

FURTHER
SUBMISSION

Wairarapa Combined District Plan

9 April 2024

To: Masterton, Carterton and South Wairarapa District
Councils

Name of Submitter: Horticulture New Zealand

Contact for Service:

Emily Levenson
Environmental Policy Advisor
Horticulture New Zealand
PO Box 10-232 WELLINGTON
Ph: 027 305 4423
Email: Emily.levenson@hortnz.co.nz

OVERVIEW

Submission structure

- 1 Part 1: HortNZ's Role
- 2 Part 2: Further submissions on behalf of HortNZ

Our submission

Horticulture New Zealand (HortNZ) made a submission on the Wairarapa Combined District Plan and welcomes any opportunity to continue to work with Masterton, Carterton and South Wairarapa District Councils and to discuss our submission.

The details of HortNZ's further submissions and decisions we are seeking from Council are set out below.

HortNZ's Role

Background to HortNZ

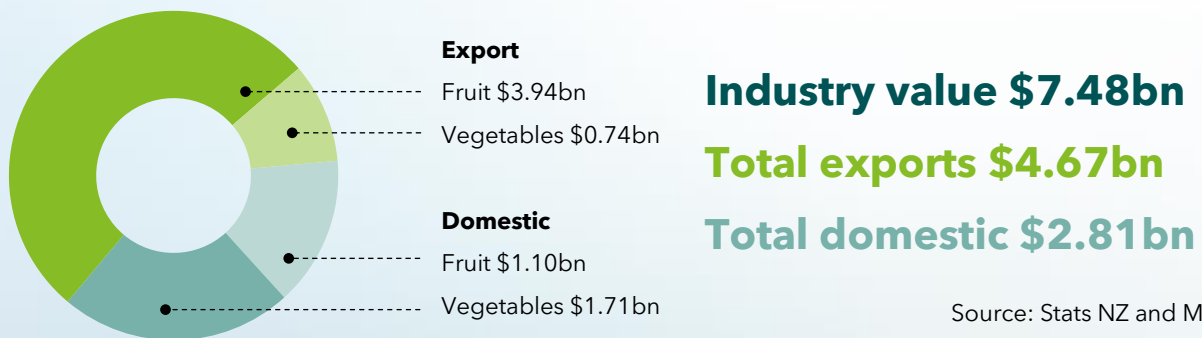
HortNZ represents the interests of approximately 4,200 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

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

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

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

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



HortNZ's Resource Management Act 1991 Involvement

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



Further Submission

1. Horticulture New Zealand's (HortNZ) further submissions are contained in the attached table below.
2. HortNZ represents commercial fruit and vegetable growers in the Wairarapa, so represents a relevant aspect of the public interest.
3. HortNZ is not a trade competitor and could not gain any advantage in trade competition through this further submission.
4. HortNZ wishes to be heard in support of its further submissions.
5. If others make similar submissions, HortNZ will consider presenting a joint case with them at the hearing.

Further submission on behalf of HortNZ on Wairarapa Combined District Plan

Submitter	Sub #	Plan Section	Plan Provision	Support/oppose	Decision sought	Reason
Whole Plan						
Fulton Hogan Limited	S122.067	Whole Plan	Whole Plan	Support	Allow	
Aggregate and Quarry Association	S182.006	Whole Plan	Whole Plan	Oppose	Disallow	The definition of highly productive land should be consistent with the NPS-HPL, meaning LUC 1-3.
New Zealand Frost Fans	S187.001	Whole Plan	Whole Plan	Support	Allow	“Frost fan” is the more commonly used term in the horticulture industry.
Ngāti Kahungunu ki Wairarapa Iwi Development Trust	S256.011	Whole Plan	Whole Plan	Support	Allow	Translating all te reo Māori words will improve plan usability.
Royal Forest and Bird Protection Society of New Zealand Inc	S258.180	Whole Plan	Whole Plan	Oppose in part	Disallow proposal to apply earthworks limits to new primary production activities.	Applying earthworks limits to new primary production activities would be a barrier to

						productive use of the land.
Transpower New Zealand Limited	S218.001	How the Plan Works	Statutory context	Support in part	Allow amendment to the table with relevant RMA planning and other documents to also describe relevant national planning instruments, including the NPSHPL.	Direct reference to the NPSHPL will support the usability and clarity of the plan.
Interpretation						
NZ Agricultural Aviation Association	S22.001	Interpretation	Definitions	Support	Retain the definition - Agricultural Aviation	This is an appropriate definition.
NZ Agricultural Aviation Association	S22.004	Interpretation	Definitions	Support	Retain the definition - Rural Airstrip	This is an appropriate definition.
Aviation New Zealand -New Zealand Helicopter Association	S72.001	Interpretation	Definitions	Support	Insert a new definition for "Commercial Helicopter Aviation"	Commercial helicopter aviation supports frost protection for horticulture.
NZ Transport Agency (NZTA)	S149.004	Interpretation	Definitions	Oppose in part	Disallow amendment to consider seasonal worker accommodation a noise sensitive activity.	Seasonal worker accommodation is an ancillary activity to primary production, and it should be able to

						locate in proximity to primary production activities.
New Zealand Frost Fans	S187.005	Interpretation	Definitions	Support	Allow amendment to include “fences, machinery and equipment for primary production” in the definition of “Less hazard sensitive activities”.	Fences, machinery and equipment for primary production are less sensitive to natural hazard risk.
New Zealand Frost Fans	S187.007	Interpretation	Definitions	Support in part	Insert new definition for ‘frost fan’ as follows: a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.	A definition is needed to support rules for frost fans in the plan. ‘Frost fan’ is the more commonly used term in the horticulture industry, as opposed to ‘frost protection device’.
Federated Farmers of New Zealand	S214.003	Interpretation	Definitions	Support in part	Adopt a definition for ‘ancillary rural earthworks’ as follows: Means the disturbance of soil, earth or substrate land surfaces ancillary to primary production that includes: <ul style="list-style-type: none"> Land preparation and cultivation (including 	A new definition for ancillary rural earthworks is strongly supported. The definition should include burying infected material for biosecurity purposes.

					<p>establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops (farming)</p> <ul style="list-style-type: none"> • Burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 	
Federated Farmers of New Zealand	S214.006	Interpretation	Definitions	Support	Amend the definition of 'less hazard sensitive activities' to include buildings and structures associated with primary production activities and rural industry activities.	Accessory buildings used for non-habitable purposes are a very low natural hazard risk. Buildings and structures associated with primary production are also non-habitable.

Federated Farmers of New Zealand	S214.008	Interpretation	Definitions	Support	Allow	<p>Buildings associated with primary production and rural industry activities pose minimal risk to human life and safety. People do not sleep at primary production businesses, which means they are more alert to hazards than people in residential dwellings. In addition, primary production involves fewer people on more land than urban activities.</p> <p>The Building Code has Building Importance categories and non-habitable buildings are importance level 1 (the lowest) as they are buildings which pose low risk to human life or the environment, or a low economic cost.¹</p>
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¹ Ministry for the Environment. Accessed online <https://environment.govt.nz/publications/planning-for-development-of-land-on-or-close-to-active-faults-a-guideline-to-assist-resource-management-planners-in-new-zealand/9-building-importance-category/>.

New Zealand Pork Industry Board	S229.001	Interpretation	Definitions	Support	Allow	Provisions for biosecurity response are essentially to the resilience of primary industry in the Wairarapa.
Strategic Direction						
Federated Farmers of New Zealand	S214.012	Strategic Direction	CCR-O1	Support	Allow	HortNZ supports the transition to a low emissions economy and recognises that horticulture is a low emissions activity.
E McGruddy	S144.001	Strategic Direction	CCR-O3	Support	Allow	Food security will be an essential consideration during adverse weather events. Local food production will support health and wellbeing if production in other regions is disrupted by natural disaster.
Rangitāne o Wairarapa	S47.006	Strategic Direction	NE-O5	Oppose	Disallow	Communities should have equal opportunity to tangata whenua to contribute to freshwater management, as supported by the NPSFM.

Greater Wellington Regional Council	S94.028	Strategic Direction	NE-O5	Support	Allow	Greater alignment with the NPSFM is supported.
Wellington Fish and Game Council	S186.006	Strategic Direction	NE-O5	Support	Allow	Stakeholders provide valuable expertise in resource management.
Fulton Hogan Limited	S122.006	Strategic Direction	RE-O1	Support	Allow	Primary production and ancillary activities should be explicitly recognised.
New Zealand Pork Industry Board	S229.010	Strategic Direction	RE-O2	Support	Allow	'Primary Production' is a more appropriate title for the objective.
Royal Forest and Bird Protection Society of New Zealand Inc	S258.020	Strategic Direction	RE-O2	Oppose	Disallow	The amendments sought are inconsistent with the NPS-HPL.
New Zealand Pork Industry Board	S229.012	Strategic Direction	RE-O4	Support	Allow	The objective to maintain and enhance the character of the rural environment is supported.
New Zealand Pork Industry Board	S229.013	Strategic Direction	RE-O5	Support	Allow	The objective to limit rural lifestyle subdivision to areas not conflicting with primary production and the productive

						capacity of the land is supported.
Greater Wellington Regional Council	S94.034	Strategic Direction	UFD-O2	Support in part	Allow amendments to UFD-O2 for a compact urban form and to protect the productive capacity of rural land.	A compact urban form supports the purpose of the NPSUD. Urban growth should be planned such that it does not infringe on the productive capacity of the rural zone, in alignment with the NPS-HPL.
Fulton Hogan Limited	S122.011	Strategic Direction	UFD-O2	Support	Allow	Reverse sensitivity effects from urban expansion can have significant adverse effects on horticulture.
Federated Farmers of New Zealand	S214.014	Strategic Direction	New provision request	Support	Allow	Rural land users should be supported to adapt to changes in regulatory and consumer requirements.
Energy, Infrastructure and Transport						
New Zealand Frost Fans	S187.016	ENG - Energy	Introduction	Support	Amend introduction as follows: ... By their nature, there is are tensions between with other competing land	Appropriate use of highly productive land is a source of tension between different land uses.

					uses, in particular primary production, including on Highly Productive Land. ...	
Federated Farmers of New Zealand	S214.017	ENG - Energy	ENG-P2	Support	Allow	Consistency with the NPSHPL Clause 3.9.
Federated Farmers of New Zealand	S214.018	ENG - Energy	ENG-P3	Support	Allow	Alignment with the NPSHPL.
Federated Farmers of New Zealand	S214.019	ENG - Energy	ENG-P4	Support	Allow	Alignment with the NPSHPL.
Meridian Energy Limited	S220.015	ENG - Energy	ENG-R1	Oppose in part	Retain discretionary matter (7).	Discretionary matter (7) is consistent with the overarching Objective of the NPS-HPL.
New Zealand Frost Fans	S187.023	ENG - Energy	ENG-R6	Support	Allow	Alignment with the NPSHPL.
Federated Farmers of New Zealand	S214.026	NU - Network Utilities	NU-R1	Support	Amend the Permitted activity status for rules which allow network activities to occur which will adversely impact on existing rural activities and operations.	Network utility activities can create reverse sensitivity effects for primary production.

					Insert new matter of discretion for Restricted Discretionary and Discretionary activities as follows: The potential adverse effects on the operation of existing primary production and rural activities located in the general rural and rural lifestyle zones.	
Federated Farmers of New Zealand	S214.133	NU - Network Utilities	NU-R2	Support	Amend the Permitted activity status for rules which allow network activities to occur which will adversely impact on existing rural activities and operations.	Network utility activities can create reverse sensitivity effects for primary production.
New Zealand Frost Fans	S187.024	TR - Transport	New provision request	Support	Insert new rule as follows: TRAN-RSX Exemption Rural Zones 1. the installation of fences, equipment and machinery for land based primary production complying with all other aspects of plan will not require upgrade of existing vehicle crossings to	Enable minor works on rural land for primary production purposes.

					meet TR-S2, TR-S5 - TR-S15.	
Hazards and Risks						
New Zealand Frost Fans	S187.025	NH - Natural Hazards	Introduction	Support	Allow amendment to include "fences, machinery and equipment for primary production" in the description of "Less hazard sensitive activities".	Fences, machinery and equipment for primary production are less sensitive to natural hazard risk.
Federated Farmers of New Zealand	S214.034	NH - Natural Hazards	NH-P2	Support	Allow	We caution that rural primary production activities carry a lower sensitivity than activities involving a dense or vulnerable population and should be designated as such.
Federated Farmers of New Zealand	S214.153	NH - Natural Hazards	NH-P3	Support	Allow	We caution that rural primary production activities carry a lower sensitivity than activities involving a dense or vulnerable population and should be designated as such.

Federated Farmers of New Zealand	S214.135	NH - Natural Hazards	NH-P5	Support	Allow	We caution that rural primary production activities carry a lower sensitivity than activities involving a dense or vulnerable population and should be designated as such.
Fulton Hogan Limited	S122.019	NH - Natural Hazards	New provision request	Support	Allow	This policy will help build resilience for communities and primary industry in the Wairarapa.
Historical and Cultural Values						
Genesis Energy Ltd	S81.029	SASM - Sites and Areas of Significance to Māori	SASM-P4	Support	Allow	"In proximity to" is an unclear description and should be deleted.
Genesis Energy Ltd	S81.030	SASM - Sites and Areas of Significance to Māori	SASM-P5	Support	Allow	"In proximity to" is an unclear description and should be deleted.
Natural Environmental Values						
Federated Farmers of New Zealand	S214.053	ECO - Ecosystems and	ECO-P3	Support	Allow	Landholders should be included in the process of identifying areas of

		Indigenous Biodiversity				significant indigenous biodiversity.
Director General of Conservation Penny Nelson	S236.039	ECO - Ecosystems and Indigenous Biodiversity	ECO-P7	Oppose	Disallow	Limiting this policy to the effects management hierarchy would not allow landowners and primary production businesses to properly maintain indigenous vegetation they have planted, such as for shelterbelts or amenity planting.
Director General of Conservation Penny Nelson	S236.032	ECO - Ecosystems and Indigenous Biodiversity	ECO-P9	Support	Retain ECO-P9 as notified.	Non-regulatory encouragement for landowners to plant and maintain indigenous biodiversity is supported.
Federated Farmers of New Zealand	S214.063	NATC - Natural Character	NATC-P5	Support in part	Amend NATC-P5 as follows: Discourage buildings and structures within 10m of rivers, lakes and natural inland wetlands surface waterbodies within the General Rural Zone, 5m of any surface waterbody in any other zone, and 25m of	The definition of surface waterbodies includes water races and artificial channels, which do not have natural character. To better achieve NATC-O1, reference should be to rivers, lakes and natural inland wetlands.

					Significant Waterbodies...	
Director General of Conservation Penny Nelson	S236.050	NATC - Natural Character	NATC-R1	Oppose	Disallow	Maintenance of drains and man-made dams is essential for health and safety and proper functioning of this infrastructure, especially in anticipation of adverse weather events.
Federated Farmers of New Zealand	S214.073	PA - Public Access	PA-P2	Support	Allow	Public access should only be enabled when it is compatible with existing lawfully established activities. Otherwise, this could introduce reverse sensitivity effects.
Subdivision						
Greater Wellington Regional Council	S94.136	SUB - Subdivision	Introduction	Support	Allow	The importance of the NPS-HPL and protecting highly productive land from inappropriate subdivision, use and development should be emphasised in the introduction.

Fulton Hogan Limited	S122.036	SUB - Subdivision	Introduction	Support	Allow	Reverse sensitivity effects from inappropriate subdivision create challenges for horticulture, which often locates on the urban-rural fringe.
New Zealand Frost Fans	S187.029	SUB - Subdivision	SUB-O1	Support	Amend SUB-O1 to add: g. protect the productive capacity of highly productive land; and h. avoid, where possible, or minimise conflicts between land uses.	Protection of highly productive land is supported.
Greater Wellington Regional Council	S94.138	SUB - Subdivision	SUB - O3	Support in part	Amend as follows: Subdivision and development are provided for...avoid fragmentation or development that undermines the productive capacity of land and the effective and efficient provision of infrastructure...	Protection of highly productive land is supported.
Fulton Hogan Limited	S122.038	SUB - Subdivision	SUB - P1	Support	Allow	Reverse sensitivity effects from inappropriate subdivision create

						challenges for horticulture, which often locates on the urban-rural fringe.
Federated Farmers of New Zealand	S214.079	SUB - Subdivision	SUB - P5	Support in part	Amend SUB-P5 as follows: Provide for subdivision, use, and development where it does not compromise the purpose, character, and amenity values of the General Rural Zone by...	Amenity values are not appropriate considerations for subdivision in the rural zone due to the potential negative consequences for the purpose of the zone, including primary production.
New Zealand Pork Industry Board	S229.016	SUB - Subdivision	SUB - R2	Support in part	Amend SUB - R2 matter of control as follows: <u>The measures to avoid reverse sensitivity effects on lawfully established, or permitted, primary production activities.</u>	A matter of control is needed to address reverse sensitivity effects on primary production, which appear not to be covered by SUB-R2(2)(15).
New Zealand Pork Industry Board	S229.017	SUB - Subdivision	SUB - R4	Support in part	Amend SUB - R4 matter of control as follows: <u>The measures to avoid reverse sensitivity effects on lawfully established, or</u>	A matter of control is needed to address reverse sensitivity effects on primary production. Highly productive land as a matter of control is supported.

					permitted, primary production activities. Retain SUB - R4(1)(b) as notified.	
New Zealand Pork Industry Board	S229.017	SUB - Subdivision	SUB - S2	Support	Allow	A matter of discretion is needed to address reverse sensitivity effects on primary production.
General District Wide Matters						
Federated Farmers of New Zealand	S214.087	CE - Coastal Environment	CE - O5	Support	Allow	Recognition of existing lawfully established activities is supported.
New Zealand Pork Industry Board	S229.019	LIGHT - Light	Introduction	Support	Allow	Artificial lighting is a normal element of horticultural operations for safety and productivity of operations.
Balance Agri-Nutrients	S208.008	NOISE - Noise	NOISE-P8	Support in part	Amend NOISE-P8: The use of noisy equipment that has a limited duration and frequency (in particular, audible bird scaring devices, frost protection devices, agricultural aviation activities and harvesters) that supports	Agricultural aviation is an ancillary activity to horticulture.

					agricultural and horticultural primary production in the rural environment is enabled by exempting these activities from noise limits, subject to reasonable use.	
Residential Zones						
Federated Farmers of New Zealand	S214.099	GRZ - General Residential Zone	New provision request	Support	Allow	Reverse sensitivity from urban land uses is a significant challenge for horticulture, which often occurs on the urban-rural fringe.
Rural Zones						
Helios Energy Ltd	S223.001	GRUZ - General Rural Zone	Introduction	Oppose	Disallow	While renewable energy activities may locate in the rural zone, it would be an adverse outcome for local food security and the local economy should they displace food production.
New Zealand Pork Industry Board	S229.025	GRUZ - General Rural Zone	Introduction	Support	Allow	Describing the associated visual, odour and noise effects of primary production is

						important in the consideration of reverse sensitivity effects on horticulture.
Transpower New Zealand Limited	S218.084	GRUZ - General Rural Zone	GRUZ - O4	Oppose	Disallow	While renewable energy activities may locate in the rural zone, it would be an adverse outcome for local food security and the local economy should they displace food production.
Genesis Energy Ltd	S81.040	GRUZ - General Rural Zone	GRUZ - P3	Oppose	Disallow	While renewable energy activities may locate in the rural zone, it would be an adverse outcome for local food security and the local economy should they displace food production.
Federated Farmers of New Zealand	S214.104	GRUZ - General Rural Zone	GRUZ - P3	Support	Allow	These amendments will better enable primary production activities on highly productive land.
Federated Farmers of New Zealand	S214.105	GRUZ - General Rural Zone	GRUZ - P4	Support in part	Amend GRUZ-P4 as follows: Avoid subdivision in the General Rural Zone that will result in sites that are	These amendments will better enable primary production activities on highly productive land.

					<p>of a size, scale, or location that is contrary to the anticipated purpose, character, and amenity values of the zone, by:</p> <p>a. Limiting small lot subdivision within the General Rural Zone to areas where there is no Highly Productive Land, or limited productive potential and where it does not compromise the use of land for primary production activities;</p> <p>and b. Avoiding the cumulative effects associated with small lot subdivision on the productive use and potential of Highly Productive Land within the General Rural Zone.</p>	<p>It is worth noting that productive orchards often occur on LUC IV or V soils as well as I-III, so land not classed as highly productive but used for productive purpose should also be protected from subdivision.</p>
Greater Wellington Regional Council	S94.211	GRUZ- General Rural Zone	GRUZ - S4	Oppose	Disallow	Primary production includes land-based primary production and encompasses other activities like non-soil-based greenhouses.