

DISTRICT PLAN REVIEW

Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: _____

Email address: _____

Phone (Mobile): _____ Phone (Landline): _____

Postal Address: _____ Post Code: _____

Physical address: _____ Post Code: _____
(if different from above)

Please select one of the two options below:

I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)

I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

I **am** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

I **am not** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

I/we have included: _____ additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

Submission at the Hearing

I/we wish to speak in support of my/our submission

I/we do not wish to speak in support of my/our submission

If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

Signature

Of submitters or person authorised to sign on behalf of submitter(s)

Signature _____

Date _____

(If you are making your submission electronically, a signature is not required)

Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Send your submission to: Proposed District Plan Submission
Waimakariri District Council
Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one our service centres:

Rangiora Service Centre: 215 High Street, Rangiora

Kaiapoi Service Centre: Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

Oxford Service Centre: 34 Main Street, Oxford

Submissions close 5pm, Friday 26 November 2021

Please refer to the Council website waimakariri.govt.nz for further updates

Submission

ON A PUBLICLY NOTIFIED PROPOSED POLICY STATEMENT OR PLAN

Under Clause 6 of the First Schedule to the Resource Management Act 1991

TO Waimakariri District Council

SUBMISSION ON The Waimakariri Proposed District Plan

NAME OF SUBMITTER Egg Producers Federation of New Zealand and the Poultry Industry Association of New Zealand.

1. This is a submission on the publicly notified Waimakariri Proposed District Plan (WPDP)
2. The Egg Producers Federation of New Zealand (EPFNZ) and the Poultry Industry Association of New Zealand (PIANZ) could not gain an advantage on trade competition through this submission.
3. This submission is divided into two parts:
 - a) **Part A** provides a brief overview of EPFNZ and PIANZ's position; and
 - b) **Part B** sets out the relief sought by EPFNZ and PIANZ
4. EPFNZ and PIANZ seeks the relief set out in **Part B** (including such other additional, alternative or consequential relief as may be necessary to give effect to the changes sought).
5. EPFNZ and PIANZ wish to be heard in support of the submission.
6. If others make a similar submission, EPFNZ and PIANZ will consider presenting a joint case with them at a hearing

SIGNATURE:



Date: 23 November 2021

ADDRESS FOR SERVICE OF SUBMITTER:

Egg Producers Federation of New Zealand & Poultry Industry Association of New Zealand

C/- Harrison Grierson Consultants Limited

PO Box 1130, Queenstown 9348

Attention: Mary McConnell

M +64 21 721 623

m.mcconnell@harrisingrierson.com

PART A: OVERVIEW AND CONTEXT

1. EPFNZ and PIANZ are trade associations representing the wider New Zealand poultry industry.
2. Six meat farms and four layer farms are located within the Waimakariri District.
3. Egg consumption in NZ is 246 eggs per person per year and market factors are seeing consumer demand move to free range and barn eggs. Government policy requires that farmers no longer raise layer hens in cages from 2022 and supermarket policy is to no longer sell colony cage eggs from 2025/26.
4. Poultry operations have a requirement to be located in, or near, rural areas to assist in the management of the potential environmental effects generated by the farms. There are also specific requirements for their operations to be located near the market for their product to avoid unnecessary travel for both animal welfare reasons and delivery of product. The operations of the poultry industry can therefore be characterized by the need to be in rural areas within a reasonable distance to the urban population.
5. EPFNZ and PIANZ wish to ensure that primary production industries within the Waimakariri District are afforded the ability to function effectively in the rural zones and that the planning framework which these farms operate under is similar to that across the rest of New Zealand.
6. EPFNZ and PIANZ are generally supportive of the WPDP and request the retention or amendment of various provisions of the WPDP (refer to Part B for details).

PART B: DETAILED RELIEF ON THE PROPOSED PROVISIONS

1. EPFNF and PIANZ seek the relief set out below (including such other additional, alternative of consequential relief as may be necessary to address the issues raised in the submission).

(Text in ~~strike through~~ indicates deleted provisions, Text in **bold and underlined** indicates proposed provisions)

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
Definitions		
1.	No definition included: Free Range Poultry Farming	<p>We note that the WPDP has not included a definition for free range poultry farming.</p> <p>It would be beneficial to have free-range poultry farming defined under the plan to provide clarity for farmers and to set apart free-range poultry farming from other, more intensive production activities.</p> <p>The definition included in the Canterbury Air Regional Plan (CARP) has been submitted for consistency:</p> <p>Relief Sought:</p> <p>Insert the following definition as follows:</p> <p><u>Free Range Poultry Farming:</u> <u>The primary production of poultry for commercial purposes, where:</u></p> <ol style="list-style-type: none"> <u>All of the birds farmed have access to open air runs; and</u> <u>Permanent vegetation ground cover exists on the land where birds are permitted to range; and</u> <u>The stocking rate of the runs and weatherproof shelter to which the birds have access does not exceed the industry standard for the relevant bird type</u>
2.	<p>INTENSIVE INDOOR PRIMARY PRODUCTION</p> <ol style="list-style-type: none"> Means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. 	<p>We support this definition.</p> <p>Relief Sought:</p> <p>Retain the notified definition of Intensive Indoor Primary Production.</p>
3.	<p>INTENSIVE OUTDOOR PRIMARY PRODUCTION</p> <p>means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination if indoors and outdoors, including within an outdoor enclosure. It includes:</p> <ol style="list-style-type: none"> free-range pig farming; free-range poultry or game bird farming; intensive goat farming and; aquaculture; 	<p>We submit that “free-range poultry farming” is excluded from the definition of <i>Intensive Outdoor Primary Production</i>.</p> <p>Intensive outdoor primary production typically involves primary production activities that include the keeping or rearing of livestock (excluding calf-rearing for a specified time period), that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover.</p> <p>Free range poultry farms (as described in the proposed definition above, which is prescribed by the CARP, which sits above the WPDP in the RMA hierarchy of plans) are typically required to ensure permanent vegetation</p>

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	<p>it excludes the following:</p> <ul style="list-style-type: none"> e) woolsheds; f) dairy sheds; g) calf pens or wintering accommodation for stock; h) pig production for domestic use which involves no more than 25 weaned pigs or six sows. 	<p>ground cover exists on the land where birds are permitted to range.</p> <p>Free-range poultry farms typically generate significantly less effects in regard to scale and intensity and rural amenity values and as such should not be subject to the same planning framework governing intensive outdoor primary production activities.</p> <p>Relief Sought:</p> <p>Amend the following definition as follows:</p> <p>INTENSIVE OUTDOOR PRIMARY PRODUCTION</p> <p>.....</p> <p>It includes:</p> <ul style="list-style-type: none"> a) free-range pig farming; b) free-range poultry or game bird farming; c) intensive goat farming and; d) aquaculture; <p>it excludes the following:</p> <ul style="list-style-type: none"> e) woolsheds; f) dairy sheds; g) calf pens or wintering accommodation for stock; h) pig production for domestic use which involves no more than 25 weaned pigs or six sows; i) free-range poultry farming
4.	<p>SENSITIVE ACTIVITIES</p> <p>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.</p>	<p>We note that community facility has been included twice in this list of sensitive activities.</p> <p>We also note that Farmers markets has not been included within this list. Farmers markets are commonly located in or near rural areas, close to the producers who supply the market.</p> <p>We submit that Farmers Markets should be included within the the definition of sensitive activity, to avoid the potential for reverse sensitivity effects arising from markets located near rural activities. For clarity we also submit that one of the two references of community facility should be removed.</p> <p>Relief Sought:</p> <p>Amend the following definition as follows:</p> <p>SENSITIVE ACTIVITIES</p> <p>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, farmers markets, offices and hospitals.</p>

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
RURZ – General Objectives and Policies for all Rural Zones		
5.	<p>RURZ-O1 Rural Environment</p> <p>An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form, while recognising:</p> <p>The east of the District has a predominant character of small rural sites with a pattern of built form of residential units and structures at more regular intervals at a low density compared to urban environments; and</p> <p>The remainder of the District, while having a range in the size of rural sites, has a predominant character of larger rural sites with a corresponding density of residential units and built form.</p> <p>RURZ-O2 Activities in Rural Zones</p> <p>Rural Zones support primary production activities, activities which directly support primary production, and activities with a functional need to be located within Rural Zones.</p>	<p>Objectives RURZ-O1 and RURZ-O2 are supported as they both prioritise primary production activities and those with a functional need to locate within the rural zone.</p> <p>Relief Sought:</p> <p>Retain Objectives RURZ-O1 and RURZ-O2 as notified.</p>
6.	<p>RURZ-P8 Reverse sensitivity</p> <p>Minimise the potential for reverse sensitivity effects by:</p> <ol style="list-style-type: none"> 1. Avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities; 2. Managing the establishment of new sensitive activities near other primary production activities; 3. Ensuring adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining and rural industry; and 4. Avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished. 	<p>The use of the term “avoid” in clause (1) of RURZ-P8 indicates that in the rural zone, the establishment of new activities are limited to those that will not curtail existing activities.</p> <p>This policy should be strengthened to give effect to RURZ-O1 and O2, as the policy direction of the Rural Zone in the WPDp clearly directs that rural zones are to support those activities with a functional need to be located within them.</p> <p>Relief Sought:</p> <p>Amend RURZ-P8 as follows:</p> <p>RURZ-P8 Reverse sensitivity</p> <p>Minimise Avoid the potential for reverse sensitivity effects by:</p> <ol style="list-style-type: none"> 1. Avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities; 2. Managing Restricting the establishment of new sensitive activities near other primary production activities; 3. Ensuring Requiring adequate separation distances between existing sensitive activities

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SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
		<p>and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining and rural industry; and</p> <p>4. Avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished.</p>
General Rural Zone Objectives and Policies		
7.	<p>GRUZ-O1: Purpose of the General Rural Zone</p> <p>Natural and physical resources and primary production activities which contribute to the District's rural productive economy dominate while fragmentation of land into small rural parcels is restricted.</p>	<p>This objective is supported as it recognizes the importance of primary production activities to the District and restricts fragmentation of rural parcels.</p> <p>Relief Sought:</p> <p>Retain Objective GRUZ-O1 as notified.</p>
8.	<p>GRUZ-P1: Character of the General Rural Zone</p> <p>GRUZ-P2: Limiting fragmentation of land</p>	<p>GRUZ-P1 and GRUZ-P2 are supported, however it is considered this policy frameworks could be strengthened with the inclusion of an additional policy which emphasises the requirement to consider potential effects of reverse sensitivity when assessing applications.</p> <p>The submission point below will further support GRUZ-O1 by prioritising primary production in rural areas and will avoid primary production being compromised or curtailed by the establishment of sensitive activities.</p> <p>Relief Sought:</p> <p>Insert GRUZ-P3 as follows:</p> <p><u>GRUZ P3: Avoid reverse sensitivity effects on lawfully established primary production activities.</u></p>
GRUZ Relevant provisions		
9.	<p>GRUZ-R17 Intensive indoor primary production</p> <p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values</p> <p>RURZ-MD2 - Housing of Animals</p> <p>RURZ-MD3 - Character and amenity values of the activity</p>	<p>Intensive Indoor Primary Production should be able to establish as a permitted activity in the GRUZ if compliance with all built form standards can be met, and RDIS if permitted standards could not be met.</p> <p>This would be reflective of the overarching policy framework of the GRUZ and RURZ.</p> <p>Relief Sought:</p> <p>Amend GRUZ-R17 to:</p> <p>GRUZ-R17 Intensive indoor primary production Activity Status: RDIS</p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(1) the activity complies with all built form standards (as applicable).</u></p>

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
		<p><u>Activity status when compliance with GRUZ-R17 (1) not achieved: RDIS</u></p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of Animals RURZ-MD3 - Character and amenity values of the activity.</p>
10.	<p>GRUZ-R18 Intensive outdoor primary production Activity Status: RDIS</p> <p>Matters of discretion are restricted to: RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of Animals RURZ-MD3 - Character and amenity values of the activity</p>	<p>Intensive Outdoor Primary Production should be able to establish as a permitted activity in the GRUZ if compliance with all built form standards can be met, and RDIS if permitted standards could not be met.</p> <p>This would be reflective of the overarching policy framework of the GRUZ and RURZ.</p> <p>Relief Sought:</p> <p>GRUZ-R18 Intensive outdoor primary production Activity Status: RDIS</p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(1) the activity complies with all built form standards (as applicable).</u></p> <p><u>Activity status when compliance with GRUZ-R18 (1) not achieved: RDIS</u></p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of Animals RURZ-MD3 - Character and amenity values of the activity.</p>
11.	<p>GRUZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarry.</p> <ol style="list-style-type: none"> 1. Any new residential unit or minor residential unit or accessory building used for overnight accommodation shall be set back a minimum of: <ol style="list-style-type: none"> a. 20m from any existing intensive indoor primary production, intensive outdoor primary production activity where it is located on the same site; b. 300m from any existing intensive indoor primary production or intensive outdoor primary production activity where it is located on a site in different ownership; c. 300m from any existing farm quarry where it is located on a site in different ownership; 	<p>GRUZ-BFS5 is reflective of the overarching policy framework of the GRUZ and RURZ.</p> <p>Relief Sought: Retain GRUZ-BFS5 as notified.</p>

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
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	<p>d. 500m from any existing quarry where it is located on a site in different ownership.</p> <p>Setback distances shall be measured from the building footprint of any permanent building, enclosure or yard in which animals or poultry are held, or any area of the site where compost is produced, stored or used, or any area of the site where quarrying activity occurs.</p>	
Rural Lifestyle Zone Objectives and Policies		
12.	<p>RLZ-O1 Purpose of the Rural Lifestyle Zone 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.</p>	<p>Rural activities which occupy the smaller sites which are accepted as the predominant character within the RLZ will still generate similar effects as rural sites located in the GRUZ and need similar protection to operate without constraints.</p> <p>In addition, this objective appears to be inconsistent with RURZ-O2, which seeks to prioritise activities with a functional need to located within Rural zones.</p> <p>Relief Sought: Amend RLZ-O1 to: RLZ-O1 Purpose of the Rural Lifestyle Zone Primary production activities and activities reliant on the natural and physical resources of the rural environment <u>with a functional need to locate in the RLZ are the main land use</u> 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.</p>
	<p>RLZ-P1 Character of the Rural Lifestyle Zone & RLZ-P2 Activities in the Rural Lifestyle Zone</p>	<p>RLZ-P1 and RLZ-P2 are supported, however it is considered this policy frameworks could be strengthened with the inclusion of an additional policy which emphasises the requirement to consider potential effects of reverse sensitivity when assessing applications.</p> <p>The submitted point below will further support RLZ-O1 by prioritising primary production in rural areas and will avoid primary production being compromised or curtailed by the establishment of sensitive activities.</p> <p>Relief Sought: Insert RLZ-P3 as follows: <u>RLZ P3</u> <u>Avoid Reverse sensitivity effects on lawfully established primary production activities.</u></p>

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
Rural Lifestyle Zone Relevant Provisions		
13.	<p>RLZ-R18 Intensive indoor primary production</p> <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values</p> <p>RURZ-MD2 - Housing of animals</p> <p>RURZ-MD3 - Character and amenity values of the activity</p>	<p>Intensive Indoor Primary Production should be able to establish as a permitted activity in the RLZ if compliance with all built form standards can be met, and RDIS if permitted standards could not be met.</p> <p>This would reflect the intention of RLZ-O1.</p> <p>Relief Sought:</p> <p>Amend RLZ-18 as follows:</p> <p>RLZ-R18 Intensive indoor primary production</p> <p>Activity status: RDIS</p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(1) the activity complies with all built form standards (as applicable).</u></p> <p><u>Activity status when compliance with RLZ-R18 (1) not achieved: RDIS</u></p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values</p> <p>RURZ-MD2 - Housing of animals</p> <p>RURZ-MD3 - Character and amenity values of the activity</p>
14.	<p>RLZ-R19 Intensive outdoor primary production</p> <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD1 - Natural environment values</p> <p>RURZ-MD2 - Housing of animals</p> <p>1. RURZ-MD3 - Character and amenity values of the activity</p>	<p>Intensive Outdoor Primary Production should be able to establish as a permitted activity in the RLZ if compliance with all built form standards can be met, and RDIS if permitted standards could not be met.</p> <p>This would reflect the intention of RLZ-O1.</p> <p>Suggested wording is:</p> <p>RLZ-R19 Intensive outdoor primary production</p> <p>Activity status: RDIS</p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>(1) the activity complies with all built form standards (as applicable).</u></p> <p><u>Activity status when compliance with RLZ-R19 (1) not achieved: RDIS</u></p> <p>Matters of discretion are restricted to:</p>

TABLE 1: WAIMAKARIRI PROPOSED DISTRICT PLAN		
SUB POINT	PDP PROVISIONS	RELIEF SOUGHT
		<p>RURZ-MD1 - Natural environment values</p> <p>RURZ-MD2 - Housing of animals</p> <p>RURZ-MD3 - Character and amenity values of the activity.</p>
15.	<p>RLZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarry</p> <p>Any new residential unit or minor residential unit or accessory building used for overnight accommodation shall be set back a minimum distance of:</p> <p>20m from any existing intensive indoor primary production, intensive outdoor primary production activity where it is located on the same site;</p> <p>300m from any existing intensive indoor primary production or intensive outdoor primary production activity where it is located on a site in different ownership;</p> <p>300m from any existing farm quarry where it is located on a site in different ownership;</p> <p>500m from any existing quarry where it is located on a site in different ownership.</p> <p>Set back distances shall be measured from the building footprint of any permanent building, enclosure or yard in which animals or poultry are held, or any area of the site where compost is produced, stored or used, or any area of the site where quarrying activity occurs.</p>	<p>RLZ-BFS5 is reflective of the overarching policy framework of the GRUZ and RLZ.</p> <p>Relief Sought:</p> <p>Retain RLZ-BFS5 as notified.</p>