

SUBMISSION ON

Draft Plan Change 25 (PC25) – Shelterbelts and Artificial Crop Protection Structures

23 October 2024

To: Waipa District Council

Name of Submitter: Horticulture New Zealand

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OVERVIEW

Submission structure

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Our submission

Horticulture New Zealand (HortNZ) thanks the Waipa District Council for the opportunity to provide feedback on the draft Plan Change 25 and welcomes any opportunity to continue to work with Waipa District Council and to discuss our feedback.

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

The details of HortNZ's feedback and decisions we are seeking are set out below.

HortNZ's Role

Background to HortNZ

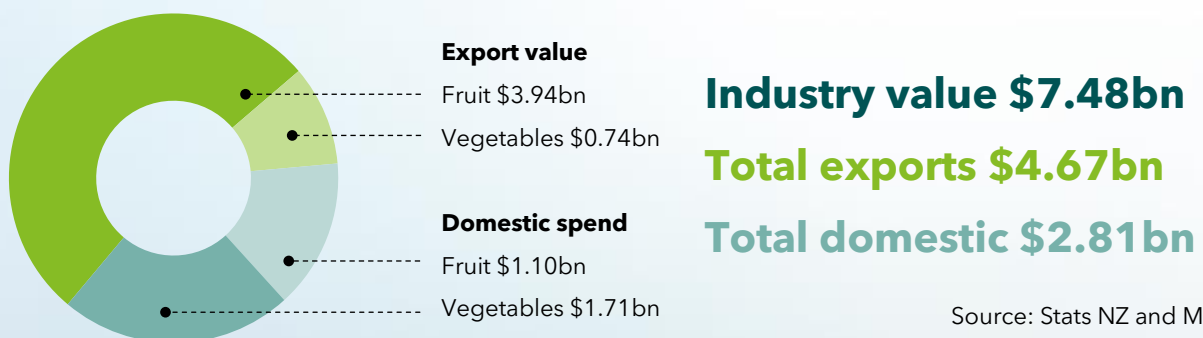
HortNZ represents the interests of approximately 4,200 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

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.

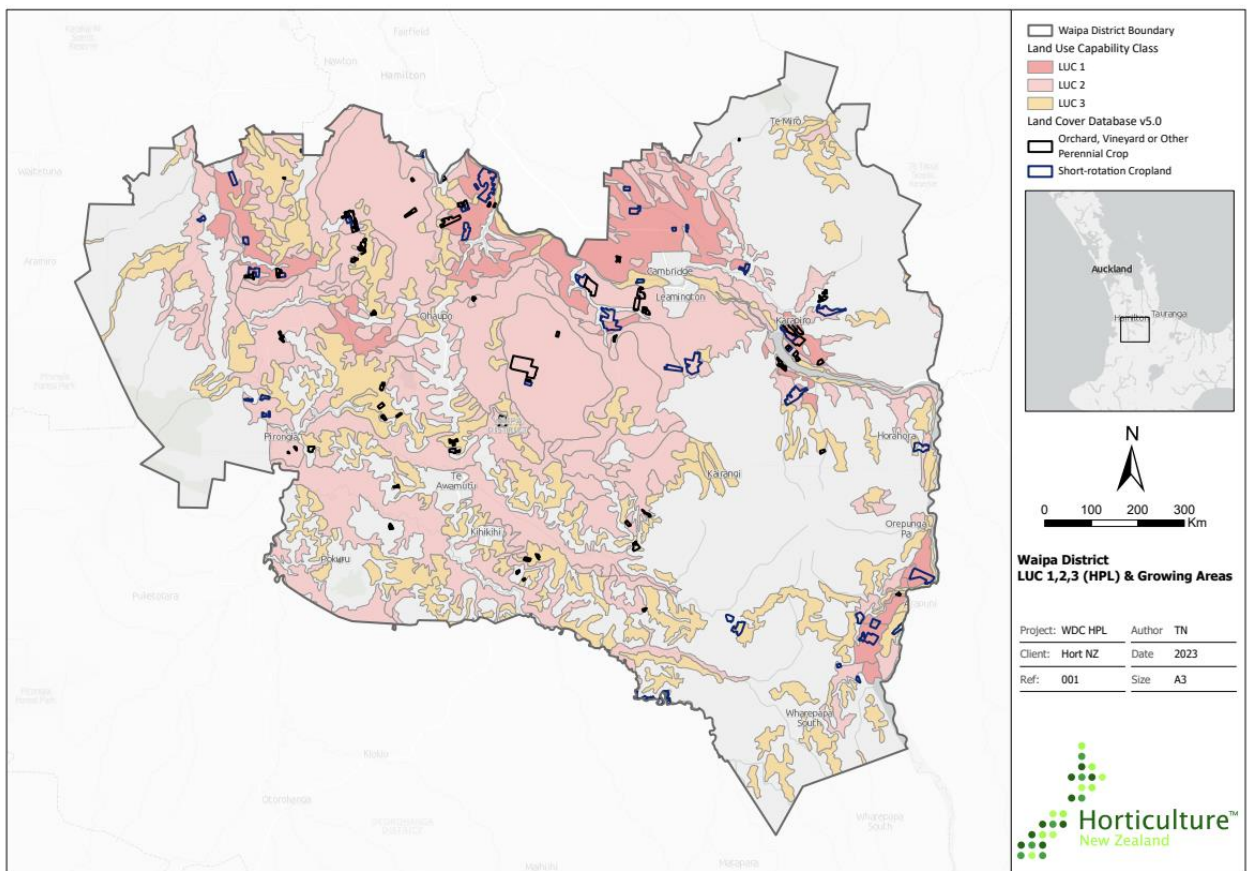


Submission

1. Horticulture in the Waipa District

There are ~1696 hectares¹ of horticulture growing operations in the Waipa district. The highly productive land (HPL) and peat soils within the district, access to markets, state highways and the Port of Tauranga make the region a prime growing area.

Picture 1: Location of horticulture operations in the Waipa district



Kiwifruit

Kiwifruit is a growth crop in the district with ~357 ha grown of mostly organic fruit. Proximity to the Port of Tauranga will see kiwifruit expand in the district with more greenfield conversions. Kiwifruit is exported to overseas markets with harvest starting in March through to July.

Asparagus

There are over 130ha of asparagus grown in the district which is generally grown for domestic supply although there is an asparagus exporter in the Waikato, the amounts exported is not significant.

Other crops

A range of vegetable crops are grown in the district and the commencement of a 30ha avocado orchard is underway. If successful, avocados could be more widely grown in the district.

2. Issues of relevance

2.1. Climate change and a transition to a low-emissions economy

Land use change is an inevitable climate change impact and will also be one of the key responses to the effects of climate change. The RMA Amendment Act 2020 requires Councils to have regard to the Emissions Reduction Plan 2022 which includes a focus area on transition to low emissions land use. The rate of future climate change will be determined by the response to it and land use change has a role in that rate of change.

We note that diversification to horticulture presents an opportunity to reduce emissions while increasing food production, as identified by the Climate Change Commission.¹ The report *Ināia tonu nei: a low emissions future for Aotearoa* includes the assumption (in the demonstration path) that nationally, 2,000 ha of land will be converted to horticulture per year from 2025 and notes that the Commission expect this could increase if “barriers – such as water availability, labour, supply chains and path to market – are addressed”. Opening more opportunities for conversion to lower emissions production systems and land uses, including horticulture, is listed as a critical outcome. The advice also notes that further land use change from livestock agriculture into horticulture and forestry (from 2021, additional 3,500 ha per year converted from dairy) would be required to meet the more ambitious end of the 2050 methane target if new technology does not come through.

3. Plan Change 25

In May 2023, HortNZ was contacted by Waipa District Council and asked to provide information that set out the importance of horticulture to the Waipa district and the key activities that support horticultural growing that HortNZ advocates for in district plans. In addition, HortNZ also included the following:

Biosecurity: The importance of having a regulatory framework that supports a rapid biosecurity response

Frost fans: How these are used in horticulture and HortNZ proposed regulatory framework

Artificial Crop Protection Structures (ACPS) and Crop Support Structures: How these are used in horticulture and HortNZ proposed regulatory framework

New Zealand Kiwifruit Growers Inc (NZKGI) was also approached by council with the following request:

¹ [Ināia tonu nei: a low emissions future for Aotearoa » Climate Change Commission \(climatecommission.govt.nz\)](https://climatecommission.govt.nz/ināia-tonu-nei-a-low-emissions-future-for-aotearoa)

- Any trends relating to shifts away from pastoral to horticultural uses (especially kiwifruit),
- Any advice or insight that NZKGI can offer to help understand the perspectives of kiwifruit growers and the difficulties they encounter around the Waipa District Plan, and,
- If there are other key stakeholders that should be contacted for further engagement.

This letter as well as the information provided to council is attached as appendices.

While HortNZ generally supports the intent of PC25, we are concerned that the rules proposed, in particular, for ACPS are too restrictive and will likely see retirement of HPL. It also remains unclear if ACPS are defined as a building – policies and rules throughout the plan change would suggest as such. HortNZ supports a separate planning pathway for ACPS which is set out under 2.1.1.

One of the objectives of PC25 is to ensure adverse effects on the environment arising from shelterbelts and ACPS are appropriately mitigated. HortNZ would argue that the environmental effects are minor at least.

3.1. Rural character

There is an objective and policies for rural character to be maintained. However rural character is not defined in the Plan. It is described in 4.1.12 in the Introduction but note that this section of the Plan has no statutory status. HortNZ seeks changes to this description to better describe rural character. Rural character includes the existence of rural buildings and structures which can often be of a utilitarian form. ACPS also form part of rural character. Not all rural landscapes are ‘open’ and including such terminology in a description leads to false conceptions as to what the rural area and character are.

3.2. Artificial Crop Protection Structures and Crop Support Structures

3.2.1. ARTIFICIAL CROP PROTECTION STRUCTURES

ACPS are critical for a number of sectors including kiwifruit, berry, persimmon, apples, pears and nashi. They provide a range of benefits including protection from sunburn, windburn, hail, frost and birds, assistance with spray coverage and reduced mowing and weeding. These structures are also distinct from Crop Support Structures which are uncovered structures upon which various crops rely for growth and support.

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.

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).

Picture 1: ACPS typical to kiwifruit and berries



Depending on the crop a height of 5-6m can be reached and are typically positioned to assist with access and ongoing maintenance with generally, a track or space is provided for farm machinery access between the ACPS and the crop. ACPS tend to be placed on or near the boundary as to utilise as much (normally highly productive land) as possible.

Several district plans around the country specifically provide provisions for ACPS (including for example Whangarei, Auckland, Opotiki, Western Bay of Plenty, Whakatane, Hastings, Tasman). Hastings, Western BOP and Far North specifically exclude artificial crop protection structures from the definition of building, and all definitions refer to ACPS as 'structures'. It is important to be aware that the shade cloth is non-permeable, but by definition provides some shading.

3.2.2. CROP SUPPORT STRUCTURES

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

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 farming activities.

Picture 2: Kiwifruit and Apple CCS



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

HortNZ has received legal advice on whether ACPS meet the definition of a building. This is summarised below:

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.

The issue for ACPS is whether the permeable horizontal netting is deemed a 'roof'.

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.

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).

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 definition of a building.

Further, the definition of building (from both the Building Act and the National Planning Standards), does not provide for a permeable covering of plants.

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 Standard2:

"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)

HortNZ's have subsequently been active in plan change processes to achieve this outcome.

3.2.3. ACPS AND CCS REGULATORY PATHWAY

Due to the critical importance of ACPS and CSS as an activity that supports production, HortNZ recommends a separate planning pathway as detailed below:

Provision	Definition	Rule/standard	Activity status when compliance not achieved
Artificial crop protection structures	Means structures with material used to protect crops and/or enhance growth (excluding greenhouses) Note: For the avoidance of doubt, artificial crop protection structures are <i>structures</i> (as per section 2 of the RMA) and not <i>buildings</i> .	The establishment of a new, or expansion of an existing artificial crop protection structure in the General Rural Zone or Rural Production Zone is a permitted activity where: a) The height of the structure does not exceed 6m; and either; b) Green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or c) The structure is setback 1m from the boundary d) No site coverage will apply to artificial crop protection structures	Restricted discretionary where compliance is not achieved. Matters of discretion: 1. The effects of non-compliance with the standards 2. Assessment of potential glare on neighbouring properties from colour of cloth
Crop support structures	Means an open structure on which plants are grown	The establishment of a new, or expansion of an existing crop structure is a permitted activity where: a) The height of the structure does not exceed 6m b) The structure is setback 1m from the boundary.	Restricted discretionary where compliance is not achieved. Matters of discretion: 1. The effects of non-compliance with the standards

2.4 Shelterbelts

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.

Generally, boundary shelter is evergreen (internal shelter tends to be deciduous) and is around eight metres tall (or taller) once fully grown. Shelter is maintained and trimmed every 12-18 months and growers self-monitor for any gaps and dead or diseased areas.

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.

Growers cannot waste valuable land with poorly maintained shelterbelts and trimmings are generally removed or mulched so do not remain in the paddock or orchard as a fire source. Nor do growers want to put their operation and assets at risk of wildfire. Shelterbelt trimmings are also removed to reduce pest and disease risk so the potential for wildfire risk is also reduced.

There appears to be an assumption that all shelterbelts are 'generic' or 'homogenous' and generate high fuel loadings, often because of poor maintenance. However, there can be considerable variation in types of shelterbelts, and some may be more fire prone or have greater risk than others. But the provisions don't provide for any differentiation according to the nature, size, scale, or risk of a shelterbelt.

3.3. Reverse Sensitivity

Reverse sensitivity issues are becoming an increasing problem for the horticulture sector as more people move into rural areas who do not have realistic expectations with regards to the activities that can occur as part of primary production. This combined with innovations and more efficient ways to grow and newer technologies challenge the traditional view of what horticulture is to the public².

Horticultural operations rely on the use of machinery, structures to support and protect crops, agrichemical and fertiliser application, heavy vehicles to transport produce, and many other activities that may generate a range of effects. These effects are characteristic and part of the landscape and amenity of rural environments.

Reverse sensitivity affects growers when occupants of a new activity or use complain about the effects of an existing, lawfully established horticultural activity or use. This can place significant economic burden and operational limitations on the grower reducing their economic viability and social licence to operate.

It is important for district plans to include a robust management response. Reasonable setbacks are an important management tool in helping to manage the potential for reverse sensitivity effects. As a permitted activity requirement, they do not preclude development within a lesser distance.

4. Plan Change Provisions

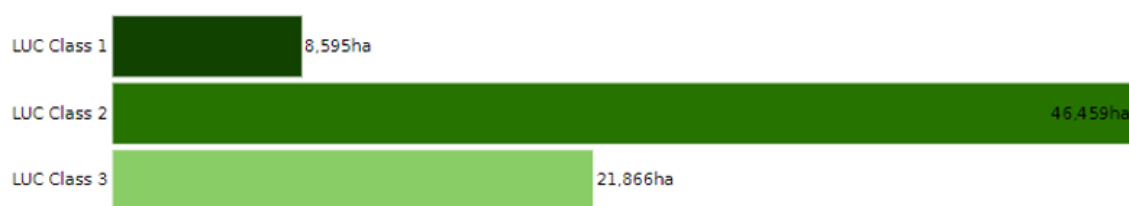
² [Kris-Robb_What-Goes-in-Must-Come-Out -Protecting-Our-Social-License-to-Grow-Cherries_Kellogg-Report.pdf \(ruralleaders.co.nz\)](#)

² [Farming for a Healthy Future - LeaderBrand](#)

4.1. ACPS

HortNZ supports the permitted activity approach to providing for ACPS however notes the setback requirements for ACPS are unrealistic and would result in a loss of HPL. **HortNZ does not support the proposed 15m setback.** It is excessive and doesn't align with any approach taken by any other council in New Zealand. Not only does 3.9, 3.11 and 3.12 of the NPSHPL apply, HortNZ has undertaken modelling of the economic impacts of setbacks for Plan Change 1 (Waikato) which shows a significant financial impact.

Of the ~147,034 ha of land in the district over 50 percent is LUC 1 - 3.



4.2. Shelterbelts

Rule 4.4.2.57A sets out a number of requirements for shelterbelts including shading specifications between certain hours. Shading dwellings and restricting visibility are both aspects that require controls.

- Criteria (ii): HortNZ suggests considering if a 1 m setback from the boundary of the property would achieve the desired purpose of this rule.

Green or black shade cloth colours should only be used on unobscured road facing sides of ACPS for safety reasons, or within 15m of an existing dwelling on a boundary. All other sides, or ACPS that have boundary shelterbelts or vegetative plantings that hide the ACPS should have no limitations on shade cloth colouring.

The 'Let's Grow Together: A design guide for kiwifruit orchards' developed by Transpower, NZKGI and HortNZ, provides guidance for rules, setbacks and expectations for orchard design that is compatible with National Grid Infrastructure³. HortNZ recommends Waipa use this as a basis for providing rules and guidance on managing effects of orchard development on National Grid infrastructure.

The requirement to maintain shelterbelts at all times is supported.

4.3. Section 25: Landscapes and Viewshafts

4.3.1. ISSUES AND POLICIES

Section 25.2.12 notes that ACPS and shelterbelts can obstruct or result in loss of views to outstanding natural features or detract from landscape values. However, ACPS and shelterbelts can add to the amenity of an area and are a part of a rural landscape. Shelterbelts and vegetative plantings can aid in screening ACPS or buildings in the rural zone where practicable.

³ [Transpower-Kiwifruit-Growers-Guide-DIGITAL.pdf \(hortnz.co.nz\)](https://hortnz.co.nz/Transpower-Kiwifruit-Growers-Guide-DIGITAL.pdf)

HortNZ suggests the following amendment:

However, shelterbelts can also be used to mitigate impacts on medium to long-distance views and landscapes by shielding structures such as ACPS and therefore when used in these ways, without blocking views within these environments, can have a positive impact on views.

By providing this important nuance and context for when shelterbelts are and aren't likely to have impacts, it allows the following policies to be more effective and reduces the likelihood of them being misused.

Submission on Plan Change 25

Without limiting the generality of the above, HortNZ seeks the following decisions on Plan Change 25 as set out below, or alternative amendments to address the substance of the concerns raised in this submission and any consequential amendments required to address the concerns raised in this submission.

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

Provision	Support/oppose	Reason	Decision sought
Definition			
Artificial Crop Protection Structure	Oppose in part		<p>Amend the definition</p> <p>means a structure covered by permeable materials (vertically and/or horizontally) which do not impede the use of underlying soils, and which are used to: provide wind shelter; and/or protect or promote the growth of crops. This does not include Greenhouses/glasshouses, or Plastic-clad shade houses. For the purpose of this definition, 'permeable material' means material that does not impede air, sunlight, or water penetration, and is able to be seen through.</p> <p><u>Means structures with material used to protect crops and/or enhance growth (excluding greenhouses)</u> <u>Note: For the avoidance of doubt, artificial crop protection structures are structures (as per section 2 of the RMA) and not buildings.</u></p>
Shelterbelt	Support in part		Amend the definition

			means a row of trees not more than four deep , planted for the purpose of providing wind shelter, and screening <u>and mitigating spray drift</u>
New Crop Support Structures	New	Crop support structures (CSS) differ from ACPS in that they extend to a variety of structures upon which various crops rely for growth and support and are positioned and designed to direct growth to establish canopies. They include 'A', 'T' and 'Y' frames, pergolas and fences.	Add definition <u>Means an open structure on which plants are grown</u>
Introduction 4.1.2	Support in part		Amend to include Horticulture is also a prominent contributor to the district <u>and orcharding in particular provides a high efficiency, low emissions land use.</u>

Introduction 4.1.3	Support in part	It is unclear why the increase of horticulture is due to climate change? Isn't it more to do with the HPL soil in the region, proximity to the ports? Climate change may have a small effect (but what parts) it is not the sole reason.	Amend Due to climate change, activities such as horticulture and crop production are becoming more common throughout the district. This diversification in rural activities means there is an evolving
Introduction 4.1.6	Support in part	Land use also includes crop support structures not just crop protection	Amend to include Land uses of a predominantly production or rural working nature such as farming and related farm storage sheds, crop support and structures
Objectives and Policies			
Policy - Farm buildings and activities to internalise adverse effects 4.3.2.4	Oppose in part	As currently drafted, it reads that ACPS are categorised as a building	Amend Farm buildings (including artificial crop protection structures), and activities (including artificial crop protection structures) shall be located and scaled to minimise adverse effects on rural character and amenity.
Activity Status Table	Support	Shelterbelt has been added to	Retain

4.4.1 (z) PER		the list of permitted activities which HortNZ supports	
Activity Status Table 4.4.1 (o) RDA	Oppose	In the unlikely event a shelterbelt would be removed would result in non-compliance because the ACPS couldn't meet the 15m setback rule	Oppose Delete (o)
Section 4.4.2.1		A 15 m setback would result in significant loss of productive land. If the effect being addressed here by the setback could be more effectively achieved by a green shelterbelt screen, then a pathway that incentivised this	Provide a controlled or permitted activity for ACPS with a 5m setback where a shelter belt is also provided before or at the time of establishment and will be maintained so that it will provide a screen to mitigate visual issues.

		approach would be useful.	
Performance standards			
The minimum building setback from road boundaries 4.4.2.1	Oppose in part	ACPS are not buildings and shouldn't be captured under building rules	Amend as follows Delete c For artificial crop protection structures Except no setback applies where an artificial crop protection structure is screened by an existing shelterbelt. Amend b For buildings over 100m (other than dwellings; artificial crop protection structures)
New Artificial Crop Protection Structure Setback	New	Due to the importance of ACPS a separate planning response is required	Add <u>The establishment of a new, or expansion of an existing artificial crop protection structure in the General Rural Zone or Rural Production Zone is a permitted activity where:</u> <u>a)The height of the structure does not exceed 6m; and either;</u> <u>b)Green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the</u>

			<p><u>immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or</u></p> <p><u>c) The structure is setback 1m from the boundary</u></p> <p><u>Except no setback shall apply where:</u></p> <p><u>i. Any adjoining site is held in common ownership.</u></p> <p><u>ii. The artificial crop protection structure is screened from any adjoining site (not in common ownership) by an existing shelterbelt.</u></p> <p><u>d) No site coverage will apply to artificial crop protection structures</u></p> <p><u>Restricted discretionary where compliance is not achieved.</u></p> <p><u>Matters of discretion:</u></p> <p><u>1. The effects of non-compliance with the standards</u></p> <p><u>2. Assessment of potential glare on neighbouring properties from colour of cloth</u></p>
Minimum setbacks from internal site boundaries 4.4.2.2	Oppose	ACPS are not buildings and shouldn't be captured under building rules	Delete (d) However retain i and ii which have been added to the above proposed new rule
Artificial crop protection structures shall not exceed 6m in height above ground level 4.4.2.9A	Support	6m allows for the height of a crop and for machinery to operate	Retain
Maximum building coverage	Support	ACPS are not buildings and should	Retain

4.4.2.10		therefore be exempt from building coverage rules	
Shelterbelts 4.4.2.57A	Support in part	The proposed dwelling setback is 15m from internal boundaries. HortNZ supports a 30m setback - HPL should not be retired because the dwelling setback is insufficient	Retain the following Rule a) iii and v. Rule iv is opposed Amend Rule b) The minimum setback of any shelterbelt planted after [date at notification] from an internal boundary shall be 4 1 m Retain the following Rule b) i, ii, iii, iv - with above amendments
Artificial Crop Protection Structures 4.4.2.88	Oppose	HortNZ has proposed a new rule which captures cloth requirements for ACPS. The colour of vertical cloth materials is not supported in its entirety.	Delete rule
Section 21 - Assessment Criteria and Information Requirements	Support	Assessment is reasonable	Retain

Minimum setbacks from roads 21.1.4.6A			
Section 21 - Assessment Criteria and Information Requirements Shelterbelts 21.1.4.13A	Support	Assessment is reasonable	Retain
Section 21 - Assessment Criteria and Information Requirements ACPS 21.1.4.29A	Support in part	Assessment a-c is supported. D relates to the rural environment where rural type activities take place. HortNZ doesn't think an assessment should be undertaken on the landscape or the overall cumulative effects	Retain a-c and delete d
Section 21 Landscapes and Viewshafts ACPS 21.1.25	Support in part	It is unclear why a cultural value assessment is required to erect an ACPS.	Retain the following a, b, f,

			I
Section 21 General 21.1.25.14	Support in part	Assessment is reasonable however suggest rewording so ACPS are not captured as a building	Amend The extent to which planting/landscaping is proposed in order to mitigate adverse effects of building/s, (including artificial crop protection structures), and
Section 25 Landscapes and Viewshafts 25.2.12	Oppose	ACPS and shelterbelts are an integral part of the rural environment and there is an expectation that these activities exist in rural settings. It is unclear how a line of trees can detract from landscape values - what about forestry?	Oppose
25.3.10	Oppose	ACPS are a necessary feature of a rural productive area and part of	

		the rural character.	
25.3.10.1		ACPS should be able to locate in viewshafts if appropriate measures are taken to mitigate visual effects	Amend 25.3.10.1: <u>Artificial crop protection structures shall not locate in viewshafts for outstanding natural features, mountains and heritage items unless the visual effects are appropriately mitigated.</u>
25.3.10.2	Oppose	ACPS are a necessary feature of a rural productive area and part of the rural character.	
25.4 - Rules 25.4.1.1h	Oppose in part		Amend 25.4.1.1h) Add a permitted activity rule with standards and an RD where the standards are not met. <u>Permitted activity standards</u> <ol style="list-style-type: none"> 1. <u>Dark green or black cloth shall be used on all vertical faces</u> 2. <u>Green or black cloth shall be used horizontally where the slope is over 10°</u> 3. <u>The structure shall be setback at least 50m of MHWS</u> 4. <u>The structures shall be setback 5m from the road boundary unless screened with natural shelter</u>

5. Where a continuous cover of white cloth is used horizontally, natural shelter shall be provided to separate blocks so that the maximum continuous cover in any one block is 5 hectares.