

**BEFORE THE HEARING COMMISSIONERS APPOINTED BY TAUPO DISTRICT
COUNCIL**

IN THE MATTER of the Resource Management Act 1991
(the Act)

AND

IN THE MATTER of hearing of submissions on Plan Change
42 to the District Plan

**INDUSTRY STATEMENT TO BE TABLED OF SARAH CAMERON FOR
HORTICULTURE NEW ZEALAND**

21 August 2023

PURPOSE AND SCOPE OF EVIDENCE

1. This statement responds to the Section 42A report recommendations in regard to the Horticulture NZ submission and further submissions on Plan Change 42, specifically horticultural activities in the General Rural zone and expected growth in the Taupo district.

INTRODUCTION

2. HortNZ is the industry body for the horticulture sector, representing growers who pay levies on fruit and vegetables sold either directly or through a post-harvest operator, as set out in the Commodity Levies (Vegetables and Fruit) Order 2013.
3. On behalf of growers, HortNZ takes a detailed involvement in resource management planning processes as part of its national and regional environmental policy response.
4. My name is Sarah Cameron. I am a Senior Environmental Policy Advisor at Horticulture New Zealand (HortNZ). I am involved in HortNZ's national, regional, and district planning processes across New Zealand. I have been in this role since 2 May 2022.

RESPONSE TO SECTION 42A REPORT

5. **Appendix 1** includes a summary table setting out HortNZ's submissions, the recommendations of the s42A report on these submissions and HortNZ response.
6. The specific topic of horticultural activities including the expected growth of horticulture in the Taupo district, where further explanation is required, is addressed below.

GENERAL COMMENTS

7. HortNZ is disappointed that council has not specifically provided for horticulture or for activities that support horticulture within the rural zones. Horticulture is an emerging market in Taupo, particularly covered cropping. In fact, council has recently issued a consent for a 18ha glasshouse for tomato growing.
8. The Plan Changes 38-43 Overarching Section 42A author goes into detail how the exposure draft of the Natural and Built Environment Act (NBA) was the catalyst for council agreeing to change the approach from a comprehensive review of the Taupo District Plan to a more refined series of plan changes.

9. The NBA passed its third reading on 16 August 2023 and by the time of the hearing, will be passed into law by royal assent.
10. Section 58 (g) directs that the national planning framework must provide direction on certain matters, including enabling the supply of fresh fruit and vegetables
11. Having the NBA specify that the national planning framework must enable the supply of fresh fruit and vegetables is an explicit recognition of the importance of food security. This recognition will ensure that the growing of fruit and vegetables is a key focus in planning decisions across New Zealand.
12. Currently Plan Change 42 is not a plan for the future and HortNZ supports a more forward-thinking view of the potential for land use change in the district, expansion of covered cropping and horticulture growth.

HORTICULTURE IN TAUPO

13. Currently there is over 10 hectares of covered cropping growing capsicums and tomatoes.
14. Other crops include hydroponic lettuce and microgreens
15. There are the following education organisations in the district which offer the Horticulture Production Management qualification: Toi Ohomai, Land Based Training Ltd and UCOL

HORTICULTURE GROWTH IN TAUPO

16. As the climate warms, areas in New Zealand where there is sufficient winter chill will become less accessible.
17. Appropriate winter chill is classified as 500 winter chill hours of 7°C or below between May and September¹. Winter chilling is important for flowering crops as they need to be dormant for a sufficient period over winter to induce flowering in spring.
18. Highly productive land in Taupo is predominantly Luc 3 – 10. There are crops that do well in less productive soil that require sufficient winter chill. These are:

Asparagus – grows on Luc 6 in Horowhenua

Cherries – grows in Otago on Luc 3 or less

¹ Taranaki Land and Climate Assessment, Plant and Food

Garlic – would happily thrive in the region's conditions

Summerfruit – grows in multiple regions on Luc 3

Onions – grows in Matamata on Luc 3

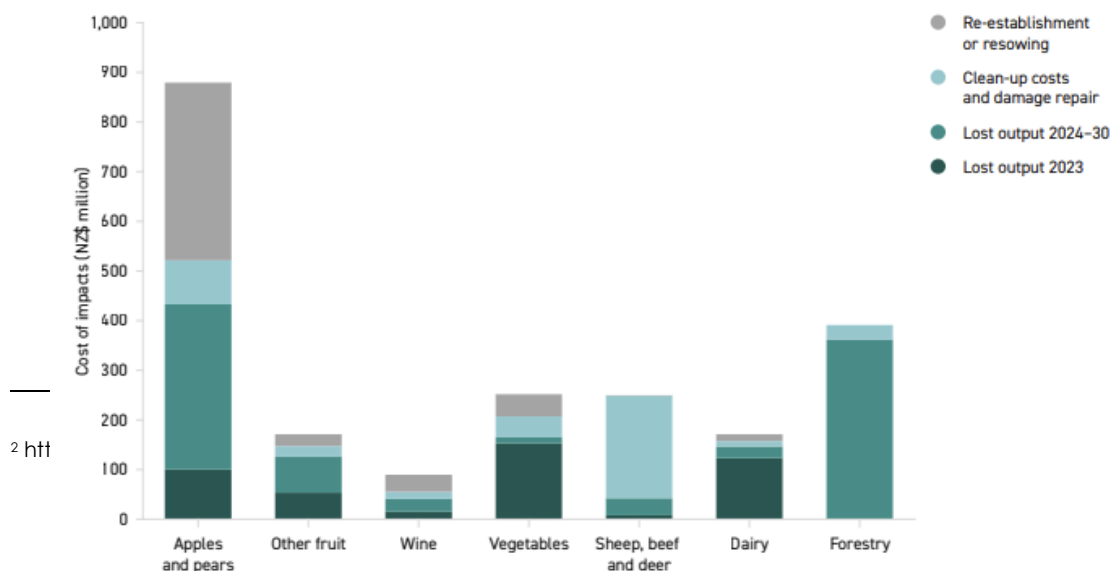
Potatoes – grows in Canterbury on majority Luc 2/3

- 19. These crops all have the potential to expand into Taupo.
- 20. Another crop that is expanding into Taupo is Tomatoes. Council has just issued a consent for a 18ha glasshouse.
- 21. Expansion of tomatoes into Taupo is likely to continue area due to the geothermal power source.

CLIMATE CHANGE

- 22. Climate change projections for New Zealand are that very extreme rainfall is likely to increase in all areas with increases more pronounced for shorter duration events. Drought severity is projected to increase in most areas of the country².
- 23. New Zealand is already seeing the impacts of climate change with severe weather events including droughts, cyclones and hail.
- 24. In February 2023, Cyclone Gabrielle struck New Zealand causing loss of life and catastrophic damage to parts of New Zealand with Hawkes Bay and Gisborne being the worst hit regions.
- 25. The financial impacts to the horticulture industry were significant and some growers have been displaced. For instance, 70% of outdoor tomatoes were destroyed by Cyclone Gabrielle.

Graph one: Estimated impacts from Cyclone Gabrielle



26. Extreme weather events are predicted to become more widespread which will continue to displace fresh fruit and vegetable growing which is essential for New Zealand domestic food supply.
27. As temperatures change and more intense weather patterns occur, plant hardiness zones may shift, impacting the suitability of certain crops for specific regions. Growers may need to select different crop varieties or species that are better adapted to new climate conditions or adopt new ways of growing for example covered cropping.

COVERED CROPPING

28. HortNZ's submission set out the importance of recognising covered cropping in the district. Covered cropping refers to glasshouse and/or greenhouse.
29. With changing practice, crop types and diversification in the horticultural sector, growers have become increasingly reliant on a variety of covered cropping methods.
30. Growing within a greenhouse produces a more consistent yield and consistent quality of product for longer periods of the year in comparison to outdoor growing.
31. On this basis HortNZ sought a definition of greenhouse be included.
32. The s42A author rejected the definition as 'the term is not used within the rural environments chapter of the district plan and does not need a definition'³.
33. There is a significant greenhouse operation in the Taupo district. Mokai Gourmet has 11.7ha of climate-controlled greenhouse that grow capsicums and tomatoes. Around 50 full time staff are employed in addition to seasonal staff.
34. Additionally, council has just issued a consent for a 18ha greenhouse for tomato growing with production likely in 2025.

35. Because of the geothermal nature of the district and the existing geothermal power stations, Taupo is a prime candidate for expansion into covered cropping.

ACTIVITIES THAT SUPPORT HORTICULTURE

36. HortNZ sought a number of activities that support horticulture be recognised in Plan Change 42. These were all rejected by the s42A author as set out in the evidence by Ms Wharfe.
37. This section will set out the importance of these activities to horticulture and why these will likely be needed in the future

Artificial Crop Protection Structures

38. Artificial Crop Protection Structures (ACPS) provide a range of benefits including protection from sunburn, windburn, hail, frost and birds, assistance with spray coverage and reduced mowing and weeding.
39. The structures have no impact on water quality outcomes.
40. The structures are typically less vulnerable to natural hazards (letting water and wind pass through (with no resistance or less intensity) and are unlikely to endanger people or any building, whether on the same land or on other property.
41. ACPS are structures that use permeable materials to cover and protect crops that are grown in soil and are typically permanent structures with considerable investment in materials (wire, poles, cloth).
42. The s42A author has stated that ACPS are buildings which they are not. Legal advice on this is summarised below:
43. The National Planning Standards provide a definition of building:

Means a temporary or permanent movable or immovable physical construction that is:

(a) partially or fully roofed; and

(b) fixed or located on or in land;

but excludes any motorised vehicle or other mode of transport that could be moved under its own power.

44. The issue for ACPS is whether the permeable horizontal netting is deemed a 'roof'.
45. A common understanding of a roof is to cover a building and to protect against weather. This is confirmed by the performance standards of a roof needing to stop external moisture from entering a building. There is no definition of roof in the RMA, National Planning Standards, Building Act

2004 or the Building Code. However, the building code has performance standards in relation to roofs preventing external moisture in Clause E2.

46. The Building Act includes a definition of building, which relevantly: means a temporary or permanent movable or immovable structure (including a structure intended for occupation by people, animals, machinery, or chattels).
47. Therefore, because the crop cover is permeable, it does not meet the building standards for a roof and therefore ACPS are not captured under the National Planning Standards definition of a building.
48. Further, the definition of building (from both the Building Act and the National Planning Standards), does not provide for a permeable covering of plants.
49. The definition of a building is broad and cumbersome for ACPS - a matter raised by HortNZ through the development of the National Planning Standards. We note the following commentary from MfE 'Recommendations on Submissions Report for the first set of National Planning Standards' for 2I Definitions Standard⁴:
50. "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)
51. HortNZ's have subsequently been active in plan change processes to achieve ACPS being recognised as an activity that supports horticulture production.

ACPS Standards

52. The **height** of ACPS varies depending on the crop but typically require headroom for the crop canopy and farm machinery. In some instances this can be 8m in height
53. Orchards for smaller plants such as berries, have artificial crop protection structures that need to be a minimum of 3.5m to allow for tractors with cabs.
54. The **colour** of netting is particularly important with light fundamental for photosynthesis, plant growth and health. Green or black netting on vertical surfaces affords less glare and is visually less prominent on the

⁴ <https://environment.govt.nz/assets/Publications/Files/2I-definitions-standard.pdf>

landscape. However, for most fruit, white netting on the horizontal surface is critical to allow light through.

55. **Yard setbacks** - ACPS are typically positioned to assist with access and ongoing maintenance. Typically, a track or space is provided for farm machinery access between the ACPS and the crop or between site boundaries and the ACPS. Where stays are used to support/tension a structure these are located adjacent the structure itself creating further separation.
56. The typical purpose of **height in relation to boundary** rules is to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbour.
57. **Building/Impermeable Surface Coverage** - As previously described, ACPS are made of permeable material, rain and wind can pass through the structure, but the intensity is reduced.

Crop support structures

58. 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.
59. They include 'A', 'T' and 'Y' frames, pergolas and fences. Crop support structures are critical in order to grow many crops. As growers respond to changes in consumer demand, they need to maximum flexibility to install, remove and change these structures as part of their normal growing activities.

Frost fans

60. Frost fans are used on horticultural properties to prevent frost damage to mainly fruit crops such as apples, avocados, citrus, grapes, blueberries, kiwifruit, cherries, stone fruit, tropical fruit and olives
61. Frost damage to crops, particularly at bud burst, can cause reduced crop yield and significantly reduce revenue. Frost fans are used to move air to protect a crop from frost damage
62. The potential for frost arises when heat from the sun warms the ground which is then released into the colder atmosphere at night. The heat loss is greatest just before dawn and this is usually when the maximum danger of frosts and frost damage occurs.
63. This release of heat creates an 'inversion layer' of warmer air, which can be found from 10-50 metres above the ground. The frost fan moves the air by drawing down the warmer air in the inversion layer by angling the blades slightly downwards to pull the inversion layer down to ground level

to prevent frost damage and blow warmer air into the orchard or vineyard.

64. Frost fans are only used for limited times during the year when the risk of frost damage is high. Frost fans are turned on before a frost occurs, usually 0.5 to 1.5°C above freezing.
65. Depending on the type of crop, geography, local climate and crop layout, a single frost fan will provide protection for about 6 - 8 hectares.
66. A frost fan tower is generally 10m tall and with the inclusion of the blades the overall height can reach 15m.
67. The main source of noise from a frost fan comes from the high tip speed of the fan, so the longer the blades are and the higher the fan speed, the more noise it makes. The four-blade fan allows a higher blade pitch to be used without running the risk of the blades stalling. This allows the fan to run at a slower speed, thus making less noise, while still doing the same work.

Audible bird scaring devices

68. Audible Bird Scaring Devices (ABSD) are predominantly used to scare birds during bud break. The timing of budbreak is affected by temperatures up to the start of budbreak. The colder the winter, the earlier budbreak will begin.
69. They are generally gas propelled propane canons which create a loud explosion that scares the birds away. Councils generally impose a noise limit of 65db SEL.
70. Other ABSD that are less commonly used include sonic (audible) sound equipment that broadcasts a variety of naturally recorded bird distress signals, predator calls and harassment sounds that frighten, confuse and disorient pest birds, within the effective range)
71. ABSD are generally used on kiwifruit, berries and cherries.

Seasonal worker accommodation

72. 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.
73. It is a definable activity that requires a specific resource management response to reflect the nature of the activity. Accommodating seasonal workers in appropriate accommodation near their places of employment is more efficient for the horticulture industry, than accommodation that will need to be found further afield and workers will be required to commute.

74. Several district plans have taken the approach of providing for such facilities based on a concept of shared kitchen and ablution facilities and separate sleeping quarters. This type of facility is cost efficient and adequately provides for seasonal accommodation.
75. HortNZ has sought a definition and provisions for seasonal worker accommodation which have been rejected. The s42A author states *'Reject, as the provisions do not separately make provision for 'seasonal worker accommodation' but rather are treated as being 'dwellings' or 'minor residential units', for which there are an existing set of provisions. There is not considered an adequate basis demonstrated for the need for separate provisions for 'seasonal worker accommodation'.*
76. Seasonal worker is a specific type of accommodation that is typically formed as separate sleeping, ablutions, and living blocks for seasonal workers. The provision of labour (and associated necessary accommodation) is integral to the use of primary production.
77. The performance standards for minor residential units are not appropriate for seasonal worker accommodation which is typically not located next to the main dwelling house, share the same driveway and is larger than 100m².
78. A horticulture operation is currently applying for resource consent for seasonal worker accommodation with council, proving the need for it to be recognised in the district plan.

Shelterbelts

79. 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.
80. Generally, boundary shelter is evergreen (Internal shelter tends to be deciduous) and is around eight metres tall (once fully grown). Shelter trimmer machinery can only generally reach to around eight metres which is why shelter doesn't generally grow taller. Shelter is maintained and trimmed every 12-18 months and growers self-monitor for any gaps and dead or diseased areas.
81. Shelterbelts tend to be planted on or close to boundaries to maximise the use of highly productive land and to provide weather controls and reverse sensitivity protections.
82. Shelterbelts support most horticulture growing operations.

CONCLUSION

83. I support the evidence of Ms Wharfe.
84. It is important the district plan is future-proofed so that it is fit-for-purpose and responsive to change over its lifetime. The review of the rural provisions of the district plan is occurring in a dynamic space of change – including freshwater regulations, climate change mitigation and adaptation and national policy context in terms of matters such as highly productive land, biodiversity and urban development. This highlights the importance of future-proofing the availability of resources to supply the district's growing horticulture population.
85. I support an approach that allows for horticulture growth and activities that support horticulture production.

Sarah Cameron

21 August 2023

Appendix 1

Provision	Support/ oppose	Reason	Decision sought	S42 recommendation	HortNZ Position
Definition					
Intensive indoor primary production	Oppose in part	Definition doesn't align with the National Planning Standards	Amend definition <u>Means primary production</u> activities that principally occur within buildings that and involve growing produce fungi or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.	Reject as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards , the definitions relied upon are not national planning	Do not support council recommendation Include definition from National Planning Standards for intensive indoor primary production

				standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter.	
Residential activities	Oppose in part	Unsure why this definition is noted for rural environment only. Definition should apply across the board	Amend (Rural Environment) the use of land and buildings by people for the purpose of permanent living accommodation and includes associated accessory buildings.	Accept with no amendment. The submitter is referring to a definition within the operative district plan, with no change proposed via Plan Change 42.	Accept council recommendation
Rural industry	Oppose in part	Definition doesn't align with the National Planning Standards	<u>Means industry or business undertaken in a rural environment</u> an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, dairy farming and geothermal/electricity generation.	Accept	Support recommendation to use the National Planning Standard definition for rural industry

<p>New definition - <u>Ancillary rural earthworks</u></p>	<p>New definition</p>	<p>There is a need to provide for 'day-to-day' activities that are integral to productive land use in the rural zone.</p> <p>In HortNZ's experience, providing a definition for ancillary rural earthworks and a clear rule framework is an efficient approach.</p> <p>Cultivation (gardening, and the disturbance of land for the installation of fence posts) are excluded from the definition of earthworks, however there are other activities which HortNZ seeks to provide for.</p>	<p>Amend to include a definition of 'ancillary rural earthworks'</p> <p><u>Ancillary rural earthworks means earthworks associated with primary production, such as:</u></p> <p><u>a. maintenance of drains, troughs and installation of their associated pipe networks, drilling bores and offal pits, burying of dead stock and plant waste, erosion and sediment control measures</u></p> <p><u>b. the burying of material infected by unwanted organisms as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u></p>	<p>Reject, as the district plan does not restrict earthworks in the rural environment to any degree and accordingly this provision is not necessary.</p>	<p>Do not support council recommendation as provision for ancillary rural earthworks will ensure that small scale earthworks can be undertaken as a permitted activity.</p>
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			Note: For clarity, it is noted that cultivation is not 'defined as earthworks'.		
New definition - <u>Agricultural aviation movements</u>	New definition	A definition would provide clarity within the plan - as detailed in this submission, HortNZ seeks to clearly provide for this activity as a permitted activity in rural zones due to its intermittent nature.	<p>Include a definition for 'agricultural aviation movements',</p> <p><u>Agricultural aviation movements mean intermittent aircraft and helicopter movements for purposes ancillary to primary production activities, including topdressing, spraying, stock management, fertiliser application, and frost mitigation, and associated refuelling.</u></p>	Reject, as the definition is considered unnecessary for an activity that is not regulated within the rural environment of the district plan.	<p>Do not support council recommendation</p> <p>Seek inclusion of a definition of agricultural aviation movements to support changes made to noise exemption of agricultural aircraft.</p>
New definition - <u>Artificial crop protection structures and Crop support structures</u>	New definition sought	<p>As noted above, HortNZ seek to ensure that these structures are not inadvertently covered by inappropriate effects standards, where there is a risk that they may be considered 'buildings' (due to inconsistency in interpretation).</p> <p>A way of addressing this is to provide a clear framework through a definition</p>	<p>Include a definition for 'artificial crop protection structures'</p> <p><u>Artificial crop protection structure means structures with material used to protect crops and/or enhance growth</u></p>	<p>Reject</p> <p>as the terms are not used within the rural environments chapter of the district plan and do not need definitions.</p>	<p>Do not support council recommendation</p> <p>Include provision for artificial crop protection structures as sought in submission</p>

		<p>and specific standard or rule for the rural zone.</p> <p>For further clarity, a definition of crop support structure could also be included as this term is referred to in the plan also.</p>	<p><u>(excluding greenhouses).</u></p> <p><u>Note: For the avoidance of doubt artificial crop protection structures are not a building.</u></p> <p>Include a definition for 'artificial support structure'</p> <p><u>Crop support structure means an open structure on which plants are grown</u></p>		
<p><u>New definition – Audible bird scaring device</u></p>	<p>New definition</p>	<p>These devices are used at certain times of the year to scare birds from certain crops. They are a significant part of horticulture production.</p>	<p>Include <u>Gas guns and avian distress alarms used for the purposes of disturbing or scaring birds, and excludes firearms and vehicles used for that purpose.</u></p>	<p>Reject, as the term is not used within the rural environments chapter of the district plan and do not need a definition.</p>	<p>Do not support council recommendation Include provision for audible bird scaring devices as sought in submission</p>
<p><u>New definition – Frost fans</u></p>	<p>New definition</p>	<p>Frost fans are used on horticultural properties to prevent frost damage to crops, mainly fruit crops such as kiwifruit, summerfruit, and apples. Frost damage to crops, particularly at bud burst, can cause</p>	<p>Include <u>Means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.</u></p>	<p>Reject, as the term is not used within the rural environments chapter of the district plan and</p>	<p>Do not support council recommendation Include provision for frost fans as sought in</p>

		reduced crop yield and hence reduced revenue.		do not need a definition.	submission
New definition - <u>Greenhouse</u>	New definition	A definition should be included for greenhouses to support diversification to alternative growing methods	Include a definition for greenhouses <u>Greenhouses means a structure enclosed by glass or other transparent impermeable material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures</u>	Reject, as the term is not used within the rural environments chapter of the district plan and do not need a definition.	Do not support council recommendation Include a definition for greenhouses as sought in the submission.
New definition – <u>Highly productive land</u>	New definition	Include definition consistent with the National Policy Statement Highly Productive Land	Include definition in consideration to National Policy Statement Highly Productive Land	Accept Although this term is not used within Plan Change 42 it is acknowledged that all parties have obligations to adhere to the NPSHPL now. Council will go through a future process to update the ODP to respond more fully to NPS-HPL	Accept

				<p>once Waikato Regional Council have completed the relevant mapping required for high class soils. Including the current definition ahead of this does not result in consequential amendments elsewhere in the ODP.</p>	
<p>New definition – <u>Land based primary production</u></p>	<p>New definition</p>	<p>Include definition consistent with the National Policy Statement Highly Productive Land</p>	<p>Add definition <u>Production from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land</u></p>	<p>Accept. Although this term is not used within Plan Change 42 it is acknowledged that all parties have obligations to adhere to the NPSHPL now. Council will go through a future process to update the ODP</p>	<p>Accept</p>

				to respond more fully to NPS-HPL once Waikato Regional Council have completed the relevant mapping required for high class soils. Including the current definition ahead of this does not result in consequential amendments elsewhere in the ODP.	
New definition – <u>National Grid Yard</u>	New definition	<p>The National Policy Statement on Electricity Transmission 2008 (NPSET), a planning document under the Resource Management Act 1991 (RMA), requires Council's to give effect to the NPSET objectives and policies in all plan documents.</p> <p>A council's district may give effect to the NPSET by including specific rules about subdivision, land use and development near</p>	<p>Define National Grid Yard as follows:</p> <p><u>The area located within:</u></p> <ul style="list-style-type: none"> • <u>12m in any direction from the visible outer edge of a National Grid tower; or</u> • <u>10m in any direction from a National Grid single pole or pi-pole; or</u> • <u>The area located within 10m either side of the centreline of any overhead</u> 	Accept. It is acknowledged there is obligation to respond to the NPSET. Although this term is not used within Plan Change 42 there is a future process for	Accept

		National Grid transmission lines and substations.	<p><u>110kV National Grid line on single or pi-pole; or</u></p> <ul style="list-style-type: none"> <u>The area located within 12m either side of the centre line of any overhead National Grid line on towers.</u> 	<p>transitioning the ODP into national planning standards format where these terms will be included within their own 'Energy' chapter. Including the current definition ahead of this transition does not result in consequential amendments elsewhere in the ODP.</p>	
New definition - <u>Noise</u>	New definition	Consistent with National Planning Standards and RMA	<p>Include definition <u>Has the same meaning as in section 2 of the RMA</u> <u>Includes vibration.</u></p>	<p>Reject, as the term 'noise' is not currently defined in the operative district plan, nor proposed within Plan Change 42. The operative district plan will transition to</p>	<p>Do not support council recommendation</p> <p>Include definition of noise and in National Planning Standards</p>

				national planning standards in 2024 and will adopt the definitions of national planning standards	
New definition – <u>Primary Production</u>	New definition	Include definition to align with planning standards	<p>Include definition means:</p> <ul style="list-style-type: none"> • <u>any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</u> • <u>includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</u> • <u>includes any land and buildings used for the production of the commodities from a) and used for the initial processing</u> 	<p>Reject, as adopting the national planning standards definition of 'primary production' as sought would then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that</p>	<p>Do not support council recommendation</p> <p>Include a definition of primary production as in the National Planning Standards</p>

of the commodities in b); but excludes further processing of those commodities into a different product.

latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the General Rural and Rural Lifestyle zoning of national planning standards, the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily

				retro-fitted into the chapter.	
New definition – <u>Reverse sensitivity</u>	New definition	A definition for reverse sensitivity that should be included in the Plan.	<p>Include a new definition for reverse sensitivity</p> <p><u>Means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained</u></p>	Accept in part insofar as a definition for this phrase is recommended for acceptance, but with a different wording to that proposed by this submitter	Accept
New definition – <u>Rural produce retail</u>	New definition	To support retail sales of produce in rural zone	<p>Include definition</p> <p><u>Means the sale of rural produce grown or produced by the rural production operation, including products manufactured from that produce</u></p>	Reject, as the term is not used within the rural environments chapter of the district plan and does not need a definition.	<p>Do not support council recommendation</p> <p>Include definition as sought in the submission</p>
New definition – <u>Seasonal worker accommodation</u>	New definition	Include a definition for seasonal worker accommodation as it is distinct from visitor accommodation.	<p>Insert new definition as follows:</p> <p><u>Seasonal worker accommodation means the use of land and buildings for</u></p>	Reject, as the phrase 'seasonal worker accommodation' is not used	<p>Do not support council recommendation</p> <p>Include definition as sought in the</p>

			<u>the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u>	within the operative district plan or the Plan Change 42 provisions, and there is not considered a need for it.	submission
<u>New definition - Shelterbelt</u>	New definition	Shelter belts protect crops from winds and mitigate spray drift	Include definition <u>Means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s) or to mitigate potential spray drift from agrichemical applications</u>	Reject, as the phrase 'shelter belt' is not used within the operative district plan or the Plan Change 42 provisions, and there is not considered a need for it	Do not support council recommendation Include definition as sought in the submission
Objectives and Policies – General Rural Environment					
3b.2.1 Enable primary production	Support		Retain	Support	Accept
Objective – OX	New	To provide for primary production and ancillary activities in rural zone	Include OX <u>The rural zone is used for primary production activities, ancillary activities</u>	Reject, as there are similar objectives and policies already	Do not support council recommendation Amend Obj 3b.2.1

			<u>that support primary production and other compatible activities that have a functional and operational need to be in a rural environment.</u>	in the rural chapter such as Objective 3b.2.1 which covers similar subject matter.	by adding 'ancillary activities Add a separate objective for use of natural resources for energy and infrastructure
3b.2.2 Maintaining the established General Rural character	Support		Retain	Support	Do not support council recommendation Amend by deleting the word 'established'.
3b.2.3 Rural industry	Support		Retain	Support	Accept
3b.2.4 Other activities	Support in part	It is important that visitor accommodation and tourism activities in the rural environment is of a scale and/or managed such that it does not impact on the ability to productive use rural land.	Amend Māori cultural activities, tourism activities, visitor accommodation and renewable electricity generation and transmission activities are enabled in the General Rural Environment <u>where they do not adversely impact on the productive land use</u>	Accept in part but without amendment, insofar as the intent of the submission is supported, but the amendment proposed would also apply to renewable	Do not support council recommendation Amend Obj 3b.2.4: Maori cultural activities, tourism activities visitor accommodation, renewable electricity

				electricity generation and transmission activities, and potentially have wide-ranging and unintended consequences.	generation and transmission activities and other activities that have a locational need are enabled in the General Rural Environment <u>where, to the extent reasonably possible, they do not adversely impact on productive land use</u>
3b.2.5 Avoidance of reverse sensitivity	Support		Retain	Support	Accept in part Add a definition for legally established activities <ul style="list-style-type: none"> a) By existing use rights b) Being a permitted activity c) Being a consented activity.

<p>3b.2.9 Maintaining the established character</p>	<p>Oppose in part</p>	<p>Current policy is somewhat draconian and limits activities</p>	<p>Delete policy and replace</p> <p><u>Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the rural zone, which includes:</u></p> <ul style="list-style-type: none"> i. <u>a predominance of primary production activities</u> ii. <u>generally open space between built structures</u> iii. <u>typical adverse effects such as odour, noise and dust associated with a rural working environment; and</u> iv. <u>a diverse range of rural environments, rural character and amenity values throughout the district.</u> 	<p>Reject as the proposed amendments do not add clarity to the policy.</p>	<p>Do not support council recommendation Amend as per 10.7 in the evidence of L Wharfe</p>
<p>Policy - PX</p>	<p>New</p>	<p>Subdivision should be avoided in the rural environment</p>	<p><u>Avoid subdivision that:</u></p>	<p>Accept in part. A policy has been</p>	<p>Amend by</p>

			<ul style="list-style-type: none"> i. <u>results in the loss of highly productive land for use by land based primary production;</u> ii. <u>fragments land into parcel sizes that are no longer able to support land based primary production, taking into account:</u> iii. <u>the type of farming proposed; and</u> iv. <u>whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</u> v. <u>provides for rural lifestyle living unless there is an environmental benefit.</u> 	<p>included referencing the National Policy Statement for Highly Productive Land i.e. Policy 3b.3.15 along with a corresponding rule titled "Subdivision – Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils"</p>	<p>including new policy as in 10.8 of evidence by L Wharfe</p>
Policy – PX	New	Consistent with National Policy Statement of Highly Productive Land.	<u>Avoid land use that:</u>	Accept in part. A policy has been included referencing the	Amend by including new policy for General

		Avoids incompatible activities from rural environment.	<ul style="list-style-type: none"> i. <u>is incompatible with the purpose, character and amenity of the general rural environment;</u> ii. <u>does not have a functional need to locate in the general rural environment and is more appropriately located in another zone;</u> iii. <u>would result in the loss of productive capacity of highly productive land;</u> iv. <u>would exacerbate natural hazards; and</u> v. <u>cannot provide appropriate on-site infrastructure.</u> <p><u>could result in reverse sensitivity effects</u></p>	National Policy Statement for Highly Productive Land i.e. Policy 3b.3.15 along with a corresponding rule titled "Subdivision – Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils"	Rural Environment as in 10.21 of evidence by L Wharfe
3b.2.10 Residential units	Support		Retain	Support	Amend to include reference to reverse sensitivity

<p>3b.2.13 Avoiding reverse sensitivity</p>	<p>Support in part</p>	<p>Amend policy to avoid and mitigate reverse sensitivity effects</p>	<p>Amend and replace with <u>Manage the establishment, design and location of new sensitive activities and other non-productive activities in the general rural environment to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.</u></p>	<p>Accepted in part, as amendments have been recommended to the policy in response to other submissions that partially provide the relief being sought by the submitter. Altering the entire policy is not favoured as the wording around 'permitted and lawfully established' is an important element.</p>	<p>Do not support council recommendation</p> <p>Amend as sought in the 10.35 of evidence of L Wharfe</p>
<p>3b.2.14 Commercial and industrial activity</p>	<p>Support in part</p>	<p>These activities should be avoided in the rural environment</p>	<p>Amend</p> <p>Limit the scale of Avoid commercial and industrial activity to avoid the uptake of general rural land by activities that are provided for in other</p>	<p>Reject, as some commercial and industrial activity is provided for in the rural environment</p>	<p>Do not support council recommendation</p> <p>Amend as sought in Para 10.42 in the evidence of L</p>

			Environments and may impact on the availability of land for primary production activities within the general rural environment.	subject to performance standards on scale, and an outright 'avoidance' is not recommended as a policy approach.	Wharfe
3b.3.1 Maintain the character of the Rural Lifestyle Environment	Support		Retain	Support	Accept
3b.3.2 Avoid reverse sensitivity	Support		Retain	Support	Accept
3b.3.3 Commercial and industrial activities	Support		Retain	Support	Accept
3b.3.4 Consolidate rural lifestyle activities	Oppose	It is unclear what this objective hopes to achieve. Rural lifestyle activities are not defined in the plan	Delete 3b.3.4	Reject, as part of the underlying purpose of the Rural Lifestyle Environment is to consolidate rural lifestyle	Do not support council recommendation Amend as sought in Para 11.7 in the evidence of L Wharfe

				activities within contained and identified localities, and not elsewhere as has been occurring within the rural environment. Deletion of the objective is not recommended	
3b.3.9 Character of the Rural Lifestyle Environment	Support in part	It is not clear 'what dominating the landscape' means. Rural buildings can be large in nature.	Amend b) Accessory buildings that do not dominate the landscape. c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.	Reject, as the policy seeks to identify the key characteristics typical of the Rural Lifestyle Environment, and whilst the submitter may not like the phrasing used, the presence of accessory buildings and dwellings surrounded by open space is a	Do not support council recommendation Amend as sought in Para 11.13 in the evidence of L Wharfe

				part of that character	
General Rural Zone					
4b.1.5 Commercial and industrial activities		HortNZ supported a submission by NZ Pork to amend the activity status to discretionary		Reject	Amend 4b.1.5 to discretionary activity status for commercial and industrial activities
4b.1.7 High voltage transmission lines	Oppose	There are no provisions for artificial crop protection structures and a setback of 12m from a critical electricity line would compromise horticultural activities. If the activity complies with NZECP34:2001 then the activity should be permitted, not just when being undertaken by a network utility operation.	<p><u>Amend</u> <u>Rename to National Grid and delete High Voltage Transmission Lines</u></p> <p><u>Delete 4b.1.7 and replace</u></p> <p><u>Activity status: Permitted</u> <u>Where: PER-1</u></p> <p><u>No new building(s) or structures, and extensions shall be erected within 12m of any National Grid support structure, except for fences less than 2.5m in height and more than 5m from the support structure.</u></p> <p><u>PER-2</u></p>	Reject. Structures are captured within the current ODP definition for building therefore crop protection structures are captured under Rule 4b.1.7.	Do not support council recommendation Reject recommendation to amend 4b.1.7 by adding 'sub-transmission' Amend 4b.1.7 to National Grid

Under the National Grid Conductors (wires) the following can occur:

- **A fence less than 2.5m in height**
- **An extension to existing buildings used for sensitive activities that do not increase the building envelope**
- **Non habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and protective canopies.**

This rule does not apply to: network utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid.

NOTES:

- **Structures and activities located**

			<p><u>near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001;</u></p> <p><u>Vegetation planted near the National Grid Yard should be selected and/or managed to ensure that it complies with the Electricity (Hazards from Trees) Regulations 2003.</u></p>		
4b.1.8 Buildings within Outstanding Landscape Areas	Oppose in part	While the rule heading relates to buildings, the provisions within the rule relate to structures – these are two separate things.	<p>Amend Delete 'structures' and replace with 'buildings'.</p> <p>Allow rule for artificial crop protection structure as a permitted activity within outstanding landscape area</p>	Reject, as the term defined in the Operative District Plan is 'buildings' and that definition refers to 'structures' within it. Altering the term used in the rule would	Do not support council recommendation

				be inconsistent with the remainder of the district plan and likely create unintended consequences.	
4b.1.9 Earthworks within Outstanding Landscape Areas	Oppose in part	There should be allowances for permitted activity for primary production earthworks and indigenous vegetation clearance	<p>Amend 4b.1.0 to include PER <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u></p> <p><u>The earthworks or indigenous vegetation clearance is:</u></p> <p><u>required for repair or maintenance required to provide for safe and reasonable clearance for existing overhead power lines.</u></p> <p><u>necessary to address a risk to public health and safety, for biosecurity reasons, for the sustainable non-commercial harvest of plant material for rongoā Māori.</u></p> <p><u>PER-2</u></p>	<p>eject, as a section 6 matter protection of outstanding landscapes, the earthworks and vegetation clearance provisions are relatively restrictive to enable a consenting process for larger-scale land modification activities. The provision is largely a roll-over of the equivalent provision in the</p>	<p>Do not support council recommendation</p> <p>Amend 4b.1.9 Earthworks in ONL to include provisions for removal of unwanted organisms for biosecurity purposes</p>

			<p><u>The earthworks or indigenous vegetation clearance outside the coastal environment complies with standard earthworks or indigenous vegetation clearance</u></p>	<p>operative district plan and has operated effectively, and the submitter's submission point is the entire replacement of the provision without sufficient justification.</p>	
<p>4b.1.10 Intensive indoor primary production and rural industry</p>	<p>Support in part</p>	<p>Note proposed amendments for 4b.2.2</p>	<p>Retain however note amendments to 4b.2.2</p>	<p>Support</p>	<p>Accept</p>
<p>4b.2.2 Intensive indoor primary production and rural industry</p>	<p>Support in part</p>	<p>The standard provides for 10% site coverage by buildings or structures – due to nature of ancillary buildings, an increase of 12.5% is proposed. There should be provision for a greater site coverage of artificial crop protection structures and green houses</p>	<p>Amend 4b.2.2 by adding: 1012.5% of the total allotment area <u>This standard does not apply to:</u> <u>a. Artificial crop protection structures</u> <u>Greenhouses</u></p>	<p>Reject, the standard is 10% in recognition of large property size within the district in many instances, meaning 10% is highly permissive in many instances. This is partially</p>	<p>Do not support council recommendation</p> <p>Include an exemption for greenhouses from 4b.2.2 Building Coverage</p>

				<p>managed with the companion standard 4b.2.3 which sets a maximum building size for individual buildings, as there are several large horticultural greenhouse buildings in the rural environment such as at Mokai. The increase to 12.5% is not considered necessary, and the exclusion for horticultural structures has no basis in environmental effects</p>	
GRUZ – RX Seasonal worker accommodation	New rule	The provision of seasonal worker accommodation is becoming a necessary supporting activity to horticultural	Include a permitted activity rule for Seasonal Worker Accommodation	Reject Provisions do not	Do not support council recommendation

operations. HortNZ is seeking a suite of provisions to provide for this activity – this is explained in more depth in the submission. HortNZ seeks that where seasonal worker accommodation does not meet the permitted activity standards, that this default to a Restricted Discretionary rule.

RPROZ-RX – Seasonal Worker Accommodation

Activity Status: PER

1. The establishment of a new, or expansion of existing seasonal worker accommodation.

Where:

a. The seasonal worker accommodation is associated with horticultural activity

b. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities

c. The accommodation provides for no more than 12 workers

d. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.

Where this activity complies with the following rule requirements:

4b.2.5 – Maximum height

separately make provision for 'seasonal worker accommodation' but rather are treated as being 'dwellings' or 'minor residential units', for which there are an existing set of provisions. There is not considered an adequate basis demonstrated for the need for separate provisions for 'seasonal worker accommodation'

Include rule for seasonal worker accommodation as sought in submission

4b.2.6 – Setbacks

Activity status when compliance not achieved:

2. When compliance with RPROX-RX 1. (a)-(d) is not achieved: RDIS Matters of discretion:

Those matters in RPROZ-RX 1. (a)-(d) that are not able to be met

Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control

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

4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement

Note: HortNZ has elsewhere in this submission sought definitions be included for Seasonal Worker Accommodation.

Performance Standards – General Rural Environment

4b.2.5
Maximum
building height

Support in
part

Provision to exclude artificial crop
protection structures

Amend 4b.2.5
This standard does not apply to:
a. Artificial crop protection structures

Reject
as the only exceptions to this standard relate to cranes and drilling rigs as temporary structures which are a long-standing part of geothermal exploration and extraction within the rural environment of the district. There is not considered a rationale demonstrated for the exclusion sought by the

Do not support council recommendation

Include rules for artificial crop protection structures as sought in submission

				submitter.	
4b.2.6 Minimum building setbacks	Support in part	A clear distinction should be provided for habitable buildings. 15 meters is considered insufficient to address potential reverse sensitivity effects.	Amend 4b.2.6 i. 30 metre setback for habitable dwellings and minor residential units from the front boundary ii. 15 20 metres from all other boundaries. vii. <u>Artificial crop protection and support structures must be setback at least 1m from all site boundaries</u>	Reject eject, as the submitter proposes a series of amendments to the building setbacks standard, which are not supported. Clarifying that 'dwellings' are habitable is unnecessary, the 15 metre setback has been designed to set an effective distance for future structures but also to reflect typical existing setbacks in the rural environment. The submitter's proposal to	Do not support council recommendation Amend to include a setback of 20 metres from all other boundaries in 4b.2.6. Minimum building setbacks

				incorporate provisions for 'crop protection structures' are not supported as these do not feature in the district currently nor is any need for this standard demonstrated sufficiently. The submitter is welcome to engage with Council regarding these issues.	
4b.2.7 Minor residential units	Support in part Oppose in part	<p>HortNZ does not support combined standard for accommodation activities due to reverse sensitivity effects. Separate rules and standards should be drafted for:</p> <ul style="list-style-type: none"> • Visitor accommodation • Seasonal accommodation • Tiny homes/caravans <p>The standards relating to buildings should be included in these rules</p>	<p>A maximum of one minor residential unit per primary residential unit per allotment.</p> <p>i. All minor residential or accommodation activity units shall:</p> <p>a. Be no larger than 100m2 <u>Not exceed a GFA of 65m2;</u> in size.</p>	Reject The minor residential unit standard has been drafted based on Council officer experience around the operation of	Accept

			<p>b. Be located no greater than 20 15 metres from the primary residential unit.</p> <p>c. Share an accessway/driveway with the primary residential unit.</p> <p>NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.</p>	<p>similar operative district plan provisions and demand for tiny homes and mobile homes. Whilst the submitter proposes a series of different standards, these are not preferred and the note is important to provide clarity as to the range of minor residential units covered by the provision.</p>	
4b.2.8 Commercial and industrial activities, and home businesses	Support in part	Commercial and industrial activities should be restricted in the rural production zone. 100m ² allowance is significant. This rule contradicts objective 3b.2.3	<p>Amend 4b.2.8 (i)</p> <p>Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 10050m² for indoor activities, or 100m² of land area for and outdoor activities.</p>	<p>Reject</p> <p>as a 100sq metre scale threshold is considered suitably restrictive to avoid a proliferation of commercial and</p>	<p>Do not support council recommendation</p> <p>Amend 4b.2.8 Commercial and industrial activities and home businesses by separating of home businesses</p>

			<p>Include PER for home business</p> <p><u>PER - 1</u> <u>The home business is undertaken within:</u></p> <ul style="list-style-type: none"> i. <u>a residential unit;</u> <u>or</u> ii. <u>an accessory building that does not exceed 40m2 GFA; or</u> iii. <u>a minor residential unit.</u> <p><u>PER-2</u></p> <p><u>There is no more than two full-time equivalent persons engaged in the home business who reside off-site</u></p> <p><u>PER-3</u></p> <p><u>Hours of operation are between:</u></p> <p><u>7am-8pm Monday to Friday.</u></p>	<p>industrial premises in the rural environment, unless small-scale or with a locational need to be located rurally. The provision is considered to suitably give effect to Objective 3b.2.3. The complexity proposed by the submitter for 'home businesses' is not supported.</p>	<p>and restricting commercial and industrial activities in the General Rural Environment to require a discretionary consent</p>
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			<p><u>8am-8pm Weekends and public holidays.</u></p> <p><u>i. Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 100m² for indoor activities, or 100m² of land area for outdoor activities.</u></p> <p><u>For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.</u></p>		
4b.2.9 Maximum noise limits	Support		Retain	Accept	Accept
Noise – RX Frost Fans	New rule		<p>Include NOISE – RX</p> <p><u>PER-1</u> <u>The use is for the protection of crops from frost only</u></p>	<p>Reject</p> <p>as no evidence provided showing the need to regulate</p>	<p>Do not support council recommendation</p> <p>Include new rule for frost fans as sought in submission</p>

PER-2
Maintenance or use of frost fans is undertaken between 7am and 10pm. Testing outside these hours may only take place for urgent unforeseen maintenance purposes or for testing operational readiness.

PER-3
The maximum noise generated by a single or multiple frost fans shall not exceed 55 dB LAeq(15min) at any time when assessed within the notional boundary of any noise sensitive activity on another site

PER-4
Frost fans are only operated when the air at canopy height is 2 degrees C or less

Activity status when compliance not achieved:

this activity. The submitter appears to be transporting this provision applied to other districts where horticultural activity is more prevalent. There is considered no need to add the provision sought.

			<p><u>RDIS</u> <u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> • <u>Operational requirements of frost control fans;</u> • <u>Proximity to a residential area or dwelling including the visual effects;</u> • <u>Noise mitigation measures;</u> • <u>Generation of noise with special audible characteristics;</u> • <u>Frequency and duration of operation</u> • <u>Location, orientation</u> <p><u>Monitoring and reporting</u></p>		
Noise – RX	New rule		<p>Include NOISE – RX Activity status: Permitted</p>	Reject	Do not support council recommendation

Audible bird scaring devices			<p><u>Where:</u></p> <p><u>PER-1</u> <u>Bird scaring devices must only be used between 7.00am and 7.00pm on any calendar year</u></p> <p><u>PER-2</u> <u>Bird scaring events from any device shall operate at:</u></p> <p><u>Not more than 12 events per hour where an event includes clusters of up to three shots from percussing type devices or three individual shots from a firearm in quick succession</u> <u>A maximum noise level frequency of 65 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device</u></p> <p><u>PER-3</u></p>		Include rule for audible bird scaring devices as sought in submission
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The audible bird scaring device complies with standard:

NOISE-4b.4.13 Maximum Noise Levels.

This standard does not apply to: bird scaring devices that generate a noise level less than 55 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device.

Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary

Matters of discretion are restricted to:

- the level, hours of operation, duration and nature of the noise;
- proximity and nature of nearby activities

			<p><u>and the adverse effects they may experience from the noise;</u></p> <ul style="list-style-type: none"> • <u>the existing noise environment;</u> • <u>effects on character and amenity values on the surrounding environment;</u> • <u>effects on the health and wellbeing of people; and</u> • <u>any noise reduction measures.</u> <p><u>Activity status where compliance not achieved with PER-3: Non-complying</u></p>		
4b.2.13	Support	Support however recommend adding primary production activities to be consistent with National Planning definition	<p>Amend to be consistent with National Planning definition</p> <p>Nothing in the foregoing Performance Standards shall apply to primary production activities farm animals including working dogs, and to agricultural and forestry</p>	<p>Reject</p> <p>as adopting the national planning standards definition of 'primary production' as sought would</p>	<p>Do not support council recommendation</p> <p>Amend the exemption in 4b.2.13 by using primary production activities as the</p>

			<p>vehicles, agricultural and forestry machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like).</p>	<p>then necessitate a re-drafting of provisions that rely on the Plan Change 42 definition of 'rural industry'. The phrase 'rural industry' includes within the definition 'primary production' although that latter phrase is then not specifically defined. The national planning standards definition of 'primary production' is broad and is more analogous to 'rural industry'. Whilst Plan Change 42 was formulated based on the</p>	<p>basis for the exemption</p>
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				General Rural and Rural Lifestyle zoning of national planning standards , the definitions relied upon are not national planning standards definitions (as identified by the submitter) and cannot be easily retro-fitted into the chapter	
4b.2.15 Signage	Support in part	Allows for more signage coverage for rural retail and home business	<p>Maximum of one sign per allotment.</p> <p>i. Maximum total face area of sign 2m². <u>The maximum total of sign area on any site must not exceed 3m². Where a sign is double-sided, the maximum sign area is calculated as the</u></p>	Reject as the standard is deliberately relatively restrictive given the district's rural environment is characterised by being the majority of the district, and with	Accept

			<p><u>area of one side of the sign.</u></p> <p>ii. Signage must relate to the activity undertaken on the allotment.</p> <p>iii. No flashing, reflectorised or illuminated signage.</p> <p>iv. One temporary sign per allotment for the sale of land or buildings of not more than 2m² total face area. <u>There shall be no more than two signs per site.</u></p> <p>EXCEPTIONS: Official signs required by statute and warning signs related to aspects of public safety are not required to comply with the standards.</p>	<p>large property size. Whilst the submitter's amendments seek to focus on home businesses and rural retail, it would apply across the General Rural Zone and effectively allow a doubling of signage across this large part of the district.</p>	
Rural Lifestyle Performance Standards					
4b.4.6 Maximum building height	Support in part	Unclear why maximum building height is not the same as in the GRUZ	Amend	Reject as the maximum	Do not support council recommendation

			<p>i. The maximum height of a building shall not exceed 10 <u>12</u> metres</p>	<p>height standard is deliberately allowing taller buildings in the General Rural Environment as a working environment where large buildings and structures are more prevalent. There is no such need in the Rural Lifestyle Environment given the different predominant land use, hence the lower standard</p>	
4b.4.7 Minimum building	Support in part	A clear distinction should be provided for habitable buildings. 15 meters is considered insufficient to address potential reverse sensitivity effects.	<p>Amend 4b.2.7</p> <p>iii. 30 metre setback for <u>habitable</u> dwellings and minor residential units from the front boundary</p>	<p>Reject</p> <p>as the submitter proposes a series of amendments to the building setbacks</p>	<p>Do not support council recommendation</p> <p>Amend 4b.4.7 Minimum building setbacks to include a setback</p>

			<p>iv. 1520 metres from all other boundaries.</p> <p>vii. <u>Artificial crop protection and support structures must be setback at least 1m from all site boundaries</u></p>	<p>standard, which are not supported. Clarifying that 'dwellings' are habitable is unnecessary, the 15 metre setback has been designed to set an effective distance for future structures but also to reflect typical existing setbacks in the rural environment. The submitter's proposal to incorporate provisions for 'crop protection structures' are not supported as these do not feature in the district currently nor is any need for this standard</p>	<p>of 20 metres from all other boundaries</p>
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				demonstrated sufficiently. The submitter is welcome to engage with Council regarding these issues.	
4b.4.9 Home business, commercial, and retail activities	Support in part	Commercial and retail activities should be restricted in the rural lifestyle zone. 100m2 allowance is significant. This rule contradicts objective 3b.2.3	<p>Amend</p> <p>Delete commercial and retail activities from the rule Include PER for home business <u>PER - 1</u> <u>The home business is undertaken within:</u></p> <p><u>i. a residential unit; or</u> <u>ii. an accessory building that does not exceed 40m2 GFA; or</u> <u>iii. a minor residential unit.</u></p> <p><u>PER-2</u></p> <p><u>There is no more than two full-time equivalent persons engaged in the home business who reside off-site</u></p>	<p>Reject</p> <p>as the thresholds within the standard are considered suitably restrictive to avoid a proliferation of commercial and industrial premises in the rural environment, unless small-scale or with a locational need to be located rurally. The provision is</p>	<p>Do not support council recommendation</p> <p>Amend 4b.4.9 Commercial and industrial activities and home businesses by separating of home businesses and restricting commercial and industrial activities in the Rural Lifestyle Environment to require a discretionary consent</p>

			<p><u>PER-3</u></p> <p><u>Hours of operation are between:</u></p> <p><u>7am-8pm Monday to Friday.</u> <u>8am-8pm Weekends and public holidays.</u> <u>Any indoor or outdoor space used for commercial, industrial or home business purposes, shall have a gross floor area less than 100m2 for indoor activities, or 100m² of land area for outdoor activities.</u> <u>ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.</u></p>	<p>considered to suitably give effect to the objectives. The complexity proposed by the submitter for 'home businesses' is not supported.</p>	
4b.5.1 Subdivision – General Rural Environment	Oppose in part	Unclear why there are two rules for subdivision based on lot size. A controlled activity subdivision status means that affected parties would not be consulted as part of the subdivision application. This is particularly relevant to the Rural Production Zone where the potential for adverse effects on adjoining land uses exist and effects on highly productive land which the plan seeks	<p>Delete GRUZ from controlled activity rule</p> <p><u>Activity status – Restricted discretionary</u></p> <p><u>RDIS-1</u> <u>Where subdivision complies with standards:</u> <u>minimum lot sizes</u></p>	<p>Reject</p> <p>To respond to the submitter's query there is a clear distinction between the form of subdivision</p>	<p>Do not support council recommendation</p> <p>Amend 4b.5.1 Subdivision General Rural Environment i) to restricted discretionary and</p>

		<p>to protect. A controlled activity will not achieve that outcome.</p>	<p><u>Requirements for building platform for each allotment</u> <u>Water supply</u> <u>Stormwater management</u> <u>Wastewater disposal</u> <u>Telecommunications and power supply</u> <u>Easements for any purpose</u> <u>Note: Text in yellow should relate to SUB standards however these have not been included in draft</u> <u>Matters of discretion are limited to:</u></p> <ul style="list-style-type: none"> <u>The potential adverse effects on adjoining horticultural and agricultural activities, including reverse sensitivity effects</u> <p><u>NOTE: Applications for restricted discretionary subdivision within the Rural Production Zone will be notified</u></p> <p><u>Activity status where compliance is not achieved – Discretionary</u></p>	<p>suitable for the environment, and the form of subdivision unlikely to be suitable, with a strong activity status distinction based on the lot sizes achieved. Abandoning that distinction which has been carefully formulated and adopting the submitter's alternative is not</p>	<p>including a list of matters of discretion, which should now include consideration of highly productive land. Support the recommendation to reject OS91.20 to amend 4b.5.1 as sought by the submitter.</p>
<p>4b.5.2 Subdivision – Rural Lifestyle</p>	<p>Oppose in part</p>	<p>Unclear why there are two rules for subdivision based on lot size. A controlled activity subdivision status means that</p>	<p>Amend</p>	<p>Reject</p>	<p>Amend 4b.5.2 i) to restricted</p>

<p>Environment that adjoins the General Rural Environment</p>		<p>affected parties would not be consulted as part of the subdivision application. This is particularly relevant to the Rural Production Zone where the potential for adverse effects on adjoining land uses exist and effects on highly productive land which the plan seeks to protect. A controlled activity will not achieve that outcome.</p>	<p>Subdivision resulting in lots that are 4 hectares or larger adjoining the General Rural Environment is a controlled activity <u>restricted discretionary activity</u></p>	<p>To respond to the submitter's query there is a clear distinction between the form of subdivision suitable for the environment, and the form of subdivision unlikely to be suitable, with a strong activity status distinction based on the lot sizes achieved. Council is comfortable with the controlled activity status as sees no need to refuse such consents.</p>	<p>discretionary</p>
<p>4b.5.7 Subdivision – Outstanding Landscape Areas</p>	<p>Support in part</p>	<p>Subdivision of land particularly in the rural zone should be avoided regardless of lot size</p>	<p>Amend Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an</p>	<p>Reject A ten hectare lot size within an Outstanding</p>	

			<p>Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a non-complying activity.</p>	<p>Landscape Area will preserve the landscape characteristics that the OLA identification seeks to preserve. Changing all subdivision within OLAs to be a non-complying activity is not considered necessary as proposed by the submitter.</p>	
4b.5.8 Subdivision – Bonus lots	Oppose	<p>The draft NPSIB requires councils to identify and map areas of SNA. Unclear why this rule has been drafted as contradicts....i (a) states Each Bonus Lot must correspond to no less than 4ha of a Nominated Significant Natural Area while c (i) states that the Bonus Lot(s) will not be located within any of the following - Significant Natural Area,</p>	Delete rule	<p>Reject</p> <p>as the TDP currently includes mapped SNA's. The Bonus Lot rule was in the TDP but it was identified that changes needed to be</p>	Accept

made to it to provide more of an incentive to landowners and also bring it in line with the proposed changes to rural subdivision rules in PC42. It is however noted that the natural values framework in the plan will need to be reviewed in light of the NPS-IB. The suitability of the rule will need to be considered in light of that review. In the interim it is considered to keep the rule given the recognition it provides to landowners and

				the opportunities to protect and enhance the values of identified SNA's within the District.	
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