the relief sought by HortNZ on the definition of rural produce retail.	Retain as notified
GRUZ – R11 Rural Industry	Oppose in part	While the rule specifies that it relates to Rural industry, clause 2 conflicts with the national Planning Standards definition of Rural Industry and Primary Production by including <i>Initial</i> processing. Therefore, washing sorting and even slicing/dicing produce would be caught within this rule. A produce pack house falls within the definition of primary production (National Planning Standards definition Clause (c) <i>'includes any land and buildings used for the production of the commodities from (a_ and used for the initial processing of the commodities in b))</i>, and not rural industry. A pack house should be a permitted activity subject to build form standards in rural zones.	Amend GRUS-R11 as follows: Where: ... 2. the manufacture, processing or production of goods involves initial or further processing of commodities derived from primary production;
GRUZ – R13 Conservation activities	Oppose	Oppose the permitted activity status for conservation activities in the GRUZ. The activity definition includes a range of activities that would involve people and visitors into the rural environment that are potentially sensitive to the effects of primary production activities e.g., retail, nurseries, environmental research and education activities. The activities are not supported by an objective and policy structure that leads to a permitted	Delete GRUZ-R13 or change activity status.

		activity rule as being an appropriate resource management response in this zone.	
GRUZ – R14 Recreation activities	Oppose	Oppose the permitted activity status for recreation activities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response in this zone.	Delete GRUZ-R14 or change activity status.
GRUZ – R15 Rural tourism	Oppose	Oppose the permitted activity status for rural tourism in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response in this zone. Notably the permitted activity standards consider a setback necessary from a residential unit, or other sensitive activity but, with the exception of a 10m yard setback, no consideration of the activity situation relative to primary production is considered.	Delete GRUZ-R15 or change activity status.
GRUZ – R21 Equestrian and ancillary activities and facilities	Support	Support the restricted discretionary activity status for Equestrian and ancillary activities and facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity	Retain GRUZ-R21 activity status as notified.

		rule as being an appropriate resource management response.	
GRUZ – R22 Farmers Market	Support	Support restricted discretionary activity status for farmers markets within the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R22 activity status as notified
GRUZ – R25 Educational facility	Support	Support the discretionary activity status for educational facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R25 activity status as notified.
GRUZ – R26 Community facility	Support	Support the discretionary activity status for community facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R26 activity status as notified.
GRUZ – R27 Wedding and event facility	Support	Support the discretionary activity status for wedding and event facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure	Retain GRUZ-R27 activity status as notified.

		that leads to a permitted activity rule as being an appropriate resource management response.	
GRUZ – R28 Cemetery and funeral related services and facility	Support	Support the discretionary activity status for Cemetery and funeral related services and facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R28 activity status as notified.
GRUZ – R31 Waste management facility	Support	Support the discretionary activity status for waste management facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R31 activity status as notified.
GRUZ – R33 Recreation facilities	Support	Support the discretionary activity status for recreational facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R33 activity status as notified.
GRUZ – R34 Camping ground	Support	Support the discretionary activity status for camping grounds in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure	Retain GRUZ-R34 activity status as notified.

		that leads to a permitted activity rule as being an appropriate resource management response.	
GRUZ – R36 Sports shooting facility	Support	Support the discretionary activity status for sports shooting facilities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain GRUZ-R36 activity status as notified.
GRUZ – R35 Industrial Activity	Oppose in part	Oppose the discretionary activity status for industrial activities. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure. Only rural industry should be provided for as a discretionary activity in the GRUZ. Other industry must be appropriately provided for in Industrial Zones, as is for retail activities.	Amend GRUZ – R35 activity status to non-complying
GRUZ – 38 Retail activity	Support	Support non-complying activity status for retail activities that are not associated with any activity that is provided for as a permitted, restricted discretionary or discretionary activity in the GRUZ.	Retain GRUZ-R38 activity status as notified.
GRUS – R39 Retirement Village	Support	Support non-complying activity status for retirement villages. They require high levels of servicing and associated services which can only be appropriately provided for in urban environments.	Retain GRUZ-R39 activity status as notified.

GRUZ – BFS1 Building coverage	Support	Provides for appropriate building coverage as a permitted activity.	Retain as notified
GRUZ – BFS2 Impermeable surface	Support	Provides for appropriate impermeable surface as a permitted activity.	Retain as notified
GRUZ – BFS3 Height	Oppose in part	The standard needs to specify that the 12m height limit does not include the blades of a frost fan and wind turbines.	Amend GRUZ-BFS3 as follows: ... 2. The maximum height for any other building or structure shall be 12m above ground level. 3. <u>The maximum height of frost control fans and wind turbines shall be 12m above ground level (not including blades).</u>
GRUZ – BFS4 Building and structure setbacks	Support	Provides for appropriate setbacks as a permitted activity.	Retain as notified
GRUS – BFS6 Gross Floor Area	Support	Provides for appropriate gross floor area as a permitted activity.	Retain as notified
RLZ – Rural Lifestyle Zone			
Introduction	Oppose in part	Support the purpose of the Rural Lifestyle Zone as described in the introduction which is to provide for primary productive activities, those activities that support rural activities and those that rely on the natural resources that exist in the zone, while recognising that the predominant character is derived from smaller sites. Although the introduction would benefit from	Amend introduction as follows: ... The Rural Lifestyle Zone, focused in the east of the District, recognises that this area comprises the densest residential unit and development site pattern in the rural areas of

		acknowledging that horticulture is a common land use in this zone. However, the purpose set out in the introduction, confusingly is different to that set out in RLZ-O1, notably omitting a reference to physical resources and a change in terminology from 'providing' for primary production activities, to stating that they 'occur' in the zone.	the District. This rural area is defined by its fine grained pattern of development and human induced characteristics. <u>The majority of horticultural operations within the district occur within this zone, including greenhouse growing which can be highly productive on smaller sites.</u>
RLZ - O1 Purpose	Oppose in part	Support a clear objective however there are concerns with the inconsistency between the objective of this zone and the purpose set out in the introduction.	Amend RLZ-O1 as follows: <u>Enable</u> Primary production activities and activities reliant on the natural and physical resources of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone.
RLZ - P1 Character	Oppose in part	The policy assumes that if a primary production activity is occurring on a smaller site, then it will be of a small scale. There are significant horticulture operations within the RLZ operating on 'smaller sites'. The majority of existing horticulture operations in the district are within the RLZ and are not necessarily 'small scale' for horticulture.	Amend PLZ-P1 as follows: Maintain the character in the Rural Lifestyle Zone which comprises: 1. a highly modified landscape strongly influenced by fine grained patterns and processes of human induced activity, including a predominance of small rural lots with a resulting pattern of residential units, buildings, fencing, amenity and domestic

			planting mixed with smaller scale primary production activities; ...
RLZ -P2 Activities	Oppose in Part	The proposed plan does not provide for seasonal workers accommodation and farm workers accommodation.	Amend RLZ-P2 as follows: ... 5. <u>it is for the establishment of seasonal worker accommodation or farm worker accommodation where the site containing a residential unit is 4ha or greater, or is protected by a legacy provision in this District Plan.</u>
New Rule – RLZ-RX Seasonal worker accommodation	New Rule	Horticulture is a labour-intensive industry with seasonal employment peaks for some crops at harvest and pruning times. To assist in meeting this labour demand (and the ongoing shortage of seasonal workers), the Recognised Seasonal Employer (RSE) scheme was established by the Government in 2007. The scheme allows the horticulture and viticulture industries to recruit workers from overseas for seasonal work when there are not enough New Zealand workers. Immigration New Zealand (INZ) administer the scheme and has 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 RSE employers provide purpose-built	Insert new rule RLZ-RX as follows: <u>RLX-RX Seasonal worker accommodation</u> <u>Activity status: PER</u> <u>Where:</u> 1. <u>A maximum of 12 seasonal workers are accommodated on site at any one time.</u> 2. <u>No additional formed accessways are to be created to any State Highway.</u> 3. <u>The accommodation is used solely on a seasonal basis to meet labour requirements in the horticulture sector.</u>

		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. 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. Further explanation is provided on pages 8 and 9 above.	4. <u>The accommodation comprise of a combination of communal kitchen and eating areas and sleeping and ablution facilities.</u> 5. <u>1 parking space per 6 workers is provided on site</u> 6. <u>The buildings comply with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u> <u>Activity status when compliance with GURZ-RX is not achieved: RDIS</u>
New Rule – RLZ-RX Seasonal worker accommodation	New Rule	As above.	Insert New rule as follows: <u>RLZ-RX Seasonal worker accommodation</u> <u>Activity Status: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>RURZ-MD1- Natural environmental values</u> <u>RURZ-MD3 - Character and amenity values of the activity</u> <u>RURZ-MDX Seasonal workers accommodation</u> <u>Activity Status when not achieved: N/A</u>

New Rule – RLZ – RX – Artificial Crop protection structures	New Rule	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. They are quite distinct from Greenhouses. Benefits of these structures include protect fruit from sunburn, windburn and hail, assist with spray coverage, reduce mowing and weeding, assist pruning and picking, and less birds get into the crops. 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. There is additional discussion on these structures above on pages 9 and 10 of this submission. HortNZ seeks a specific, clear and appropriate rule framework for these structures.	Insert new rule as follows: <u>RLZ – RX – Artificial Crop protection structures</u> <u>Activity status: PER</u> <u>Where:</u> 1. Dark green or black cloth is used on vertical faces within 30m of the boundary of the property. 2. Green, black or white cloth is used on horizontal surfaces. 4. The artificial crop protection structure is setback at least 5m from the boundary with an existing lawfully established residential unit on an adjacent lot. 5. No maximum site coverage shall apply. <u>Activity status when compliance with GURZ-RX is not achieved: RDIS</u>
New Rule – RLZ – RX – Artificial Crop protection structures	New Rule	As above.	Insert new rule as follows:

			<u>RLZ- RX – Artificial Crop protection structures</u> <u>Activity Status: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>RURZ-MD1- Natural environmental values</u> <u>RURZ-MD3 - Character and amenity values of the activity</u> <u>Activity Status when not achieved: N/A</u>
RLZ - R2 Primary production	Oppose in part	HortNZ supports that RLZ-R2 enables horticulture as a permitted activity. Carbon forests are to remain in perpetuity. Oppose carbon forest as a permitted activity unless the plan is amended to safeguard the life supporting capacity of soils, including LUC 1, 2 and 3 soils.	Amend as follows: RLZ-R2 Primary production This rule does not apply to any <u>carbon forestry</u>, farm quarry provided for under RLZ-R12; intensive indoor primary production provided for under RLZ-R18; intensive outdoor primary production provided for under RLZ-R19; mining provided for under RLZ-R30; or quarrying activity provided for under RLZ-R31. Where: 1. any forestry less than 1ha, carbon forest or woodlot shall be set back a minimum of:

			a) 40m from any residential unit or minor residential unit on a site under different ownership; b) 10m from any site boundary of a site under different ownership; and c) 10m from any road boundary of a paved public road.
RLZ - R4 Minor residential unit	Oppose in part	Support the provision of a minor residential unit. Oppose the limitation of a minor residential unit for a farm worker to a GFA of 90m². This is an impractical limitation on farming units particularly intensive primary production activities where farm workers (and families) are typically required to live and have their families onsite and not in a seasonal working arrangement. The non-complying activity pathway for non-compliance is an appropriate resource management response for the scale and likely effect of this activity which should be accommodated in the permitted activity standards.	Amend RLZ-R4 as follows. where: <u>In the case of a minor residential unit used for farm workers accommodation:</u> - <u>limited to a maximum GFA of 120m² (exclusive of garages, and decks).</u> Retain RLZ-R2 as proposed.
RLZ - R13 Conservation activities	Oppose	Oppose the permitted activity status for conservation activities in the RLZ. The activity definition includes a range of activities that would involve people and visitors into the rural environment that are potentially sensitive to the effects of primary production activities e.g., retail,	Delete RLZ-R13 or change activity status.

		nurseries, environmental research and education activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response in this zone.	
RLZ - R14 Recreation activities	Oppose	Oppose the permitted activity status for recreation activities in the GRUZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response in this zone.	Delete RLZ-R14 or change activity status.
GRUZ - R15 Rural tourism	Oppose	Oppose the permitted activity status for rural tourism in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response in this zone. Notably the permitted activity standards consider a setback necessary from a residential unit, or other sensitive activity but, with the exception of a 10m yard setback, no consideration of the activity situation relative to intensive primary production is considered.	Delete RLZ-R15 or change activity status.

RLZ - R22 Equestrian and ancillary activities and facilities	Support	Support the restricted discretionary activity status for Equestrian and ancillary activities and facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ-R22 activity status as proposed.
RLZ - R23 Farmers market	Support	Support the restricted discretionary activity status for farmers markets in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ-R23 activity status as proposed.
RLZ - R26 Educational facility	Support	Support the discretionary activity status for educational facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ-R26 activity status as proposed.
RLZ - R27 Community facility	Support	Support the discretionary activity status for community facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ-R27 activity status as proposed.

RLZ - R28 Wedding and event facility	Support	Support the discretionary activity status for wedding and event facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R28 activity status as proposed.
RLZ - R29 Cemetery and funeral related services and facility	Support	Support the discretionary activity status for Cemetery and funeral related services and facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R29 activity status as proposed.
RLZ - R32 Waste management facility	Support	Support the discretionary activity status for Waste management facilities in the RLZ. These are activities likely to conflict with all primary production activities, particularly in regard to biosecurity. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R32 activity status as proposed.
RLZ - R34 Recreation facilities	Support	Support the discretionary activity status for Recreation facilities in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R34 activity status as proposed.

RLZ -R35 Camping ground	Support	Support the discretionary activity status for camping grounds in the RLZ. These are sensitive activities likely to conflict with all primary production activities. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R35 activity status as proposed.
RLZ - R37 Sports shooting facility	Support	Support the discretionary activity status for sports shooting facility in the RLZ. These are activities likely to conflict with all primary production activities particularly in terms of bringing people into the working rural environment and also stock disturbance. The activities are not supported by an objective and policy structure that leads to a permitted activity rule as being an appropriate resource management response.	Retain RLZ -R37 activity status as proposed.
RLZ - R38 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision	Support	Support the Discretionary Activity status for non-compliance.	Retain RLZ -R38 as proposed.
Matters of Discretion for all Rural Zones			
New Matters of Discretion for all Rural Zones – RURZ-MDX - Seasonal workers accommodation	New Matters of discretions	As above	Insert new Matter of discretion RURZ-MDX as follows: <u>RURZ-MDX Seasonal workers accommodation</u>

			1. <u>Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control.</u> 2. <u>The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u>
RURZ - MD3 Character and amenity values of the activity	Oppose in part	The criteria could be improved to: • Identify that it is not the character and amenity values of the activity that is being considered but the effects of that activity on character and amenity values. • Address reverse sensitivity on lawfully established activities not limited to adjacent sites. • Require consideration of alternative locations.	Amend RURZ-MD3 as follows: Character and amenity values of the activity ... 4. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other <u>permitted and lawfully established</u> activities occurring on adjacent rural sites. ... 9. <u>The extent to which alternative locations have been considered.</u>
RURZ - MD8 Setbacks	Oppose in part	The criteria could be improved to: • Address reverse sensitivity on lawfully established activities not limited to adjacent sites. • Require consideration of alternative locations.	Amend RURZ-MD8 as follows: Setbacks ... 6. The extent to which the activity may result in conflict and/or reverse

			sensitivity effects with other permitted <u>or lawfully established activities</u> occurring on adjacent rural properties sites. ... <u>10. The extent to which alternative locations have been considered.</u>
INZ – Whitua Ahumahi - Industrial Zones			
INZ - General Objectives and Policies for all Industrial Zones			
INZ - O3 Managing the effects of Industrial Activities	Support	HortNZ supports consideration of the rural areas adjoining the General Industrial zones.	Retain as notified
LIZ - Light Industrial Zone			
LIZ - BFS2 Height in relation to boundary	Support	Support recession plain requirements from rural zones.	Retain as notified
LIZ - BFS4 Internal boundary landscaping	Support	Landscaping can assist in reducing reverse sensitivity effects between activities and impacts on amenity.	Retain as notified
GIZ - General Industrial Zone			
GIZ - BFS2 height in relation to boundaries	Support	Support recession plain requirements from rural zones.	Retain as notified

GIZ - BFS4 Internal boundary landscaping	Support	Landscaping can assist in reducing reverse sensitivity effects between activities and impacts on amenity.	Retain as notified
GIZ - BFS9 Outdoor Storage area	Support	Solid fencing can assist in reducing reverse sensitivity effects between activities and impacts on amenity.	Retain as notified
HIZ - Heavy Industrial Zone			
HIZ - BFS2 Height in relation to boundaries	Support	Support recession plain requirements from rural zones.	Retain as notified
HUZ - BFS4 Internal boundary landscaping	Support	Landscaping can assist in reducing reverse sensitivity effects between activities and impacts on amenity.	Retain as notified
Matters of Control and Discretion for all Industrial Zones			
INZ - MCD2 Height in relation to boundary	Support	Support inclusion of consideration of effects on rural zones	Retain as notified
INZ - MCD3 Internal boundary setback	Support	Support inclusion of consideration of effects on rural zones	Retain as notified
SARZ - Sport and Active Recreation Zone			
SARZ - BFS4 Internal Boundary Setback	Oppose in part	The SARZ zone also borders the Rural zones. The setbacks should also be applied to the Rural Zones.	Amend SARZ - BFS4 as follows: 1. The minimum setback from an internal boundary with Residential Zones, <u>Rural Zones</u> Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki

			Regeneration), or other Open Space and Recreation Zones shall be as follows: a. all sites, except as specified in (b) below: i. buildings: 20m; ii. poles or structures for flood or training lighting: 10m; b. any stand-alone building containing toilets or changing rooms: 10m.
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