

SUBMISSION ON

Napier City Proposed District Plan

15 December 2023

To: Napier City Council

Name of Submitter: Horticulture New Zealand

Supported by: Vegetables New Zealand Inc, Tomatoes New Zealand Inc

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OVERVIEW

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Our submission

Horticulture New Zealand (HortNZ) thanks Napier City Council for the opportunity to submit on the Napier City Proposed District Plan and welcomes any opportunity to continue to work with Napier City Council and to discuss our submission.

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

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

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

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 fruit, 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.



Executive Summary

HortNZ seek the following outcomes:

- Definitions and rules that recognise the importance of primary production
 - Ancillary rural earthworks
 - Seasonal worker accommodation
 - Artificial crop protection structures and crop support structures
- Provisions that recognise highly productive land to give effect to the National Policy Statement Highly Productive Land
- Strategic direction that provides for primary production and associated activities which is not compromised by other activities
- Provisions for activities and buildings/structures that are an inherent part of horticulture
- Appropriate setbacks for dwellings, buildings and artificial crop protection structures from boundaries
- Inclusion of provisions for biosecurity and management of unwanted organisms under the Biosecurity Act 1993.

Submission

1. Horticulture in the Napier City Council area

Napier City Council is located within the Hawkes Bay Region. This area plays an important role in the national food system.

The high number of sunshine hours and frosts enable a diverse range of horticultural crops to commercially grow in the area¹. According to the Landcover Database there are 2534.5ha of horticultural crop land - of this, 1412.6ha is described as short-rotational cropland².

Crops grown in the Napier City boundary include brassicas, avocados, pipfruit, and stonefruit which play an important role in the national food system. The Hawkes Bay climate complements other pipfruit and stonefruit growing hubs climates such as Tasman and Central Otago.

The Hawkes Bay region and Napier City have long been recognised for their unique productive capacity. There has been a long history of occupation in the area with Ahuriri Hapū³. Māori have had a long history of cultivation, with evidence of cultivation and gardening around settlement sites across the district, especially close to pā sites such as Otatara-Hikurangi Pā⁴. The soils and climate provide an ideal climate for growing a wide range of horticultural crops. This helped to support a robust pre-colonial economy with crops being traded with other communities outside the region⁵. The Hawkes Bay Region, and Napier still maintain a high degree of crop diversity with a climate that is ideal for growing a wide range of horticultural crops⁶.

2. National direction

The Paris Agreement for Climate Change, to which NZ is a signatory, speaks to a 'fundamental priority of safeguarding food security' and action in a manner that does not threaten food production. Food security is a nationally important issue which needs to be addressed at a strategic level. We have a national food producing system that relies on growing vegetables and fruit in pockets of highly productive land (HPL), with good climate and access to freshwater.

The price of NZ grown fresh fruit and vegetables was steadily increasing even prior to adverse weather events in 2023⁷. This can be attributed to labour shortages, increased costs in compliance, increased costs of horticultural supplies as well as freight and energy costs⁸.

¹ [Hawkes Bay Climate NIWA.pdf](#)

² [LCDB v5.0 - Land Cover Database version 5.0, Mainland, New Zealand | LRIS Portal \(scinfo.org.nz\)](#)

³ Ngāti Hinepare, Ngāti Māhu, Ngāti Matepū, Ngāti Paarau (including Ngāi Tahu Ahi), Ngāi Tāwhao, Ngāti Tū and Ngāi Te Ruruku - [Ahuriri Hapū Deed of Settlement summary | New Zealand Government \(www.govt.nz\)](#)

⁴ [DoC Maori Gardening and archeological perspective - FUREY L.pdf](#)

⁵ [Heritage resources: Heritage \(doc.govt.nz\)](#)

⁶ [Hawkes Bay Climate NIWA.pdf](#)

⁷ [Fruit and vegetables drive up annual food prices | Stats NZ](#)

⁸ [Food prices are up, but the cost to grow it has skyrocketed | Stuff.co.nz](#)

The increase of energy costs directly impacts the cost of production in New Zealand of fresh produce. Consumers are price driven, and the consequence of high production costs of New Zealand produce is that retailers will look to import produce or find substitutes to meet consumer expectations of price. Importing fresh fruit and vegetables produced in other countries that can otherwise be grown in New Zealand creates carbon leakage due to freight and supports less climate-friendly growing and environmental practices in other countries, with potentially reduced quality control.

2.1. Weather impacts

Vulnerabilities in our domestic food supply network have been highlighted during adverse weather with availability of fresh New Zealand grown produce impacted by the recent rain events⁹, and Cyclone Gabrielle causing damage to key horticultural growing areas such as the regions of Gisborne and Hawkes Bay, with other major growing hubs in Pukekohe and Northland also affected¹⁰.

The timing of these events has also increased the scale of impact, as many seasonal crops were in their harvest period. Considerable investment into growing the crop has been lost, along with the product and flow on impacts to employment, health and safety.

The recovery in some areas from these events is likely to be long, and the ongoing supply of fresh fruit and vegetables vulnerable during this recovery. Growers of orchard crops who have been affected will be contemplating how to effectively recover, maintain cash-flow in the short-term and ensure they are able to replant. Some of this may take many years to achieve and will likely mean an opportunity to invest in different crop or variety types, crop support structures and other on-orchard infrastructure that is more efficient and able to increase a grower's ability to produce a marketable yield.

⁹ [Auckland storm event 9 May 2023 rapid analysis \(knowledgeauckland.org.nz\)](https://www.knowledgeauckland.org.nz/news/2023/05/09/auckland-storm-event-9-may-2023-rapid-analysis)

¹⁰ [Cyclone Gabrielle's impact on the New Zealand economy and exports - March 2023 | New Zealand Ministry of Foreign Affairs and Trade \(mfat.govt.nz\)](https://www.mfat.govt.nz/en/news-and-media/news-releases/2023/march-2023/cyclone-gabrielle-impacts-on-the-new-zealand-economy-and-exports)

3. Napier City Proposed District Plan

The Napier City Proposed District Plan (NCPDP) has been partially notified. HortNZ understands the impact of Cyclone Gabrielle has been significant in the Hawkes Bay region and is understanding of the work that will need to happen to better understand the impacts the large-scale weather event, and potential future events on the area.

With this in mind, HortNZ is aware that the following chapters will be released at a further date as plan variations later in the submission process:

- Sites of significance to Māori,
- Natural hazards, and
- Indigenous biodiversity (due to the timing of the release of the NPSIB).

HortNZ is cautious in our approach to the submission on the NCPDP and is mindful that chapters, such as the sites of significance to Māori and natural hazards chapters will likely have an impact on the proposed plan, especially given the weather events that have happened in the region.

HortNZ reserves the right to make comment on additional sections of the plan and revise the original submission, if necessary, if the chapters planned for later release have cause for us to change our thinking or feedback. We seek consequential changes as part of the submission.

It is important that areas identified as being higher risk for residential activity are then enabled to be used for production activities such as horticulture.

3.1. Strategic Direction

It is important that primary production is sufficiently recognised and provided for in the strategic direction. We support the inclusion of specific reference to the protection of highly productive land from inappropriate development as is outlined in SD-UFD-I6. Ensuring growers continue to be able to operate is also critically important. Although the horticultural area within the Napier District is not particularly large, it is strategically important, as Bay View for example is warmer and therefore provides early season supply of stone fruit to the domestic market. An ongoing right to farm and the overall interests of food security must be embodied in the plan.

HortNZ seeks that the importance of a well-functioning transport network to the horticulture industry is explicitly recognised in the proposed plan. Safe and efficient access to the port is critically important to the horticultural sector, due to significant volumes of produce being shipped out. Local rural roads also need to be maintained to not only facilitate the movement of freight, but also other traffic movements associated with horticultural production, such as the movement of machinery, labour and the transportation of fresh produce to post harvest facilities. The ongoing absence of the Brookfield's Bridge for example necessitates the movement of machinery along the Expressway, which given its

limited top speed, causes delays for all Expressway users. We support Objectives TPT-01 and TPT-02 but seek explicit recognition of the importance of a well-functioning transport network to the horticultural sector.

In addition, HortNZ seeks specific strategic direction for rural industry as it is part of the rural environment.

3.2. Highly Productive Land

HortNZ has a particular interest in the policy framework for highly productive land and seeks to be engaged with the councils in discussions about highly productive land and ensuring there are rules and policies in place to ensure it is able to be used for production.

The National Policy Statement for Highly Productive Land (NPSHPL) seeks to protect highly productive land (HPL) for land-based primary production uses. The objective and policies provide clear avoid policies against inappropriate subdivision, use and development of HPL. There are also specific protection clauses for existing use, productive uses and reverse sensitivity.

The NPSHPL has one Objective: *Highly productive land is protected for use in land-based primary production, both now and for future generations.* There are nine policies which support the objective. The policies set a clear pathway that HPL is to be protected - urban rezoning, rezoning and development as rural lifestyle, and subdivision, are activities to be avoided. Policy 9 also provides for reverse sensitivity effects to be managed so as not to constrain land based primary production on HPL.

HortNZ notes the inclusion of the definition of Highly Productive Land included in the NCPDP. However, the definition will only apply once HPL has been mapped and included in the Regional Policy Statement. Therefore, HortNZ seeks an interim definition until such time as mapping has been undertaken and included in the RPS.

HortNZ seeks consideration in the plan to allow for buildings that support primary production on HPL. HortNZ understands that central government is considering submissions on possible amendments to the NPSHPL which are focused on specified infrastructure and activities such as non-soil-based production. However, it is important for Council to give consideration to the following examples of ancillary horticultural support buildings and activities that are not explicitly land-based but support primary sector activities.

3.2.1. PACKHOUSES

Post-harvest activities such as packhouses that are not part of an individual operation still need to be located in close proximity to horticultural operations. Independent packhouse and processing facilities that need to be located near horticultural production areas for processing of produce. These are not on-site facilities. For example, an independent packhouse facilitates the washing, preparation, packing and distribution of produce on behalf of growers. Time is a critical factor for quality and processing of fresh produce. As soon as produce is harvested the count down on its shelf-life for a consumer begins.

These activities directly support horticultural production, and they are often located on LUC 1-3 near where the produce is grown. Many of these facilities are long-established, servicing nearby horticultural enterprises, and have built up networks of suppliers, and their labour force, over a long period. In order to support the overall productivity of HPL, it may be desirable if new enterprises relocate on other land, however, this is not always the best outcome to support a production system.

3.2.2. NON-SOIL BASED PRODUCTION

The NPSHPL also raises the question of where activities such as non-soil-based greenhouse production be appropriately located. Ideally, non-soil-based greenhouse production sites need to be located near established horticultural areas, near distribution and transport networks, horticultural support services and infrastructure such as packhouses and near larger population areas. As with other types of horticultural production, these growers are producing fresh produce for consumption and access to markets and networks is key. Consideration needs to be given for where these types of activities will be located.

The above points are important to consider in the wider context of food security, resource availability and water quality.

What is important in our view, is that urban development and productive land are considered together to provide a planned approach so new urban areas are designed in a manner that maintains the overall productive capacity of highly productive land.

3.3. Reverse Sensitivity

Reverse sensitivity issues are becoming an increasing problem for the horticulture sector as more intensification at the interface of the rural and urban zones occurs and as more people move into productive areas who do not have realistic expectations with regards to the activities that can occur as part of primary production. Horticulture tends to be particularly susceptible to reverse sensitivity effects due to the location of highly productive land often being near urban centres and/or the land they operate on being subject to demand for urban development.

It is important for district plans to include a robust management response. 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, but at least ensure that a site-specific assessment can be made through a resource consent process.

4. Providing for horticultural activities in the rural environment

4.1. Seasonal Worker Accommodation

Seasonal worker accommodation provides for temporary and often communal living arrangements; it is quite distinct from permanent worker accommodation which might support a full-time employee and their family. It is a definable activity that requires a specific resource management response to reflect the nature of the activity. Accommodating seasonal workers in appropriate accommodation 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.

HortNZ is supportive of the inclusion of RPROZ-R11 (11A) allowing for Seasonal worker accommodation in the RPROZ and seek inclusion of a definition for seasonal worker accommodation.

4.2. Artificial Crop Protection Structures (ACPS) and Crop Support Structures (CSS)

Artificial Crop Protection Structures (ACPS) are structures that use permeable materials to cover and protect crops and are now essential for horticulture production of some crops.

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

Land use controls imposed by district plans have the most direct 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.

The National Planning Standards now define building. We note the following commentary from the Ministry for the Environment's 'Recommendations on Submissions Report for the first set of National Planning Standards' for 2I Definitions Standard¹¹:

"It was considered that any exclusion for a permeable roof could result in a loophole in the definition. Is a roof that leaks a permeable roof? How impermeable would it need to be to qualify? This could make it difficult for compliance and enforcement purposes. We consider that it would be better for the plan provisions (rather than the building definition) to clearly enable crop protection structures or other similar structures if this is the desired outcome" (pg 52).

In light of this, HortNZ has submitted supporting the inclusion of the definition of CSS and is seeking that a specific definition is provided for ACPS so that a specific, clear and

¹¹ <https://environment.govt.nz/publications/2i-definitions-standard-recommendations-on-submissions-report-for-the-first-set-of-national-planning-standards/>

appropriate rule framework can be applied which includes a permitted activity rule for ACPS in the RPROZ.

Several district plans around the country specifically provide provisions for ACPS (including for example: Whangarei, Auckland, Opotiki, Western Bay of Plenty, Whakatane, Hastings, Tasman).

4.3. Shelterbelts

Shelterbelts are part of primary production activities and assist in realising productive potential. They are an important mechanism for growers by providing shelter from wind and reduce potential for agrichemical spray drift. Shelterbelts are also a mechanism that can reduce the potential for reverse sensitivity complaints as there is barrier between the primary productive activity and adjoining properties.

4.4. Earthworks

The industry requires several supporting activities and infrastructure to enable on-going operation and development. HortNZ seeks an approach to provide for ancillary rural earthworks. There is a need to provide for 'day-to-day' activities that are integral to productive land use in the rural zone.

Ancillary rural earthworks include the disturbance of soil, earth or substrate land surfaces ancillary to primary production that includes:

- Land preparation and cultivation (including establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops (farming);
- 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;
- Irrigation and land drainage; and
- Maintenance and construction of facilities, devices and structures typically associated with farming activities including but not limited to farm tracks, driveways and unsealed parking areas, stock races, silage pits, farm drains, farm effluent ponds, and feeding lots, fencing, crop protection and sediment control measures.

The definition of 'Earthworks' provides an exception for cultivation and installation of fence posts, but HortNZ seeks to have a further definition included for Rural Ancillary Earthworks and complimentary provisions in the RPROZ.

HortNZ has developed a Code of Practice for Erosion and Sediment Control to provide guidance at an industry level for cultivation of vegetables crops (Horticulture New Zealand Code of Practice 'Erosion and Sediment Control Guidelines for Vegetable Production' (June

2014¹²). We also note that Farm Environment Plans also assist in managing day-to-day activity and are requirements at a regional level in some catchments and coming through at a national level – this lessens the need for regulation at a district plan level.

4.5. Noise

Rural environments are working rural production areas and should not be portrayed as quiet. Noise does occur in those areas, sometimes on an intermittent basis. Ensuring adequate setbacks of dwellings from horticultural properties is an important part of minimising the potential for reverse sensitivity complaints.

In setting rural noise standards, the following factors should be incorporated:

- Rural activities in rural areas should not be subject to urban standards for noise as it will curtail rural productivity;
- Daytime noise controls should be effective seven days per week – not limited to Monday to Friday as primary production activities are not limited Monday to Saturday;
- Noise standards in rural zones should be at least 55 LAeq to ensure that any assessment against the permitted baseline represents the normal rural environment;
- An exemption from the noise standards should be provided activities that are part of the primary production activity – an example is provided below; and.
- Specific rules should be included for activities that generate noise such as frost fans and audible bird scaring devices.

4.5.1. EXEMPTION FROM NOISE STANDARDS

HortNZ supports the permitted activity provision in NOISE-R1A to provide for noise from the use of vehicles, mobile machinery or other mobile or portable equipment where they are used on a seasonal or intermittent basis for agricultural, horticultural, viticultural or forestry activities that are permitted by the Plan. These other noise-producing horticultural activities should be supported.

4.5.1.1. Frost Protection device (Frost fans)

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

¹² <https://www.hortnz.co.nz/assets/Compliance/Erosion-and-Sediment-Control-Guidelines-for-vegetable-production-v1.1.pdf>

HortNZ seeks that provisions are included for noise insulation in new residential units that are located within 300m of an existing frost protection device to avoid potential for reverse sensitivity effects. NOISE-R5A13 should be amended to provide for such noise insulation.

4.5.1.2. Audible bird scarer devices

A bird scarer is a noise emitting device being used for the purpose of disturbing or scaring birds and can include a gas gun, avian distress alarm, or firearm when being used specifically for bird scaring. This is a necessary part of horticulture to protect the crop ready for harvest as birds can destroy an entire crop if not managed. It is important to understand that audible bird scarers are used for a limited period of the year. They are not used year-round.

4.6. Biosecurity

The issue of biosecurity relates to the need for rapid response in the event of a biosecurity incursion of an unwanted organism. Vegetation removal, burial, burning and spraying of material are methods that may be used. It is therefore important that the plan adequately provides for these activities to be undertaken.

HortNZ seeks provisions to provide for the active management of pest plants and pest animals including those identified in the Regional Pest Management Plan and unwanted organisms under the Biosecurity Act 1993, including in SNA's and areas of indigenous vegetation. Selwyn District has recently included a specific chapter for Biosecurity in the Risk and Hazard section of the Plan¹³, and HortNZ supports a similar approach in Napier City.

4.7. Schedules

The Plan has schedules for:

- Outstanding natural features and landscapes - Schedule 7
- Outstanding natural character - Schedule 9
- Significant natural areas - Schedule 5
- Significant waterbodies - Schedule 11
- Areas of very high and high natural character - Schedule 10
- Special amenity landscapes - Schedule 8

HortNZ is consulting with growers about areas identified in schedules to ensure that growers properties are not adversely affected or how the provisions may affect operations.

4.8. Summary

¹³ [District Plan - Partially Operative Selwyn District Plan \(Appeals Version\)](#)

In particular, HortNZ seek the following outcomes:

- Definitions and rules that recognise the importance of primary production
 - Ancillary rural earthworks
 - Seasonal worker accommodation
 - Artificial crop protection and crop support structures
- Provisions that recognise highly productive land to give effect to the National Policy Statement Highly Productive Land
- Strategic direction that provides for primary production and which is not compromised by other activities
- Provisions for activities and buildings/structures that are an inherent part of horticulture
- Appropriate setbacks for dwellings, buildings and artificial crop protection structures from boundaries
- Inclusion of provisions for biosecurity and management of unwanted organisms under the Biosecurity Act 1993.

Submission on the Proposed Napier City District Plan

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

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

| Provision | Support/ oppose | Reason | Decision sought |
|---|-----------------|---|---|
| Definition: Activities sensitive to noise | Oppose in part | The definition uses the term 'dwelling' which is not defined in the Plan. The term residential activity should be used. This would be consistent with the definition for activities sensitive to aircraft noise. | Amend activities sensitive to noise Means any dwelling residential activity -visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classroom in education facilities, and healthcare facilities with an overnight stay facility |
| Definition: Artificial crop protection structures | New | HortNZ seeks a new definition for artificial crop protection structures and provision in the rules for such structures. They are distinctly different to 'crop protection devices' which are focused on noise. | Include a definition for artificial crop protection structures: <u>Means structures with permeable material used to protect crops and/ or enhance growth (excluding greenhouses). Artificial crop protection structures are not buildings.</u> |
| Definition: Crop protection devices | Oppose in part | The definition of crop protection devices and related rules appears to include devices that emit noise, as opposed to other types of devices. It should be clear that the intent of the definition is limited to noise emitting devices. The relevant terms used in the rules | <u>Delete the definition of crop protection devices and include definitions for:</u> <u>Audible bird scaring device means gas guns and audible avian distress devices used for the purpose</u> |

| Provision | Support/ oppose | Reason | Decision sought |
|------------------------------------|-----------------|--|--|
| | | are audible bird scaring device, hail cannon and frost protection fans. These terms should be defined so they inform the specific rules. | <p><u>of disturbing or scaring birds. It excludes firearms and vehicles used for that purpose.</u></p> <p><u>Frost protection fans means fixed devices used to move air to protect a crop from frost damage.</u></p> <p><u>Hail cannons are devices generating shock waves to disrupt the formation of hailstones in the atmosphere.</u></p> |
| Definition: Greenhouse | New | HortNZ seeks a definition for greenhouse and specific provisions in the rules for such structures. | <p>Include a definition for greenhouse:</p> <p><u>Means a structure enclosed by impermeable material used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.</u></p> |
| Definition: Highly Productive Land | Oppose in part | HortNZ supports the inclusion for highly productive land. However, the definition will only apply once highly productive land has been mapped and included in the Hawkes Bay Regional Policy Statement. There needs to be an interim definition until such mapping and plan changes have occurred based on clause 3.5 (7) of the NPSHPL. | <p>Amend the definition of highly productive land:</p> <p><u>Until such time as mapping of highly productive land has been undertaken highly productive land is as defined in Clause 3.5 (7) of the NPSHPL being land that is zoned general rural or rural production land that is LUC1,2, or 3 land but is not identified for future urban development or subject to a Council initiated or adopted notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.</u></p> <p><u>For the purposes of this plan in the interim highly productive land will include versatile land as defined in the Regional Policy Statement 2010.</u></p> |

| Provision | Support/ oppose | Reason | Decision sought |
|---|-----------------|--|--|
| | | | <u>Alternatively add a definition for productive soils which are highly productive land and versatile soils.</u> |
| Definition: Noise Sensitive activity | Support in part | <p>HortNZ supports inclusion of a definition for noise sensitive activity but seek that there is clarity in the definition. The proposed definition uses travellers accommodation but the defined term in the Plan is visitor accommodation. Places of assembly are not defined in the Plan nor in the National Planning Standards. It is unclear how rules for noise sensitive activities would apply to such areas which are not defined.</p> <p>There is also a definition for 'activities sensitive to noise'. It would appear that they seek to address the same issues and the terms should be amended to use one term consistently in the Plan/</p> | <p>Amend the definition of noise sensitive activity:</p> <p><u>Delete travellers accommodation and replace with visitor accommodation.</u></p> <p><u>Delete places of assembly</u></p> <p><u>Delete the definition of either noise sensitive activity or activities sensitive to noise.</u></p> |
| Definition: Primary building and/or structure | Support in part | <p>The definition uses the term 'dwelling' which is not defined in the Plan. The term residential activity should be used.</p> <p>This would be consistent with the definition for primary building and/or structure.</p> | <p>Amend the definition of primary building and/or structure by:</p> <p><u>Replace dwelling with residential activity in a residential area or rural production zone.</u></p> |
| Definition: Productive capacity | Support in part | <p>The proposed definition is limited to 'land-based primary production'. Productive capacity should refer to all primary production activities.</p> | <u>Delete 'land-based' from the definition of productive capacity.</u> |

| Provision | Support/ oppose | Reason | Decision sought |
|--|-----------------|--|---|
| Definition: Sensitive activities | Support in part | The definition includes 'Places of assembly' are not defined in the Plan nor in the National Planning Standards. It is unclear how rules for sensitive activities would apply to such areas which are not defined. | Amend the definition of sensitive activities by: <u>Deleting places of assembly</u> |
| Definition - Seasonal worker accommodation | New | As the plan specifically provides for this activity, we think a definition is warranted for plan interpretation. The proposed definitions are those included in the Hastings District Plan and Proposed Central Hawke's Bay District Plans. | <u>Seasonal worker accommodation means any premises used for accommodation purposes directly associated with the seasonal labour requirements of the Districts horticulture, viticulture, and cropping industries and includes both new and existing permanent buildings and relocatable structures</u> OR <u>Seasonal worker accommodation means any premises used for residential accommodation purposes directly associated with the seasonal labour requirements of the District's agriculture, horticulture, viticulture, and cropping industries, including both existing permanent buildings and new relocatable structures. Seasonal workers accommodation includes ancillary kitchen, dining and ablution facilities and other ancillary living and recreation facilities for the exclusive use of resident seasonal workers, whether in one building or multiple buildings.</u> |
| Definition: Supporting activities | Support in part | The definition of supporting activities relates only to highly productive land. Therefore the definition should only relate to highly productive land. At present it | Amend the title to the definition for supporting activities: <u>Supporting activities (highly productive land)</u> |

| Provision | Support/ oppose | Reason | Decision sought |
|---|-----------------|---|--|
| | | could imply that the definition could apply to any land, not just highly productive land. | |
| Definition: Versatile land | Support in part | HortNZ considers that the term versatile land will become redundant once the mapping of highly productive land is included in the regional policy statement. The land included as versatile land includes more than that the interim definition for highly productive land but may be included in the mapping of highly productive land. Until that time there is a need to provide for versatile land as in the Operative Regional Policy Statement in the interim | Include versatile land as defined in the Regional Policy Statement 2010 as highly productive land in the interim definition of highly productive land to apply until such time as mapping of highly productive land has been undertaken and included in the Regional Policy Statement. |
| Definition: Productive soils | New | Addressing productive land in the Plan is complex as the versatile land provisions of the RPS apply and the NPSHPL highly productive land. In a number of places, the Plan (eg SD-UFD-16) refers to 'productive soils'. It would be appropriate to define both highly productive land and versatile soils and then include them in an umbrella definition for productive soils. | Include a definition for productive soils: Are highly productive land and versatile land as defined in this Plan. |
| Definition - Ancillary rural earthworks | New | There needs to be adequate provision for ancillary rural earthworks to enable small scale earthworks to be undertaken as a permitted activity. This is particularly | <u>Ancillary rural earthworks, means:</u> a) <u>Normal agricultural and horticultural practices, such as ploughing, planting trees, root ripping, digging post holes, maintenance of drains,</u> |

| Provision | Support/ oppose | Reason | Decision sought |
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| | | <p>important in response to natural hazard events.</p> <p>Cultivation is not included in the definition as it is a separate activity and not part of earthworks activities.</p> | <p><u>troughs and installation of their associated pipe networks, and realignment of fencelines, drilling bores and offal pits, burying of dead stock and plant waste;</u></p> <p>b) <u>Land preparation and vegetation clearance undertaken as part of horticultural plantings; and</u></p> <p>c) <u>Maintenance of existing walking tracks, farm and forestry tracks, driveways, roads and accessways within the same formation width.</u></p> |
| Description of the district | Support in part | Paragraph 9 of the description describes the rural areas providing rural lifestyles and also viticulture, manufacturing and primary production. Given the importance of horticulture, it should be specifically listed. | Amend Para 9 of Description of the District by adding 'horticulture' after viticulture. |
| SD- Overview | Support | HortNZ supports the overview and how the Strategic Directions will be implemented, in particular that there is no fixed hierarchy between objectives in the Plan. | Retain Strategic Objectives Overview |
| SD - Transport and Infrastructure SD- TI-O4 | Oppose in part | The objective uses the term 'significant infrastructure' but the term is not defined in the Plan. It is not clear what infrastructure is intended to be classed as significant infrastructure. The objective seeks that such infrastructure is 'protected' from incompatible activities. HortNZ does not support this approach and the lack of clarity. | <p>Define significant infrastructure</p> <p>Amend SD-TI-O4</p> <p>Significant infrastructure operates efficiently and safely and is protected not compromised by incompatible development activities that create reverse sensitivity effects.</p> |

| Provision | Support/oppose | Reason | Decision sought |
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| | | The important matter is that the functioning of infrastructure is not compromised. | |
| SD-UFD-I6 Productive soils | Support | The intent of the issue is supported; however, the term productive soils is not defined. To ensure clarity, HortNZ seeks that a definition for productive soils is included that incorporates both versatile soils and highly productive land. The issue should refer to highly productive land. | Amend SD-UFD-I6: The high quality soils highly productive land and versatile soils of the Heretaunga Plains are under threat from pressure for ongoing urban expansion. Explanation. Versatile and productive soils and highly productive land are a limited resource in Napier. Define productive soils as highly productive land and versatile soils. |
| SD-UFD-O7 Heretaunga Plains | Support | The objective and recognition of Heretaunga Plains is supported. However, it should specifically refer to highly productive land. It is not only urban use that can compromise soils, and this should be recognised in the objective. | Amend SD-UFD-O7: The contribution of soils, including highly productive land , within the Heretaunga Plains makes to food supply is protected from inappropriate subdivision, urban use and development. |
| SD-UFD-P3 Greenfield growth | Support | HortNZ supports that urban rezoning avoids areas of highly productive land, however the reference in the policy should use 'land' not 'soils' to be consistent with the definition. | Amend SD-UFD-P3 b) Avoids urban rezoning in areas of highly productive soils land |
| NU-O3 Adverse effects on network utilities | Support | HortNZ supports that network utilities are not compromised by incompatible activities. | Retain NU-O3. |

| Provision | Support/ oppose | Reason | Decision sought |
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| NU-P4 Adverse effects on network utilities | Oppose in part | <p>The objective sought that network utilities are not compromised by incompatible activities, but the policy seeks to 'protect' network utilities. The policy should implement the objective.</p> <p>Clause f and h duplicate provisions for electricity distribution lines.</p> <p>There are no specific rules for activities near electricity distribution lines so it should be clear that the policy is achieved through NZECP34:2001.</p> | <p>Reword NU-P4:</p> <p>Protect Ensure that network utilities are not compromised by the adverse effects of subdivision use and development that may constrain or compromise the safe and effective, secure and efficient operation ...</p> <p>Delete clause h</p> <p>Amend clause g) by adding: through compliance with NZECP34:2001</p> |
| NU-P6 Adverse effects of the National Grid Yard and National Grid Corridor | Support in part | In the rural areas the National Grid should seek to avoid to the extent reasonably possible adverse effects on highly productive land. | <p>Amend NU-P6 d) by adding:</p> <p><u>And to the extent reasonably possible adverse effects on highly productive land.</u></p> |
| NU-R13 Buildings or structures within the National Grid Yard in all zones | Support | HortNZ supports the provisions for artificial crop protection structures in 5c) | Retain NU- R13A 5 c) |
| TPT-01 | Support | HortNZ supports the recognition of a safe and efficient transport network that supports growth and the movement of freight. | Retain TPT-01 |

| Provision | Support/ oppose | Reason | Decision sought |
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| TPT-O2 Economic wellbeing | Support | Efficient transport routes are critical to the economic wellbeing of the horticulture sector, particularly for products with short shelf life, to minimise costs to consumers, and to facilitate production activities. Efficient access to the port is imperative and must be improved, and airport access is also important. | Amend TPT-O2 to specifically recognise the role of an integrated transport network in supporting the economic wellbeing of the horticulture sector. The integrated transport network supports economic wellbeing, particularly of the horticulture sector, particularly by providing safe and efficient freight access to the port and airport, as well as across the local roading network. |
| TPT-P3 Freight access routes | Support in part | The policy is supported in terms of safe and efficient delivery of freight but there is no recognition of the importance of freight in the rural areas, where delivery of produce is critical. | Amend TPT-P3 to specifically identify rural areas as dependent on freight networks. |
| TPT-R5 Vehicle trip generation | Support in part | Rule TPT-R5A requires compliance with TPT-S6. It would seem that this should be TPT-S7 which has 400 light vehicle movement per day and 50 heavy vehicle movements per day outside of the residential zones. Beyond these number a restricted discretionary consent is required. | Amend TPT-R5A (1) to refer to TPT-S7. |
| TPT-S7 Vehicle trip generation | Support in part | HortNZ supports the intent but are unsure if it is realistic to have maximum number of vehicle movements in the rural zone. Many unforeseen events, and seasonal activities may mean this will be exceeded. | Amend TPT-S7 to remove maximum vehicle movements in the rural zone. |

| Provision | Support/oppose | Reason | Decision sought |
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| GMO | Support | | HortNZ supports the precautionary approach to GMO and the consistent approach with Hastings District Council. HortNZ supports a precautionary approach based on community conversations. |
| HASZ- Hazardous substances | Support | HortNZ supports the approach to hazardous substance management with a focus on matters that fall within the scope of the RMA such as reverse sensitivity, residual risks and major hazard facilities. | Retain HASZ Hazardous substances |
| HASZ-O2 Enable activities that use and store hazardous substances in appropriate locations | Support | Horticulture growers use and store hazardous substances but need to meet requirements under HSNO and Health and Safety at Work legislation and regulations as well as meeting industry quality assurance requirements which ensure appropriate locations. | Retain HASZ-O2 |
| HASZ-P2 Enable activities that utilise hazardous substance in appropriate locations | Support | The policy implements HASZ-O2 | Retain HASZ-P2. |
| HASZ-R2 The storage, handling or use of hazardous | Support | A permitted activity status is supported for the rural zones. | Retain HASZ-R2 |

| Provision | Support/ oppose | Reason | Decision sought |
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| substances in all other zones (excepting significant hazard facilities) | | | |
| SUB-17 Issue of reverse sensitivity on adjacent land uses | Support in part | HortNZ supports recognition of reverse sensitivity on adjacent land uses. This is a key issue in rural areas and primary production. Mitigation measures should also include setbacks. | Amend SUB-17: Mitigation measures such as planting buffers, site layout and setbacks should be considered and incorporated at the time of subdivision where potential for reverse sensitivity exists. |
| SUB-O1 Compatible land use | Support | HortNZ supports the need for compatible land uses. | Retain SUB-O1 Compatible land use |
| SUB-O6 Subdivision in rural zones | Support in part | HortNZ supports Objective 6 to protect highly productive land, avoiding Rural lifestyle in the Rural Production Zone and avoiding reverse sensitivity effects. However the objective refers to 'rural activities' which are not defined. | Amend SUB-O6: b) Rural Production Zone (not productive) c) Delete rural activities and replace with primary production activities and rural industry alternatively define rural activities as primary production activities, rural industry and activities that have a functional need to locate in the Rural Production Zone. |
| SUB-P1 Compatible land use | Support | Method to address reverse sensitivity are supported. | Retain SUB-P1 Compatible land use |

| Provision | Support/oppose | Reason | Decision sought |
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| SUB-P19 Highly productive land | Support in part | The policy needs to more accurately reflect the NPSHPL. | Amend SUB-P13 as follows: Amend c): Avoiding subdivision unless Section 3.8 of the National Policy Statement for Highly Productive Land 2022 is met. Amend d) by deleting subpoints ii, iii, and iv as these are included in Section 3.10 of the National Policy Statement for Highly Productive Land |
| SUB-P20 Small lots in rural production zone | Support | Land fragmentation should be avoided. | Retain SUB-P20 Small lots in rural production zone |
| SUB-R1 Subdivision | Oppose in part | HortNZ does not support a controlled activity status for subdivision in the Rural Production Zone as it does not enable affected parties to be involved in the process which may adversely affect their operations. | Amend SUB-R1A to Restricted Discretionary in the Rural Production Zone and Discretionary where standards are not met. |
| SUB-R12 Subdivision on highly productive land | Support | A non-complying activity status gives effects to National Policy Statement for Highly Productive Land 2022 | Retain SUB-R12 Subdivision on highly productive land |
| SUB-S3 Minimum lot sizes - rural | Support | A minimum lot size of 4ha in the Rural Production Zone is supported. | Amend Rural Productive Zone to Rural Production Zone |

| Provision | Support/ oppose | Reason | Decision sought |
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| SUB- AC1 Management of potential reverse sensitivity effects on existing land uses | Support in part | Clause aa) should apply to all primary production activities not just land-based primary production activities. | Amend by deleting <u>Land-based primary production</u> |
| Earthworks - New policy - EW- PX | New | We seek that a policy, which recognises the beneficial outcomes of earthworks (including ancillary rural earthworks) is provided. | Include new policy <u>EW-PX - Enable earthworks to provide for people and communities social, economic and cultural well-being, and their health and safety, including ancillary rural earthworks, where adverse effects are appropriately managed</u> |
| Earthworks New rule - EW - RX | | We seek a permitted activity rule be included for ancillary rural earthworks to provide for rural activities- refer to discussion above | Include new rule <u>EW-RX Ancillary Rural Earthworks</u> <u>Rural Lifestyle Zone</u> <u>Rural Production Zone</u> <u>Activity Status: Permitted</u> |
| Earthworks New rule - EW-RX | New | We seek a permitted activity rule be included for earthworks associated with a biosecurity response - refer to discussion above. | Include new rule <u>EW-RX The burying of material infected by unwanted organisms as declared by the Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993</u> <u>All zones</u> <u>Activity Status: Permitted</u> |

| Provision | Support/ oppose | Reason | Decision sought |
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| NOISE-I3 Noise sensitive activities can impact on the operation of noise-generating activities | Support | It is important to recognise that reverse sensitivity effects need to be avoided. | Retain NOISE-I3. |
| NOISE-O3 Reverse sensitivity | Support | It is important to recognise that reverse sensitivity effects need to be avoided. | Retain NOISE-O3. |
| NOISE-O1 Amenity values health and wellbeing | Support in part | It is important that the anticipated outcomes for the receiving environment are taken into account. For instance, the rural area is not a quiet area, even though some perceive it as such. There should be a policy that clearly provides for activities that generate noise. | Retain NOISE-O1 but include a new objective to provide for noise generating activities. |
| NOISE-OX | New | Add a new objective to provide for activities that need to generate noise in the district. | Add new objective" Recognise and provide for activities that generate noise whilst ensuring that the noise levels are compatible with the character and activities undertaken in the zone in which it occurs, which will vary across the district. |
| NOISE-PX | New | A new policy is needed to provide for noise from primary production activities. This is needed to support NOISE-R1A 2a). | Include a new policy Provide for primary production activities which generate noise within the Rural Production Zone and ensure that they are not constrained from reverse sensitivity effects arising from noise sensitive activities located in the Rural Production Zone. |

| Provision | Support/oppose | Reason | Decision sought |
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| NOISE-P2 Noise sensitive activities | Support in part | The policy is focused on the noise sensitive activities not the activities that need to generate noise. It is unclear what would be included a high-noise generating activities in clause c). | Clarify what is intended to be included as 'high noise generating activities'. |
| NOISE-P4 Reverse sensitivity | Support in part | The Rural Production Zone should be included in NOISE-P4 | Added to NOISE-P4 d) Rural Production Zone |
| NOISE-R1A - Noise generation General | Support | HortNZ supports the permitted activity in NOISE-R1A 2a) that provides for noise from horticultural activities. | Retains NOISE-R1A 2a) |
| NOISE-R5 Noise generated from rural production activities | Support in part | Rural production activities are not defined in the Plan. The rule should refer to primary production activities. | Amend NOISE-R5 to Noise generated from primary production activities. |
| NOISE-R5A | Support in part | HortNZ supports the rules for audible bird scaring devices, Hail cannon, Gas guns, firearms, Audible avian distress alarms and frost protection fans. However, the provision in 13 is inappropriate. The condition should be that any noise sensitive activity establishing within 300m of an existing frost fan should have to provide acoustic insulation. A rule is sought in RPROZ to this effect. | Amend NOISE-R5A by deleting 13 and replacing with a rule requiring noise insulation for noise sensitive activities within 300m of a frost fan. |

| Provision | Support/ oppose | Reason | Decision sought |
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| NOISE-S1 General Noise limits | Support | HortNZ supports a daytime noise limit of 55db for the Rural Production Zone which recognises that the rural production zone is a noisier environment than the residential zone | Retain a 55dB 7am - 7pm noise limit for the Rural Production Zone. |
| NOISE - AC2 | Support | The assessment criteria for noise from rural production activities is supported. | Retain NOISE-AC2. |
| RPROZ- Introduction | Support in part | HortNZ supports the focus on primary production activities in the Rural Production Zone. A few minor wording changes would provide greater clarity. | Amend RPROZ- Introduction Para 3: Land uses that support or are ancillary to primary production and rural industry in the Rural Production Zone contribute to the economic wellbeing of the city and are provided for within the zone. Controls are placed over unplanned on rural lifestyle residential development, industrial and commercial activities and other inappropriate urban activities that do not support or are unrelated to the use of land for primary production. |
| RPROZ-I1 The use of rural land for primary production provides economic opportunities. | Support | The issues clearly articulate the role of horticulture in the rural zone. | Retain RPROZ-I1. |
| RPROZ-I2 The irreversible loss of versatile soils and highly productive | Support | While focus on versatile soils and highly productive land is supported it should be acknowledged that all land in the Rural | Amend RPROZ-I2 |

| Provision | Support/ oppose | Reason | Decision sought |
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| land to urbanisation and inappropriate use and development | | Production Zone is important for primary production. | The irreversible loss of rural production land, particularly versatile soils and highly productive land, to urbanisation and inappropriate use and development |
| RPROZ-I3 The life supporting capacity of versatile soils and highly productive land is to be protected. | Support | The protection of highly productive land is supported. | Retain RPROZ-I3. |
| RPROZ-I4 Rural character and amenity can be undermined by increased development | Support in part | The issue effectively describes the rural character of the rural area. The rural area is also characterised by activities that generate noise, odour or spray drift so this should be recognised as part of the rural character. Some horticultural structures such as artificial crop protection structures are also part of the rural character. | Amend RPROZ-I4: Replace Para 2 as follows: Rural character includes key elements of openness, vegetation and a primary production orientated working environment characterised with buildings and structures for primary production, shelterbelts, crops and pastures, trees and livestock |
| RPROZ-I5 Reverse sensitivity needs to be managed to ensure that primary production activities can operate. | Support in part | Reverse sensitivity needs to be managed so as to not constrain all primary production activities, not just 'land-based' primary production. | Amend RPROZ-I5 2 nd sentence Reverse sensitivity need to be managed so as to not constrain land based primary production activities, ... |

| Provision | Support/oppose | Reason | Decision sought |
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| RPROZ-O1 Activities on highly productive land | Support | The objective gives effect to the NPSHPL. | Retains RPROZ-O1 |
| RPROZ-O2 Activities on non-highly productive land | Support in part | RPROZ-O2 should incorporate all land that is not highly productive – not just versatile soils. | Amend RPROZ-O2: Land in the Rural Production Zone, including versatile soils, is retained for agriculture, horticulture and farming and used primarily for food production and ancillary activities that support rely on primary production |
| RPROZ-O3 Rural character and amenity | Support in part | The focus should be on rural character as described in Issue 4. Natural features are addressed in the Natural features and landscapes chapter. | Amend, to make the intent clear in a rural setting: Natural features , Rural character and amenity are not compromised by adverse changes to landform , intensification of <u>non-rural</u> land use and/or built form, or ad hoc urbanisation. |
| RPROZ-O4 Reverse sensitivity | Support in part | The intent of the objective is supported however it would be better focused on primary production activities rather than ‘rural activities’ which is not defined. | Amend: Non-rural activities must support primary production and avoid or otherwise mitigate reverse sensitivity effects that may compromise rural primary production activities |
| RPROZ-O5 Cumulative effects | Support in part | The intent of the objective is supported however it would be better focused on all land for primary production. | Amend: Subdivision, use or development do not have cumulative effects that deplete the availability and productive capacity of land for primary production, including highly productive land or natural resources. |

| Provision | Support/ oppose | Reason | Decision sought |
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| RPROZ-P1 Use and development of highly productive land | Support in part | The policy needs to more accurately reflect the NPSHPL. | Amend RPROZ-P1 as follows: Amend c) by deleting subpoints ii, iii, and iv as these are included in Section 3.10 of the National Policy Statement for Highly Productive Land. |
| RPROZ-P2 Rural land use outside highly productive land | Support in part | The focus shouldn't only be on versatile land but rather all land that isn't highly productive land. | Amend RPROZ-P2: Primary production activities continue to have access to <u>land, including versatile land by:</u> |
| RPROZ-P3 Rural character and amenity | Support in part | It is important to provide a realistic and clear expectation of rural character/amenity. | Retain a policy addressing rural character and amenity, but amend to also include features that are inherent such as: <ul style="list-style-type: none"> • ancillary activities and structures (including crop support and crop protection structures) across the landscape • Odours, noise and dust typical of rural activities • Varying levels of noise associated with seasonal and intermittent rural production activities. |
| RPROZ-P4 Services and infrastructure | Oppose in part | It is not a district council function to manage discharges. This should be deleted from the policy. | Delete: 'from discharges' |
| RPROZ-P5 protection of rural values | Oppose in part | The policy is based on a set of 'rural values'. These should only be applied to non-primary production activities that may locate in the Rural Production Zone | Amend RPROZ-P5: <u>Non-primary production</u> use and development do not degrade the values associated with the Rural Production Zone |

| Provision | Support/ oppose | Reason | Decision sought |
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| RPROZ-P6 Reverse sensitivity | Oppose in part | Land based primary production activities are a subset of primary production so do not need to be specifically included. | Delete: and land based primary production activities. |
| RPROZ-P7 Cumulative effects | Support | Retaining highly productive land and versatile soils is supported. | Retain RPROZ-P7 |
| RPROZ-R1 Primary production activities outside highly productive land | Support in part | A permitted activity is supported in RPROZ-R1A, including for buildings and structures. The matters of discretion in RPROZ-R1B (7) should just refer to rural character. | Amend RPROZ-R1B (7) by deleting 'open' |
| RPROZ-R2 Primary production activities within highly productive land | Support in part | RPROZ-R2 REQ1 should apply to use and development, not just subdivision. | RPROZ-R2 REQ1 b) include use and development |
| RPROZ-R3 Rural industry and associated buildings and structures | Support in part | RPROZ-R3A Clause 6 could be better worded in respect to being a supporting activity on highly productive land | Amend RPROZ-R3A clause 6: <u>The activity is a supporting activity if located on highly productive land.</u> |
| RPROZ-R4 Rural produce retail activity | Support in part | The intent of the rule is supported however it is considered that clause 4 should allow for produce grown on the same site or by the same operation - which may grow on a number of locations in the city. | Amend RPROZ-R4A 4) by adding <u>or by the same operation</u> |

| Provision | Support/oppose | Reason | Decision sought |
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| RPROZ-R5 Residential activities and associated buildings and structures (excluding residential units). | Oppose in part | There should be provision for a residential unit on a property that has highly productive land so that the property can be appropriately managed. A productive capacity assessment should not be required for residential activity on highly productive land. | Amend RPROZ-R5A (3) <u>The activity is a principal residential unit on highly productive land</u> Delete RPROZ-R5B REQ1 |
| RPROZ-R6 Minor residential unit | Oppose in part | There should be provision for a minor residential unit on a property that has highly productive land so that the property can be appropriately managed. A productive capacity assessment should not be required for minor residential unit on highly productive land. | Amend RPROZ-R6A (3) <u>The activity is a minor residential unit on highly productive land ancillary to primary production activities.</u> Delete RPROZ-R6B REQ1 |
| RPROZ-R7 Residential care facility | Support | A non-complying activity status is supported | Retain RPROZ-R7 Residential care facility |
| RPROZ-R8 Day care centre | Support | A non-complying activity status is supported | Retain RPROZ-R8 Day care centre |
| RPROZ-R9 Education facility | Support | A non-complying activity status is supported | Retain RPROZ-R9 Education facility |
| RPROZ-R10 Travellers accommodation | Support | A non-complying activity status is supported However, the activity should be visitors accommodation. | Retain RPROZ-R10 but amend to be visitors accommodation |

| Provision | Support/oppose | Reason | Decision sought |
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| RPROZ- R11 Seasonal workers accommodation | Support in part | The permitted activity rule for seasonal worker accommodation is supported. However, it should not be limited to land based primary production. | Amend RPROZ-R11A (6) by deleting 'land based.' |
| RPROZ-S1 Yards | Oppose in part | HortNZ seeks that side and rear yards for residential activities be 30m from the boundary to provide an adequate separation to manage reverse sensitivity effects | Amend RPROZ-S1 2) by adding Residential activities shall be no closer than 30m from the side or rear boundary. Artificial crop protection structures shall be no closer than 3 m from a side or rear boundary |
| RPROZ-S2 Setbacks from water, open drains and stopbanks | Oppose in part | There needs to be provisions for structures such as pump sheds which need to locate near the water source. | Amend RPROZ-S2 to provide exemption for pump sheds. |
| RPROZ-S3 Setback from highly productive land | Support in part | HortNZ seeks that a setback of 30m apply to all residential activity near primary production activities, not just on highly productive land. | Amend RPROZ-S1 as sought above. |
| RPROZ-S4 Height | Oppose in part | The height provisions do not adequately provide for frost fans. | Amend RPROZ-S3 by adding: 4) frost fans measure to the tip of the blade shall not exceed 15m. |
| RPROZ-S5 Building coverage | Oppose in part | Building coverage should not apply to artificial crop protection structures or greenhouses. | Amend Note in RPROZ-S5 <u>2. Netting, structures (including artificial crop protection structures and crop support structures), and greenhouses where crops are grown under or within</u> |

| Provision | Support/oppose | Reason | Decision sought |
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| | | | those structures directly in the soil of the site , are excluded from total building coverage calculations |
| RPROZ-S8 Shelterbelts and plantations | Support | HortNZ supports shelterbelts not exceeding 9m to be planted within 5m of a site boundary. | Retain RPROZ-S8 Shelterbelts and plantations |
| New standard - RPROZ-SX | New | This links to the noise controls for frost protection fans, that reverse sensitivity effects are avoided where possible. | Include a standard, that applied to new noise sensitive activities in the RPROZ, that requires insulation in bedrooms to a level of 35dB LAeq if within 300m of an existing frost protection fan. |
| RPROZ-AC Assessment criteria | Support in part | Suggesting edits to be clearer and more consistent with terminology used in the plan. | Amend RPROZ-AC1 e) by deleting 'land based' f) Delete 'streetscape' g) Delete rural activities and amend rural production to primary production |
| RPROZ- AC2 Rural activities | Oppose in part | Rural activities is not defined | Rename RPROZ AC2 Non-Primary production activities |