Appendix 4 – table of HortNZ submission and further submission points addressed in evidence

HortNZ submissions and further submissions – Hearing 18 Rural – Chapter 5 Rural Environment Objectives and Policies

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
419.92 FS1168.48 FS1168.49 FS1168.50 FS1168.51	Rural Environment 5.1 Strategic objective – the Rural environment and 5.1.1 Objective – The rural environment	HortNZ sought that countryside living be managed in the rural environment. Supported Federated Farmers 680.56 Supported NZ Pork 197.4 Supported Balle Bros 466.40 Supported Federated Farmers 680.55	Hearing 3 Hearing 18: Pg 27 Para 63-75	Section 6 Pg 23
419.93	Obj 5.2.1 Rural resources	Retain as proposed.	Pg 33 Para 76-92 A/P	Section 7 Pg 29
1168.52	Obj 5.2.1	S/P Federated Farmers 680.57 to delete objective	Pg 33 Para 76-92 R	Section 7 Pg 29
419.54	Policy 5.2.2 High class soils	Retain as proposed.	Pg 33 Para 93-95 A	Section 7 Pg 29
1168.53	Policy 5.2.2.b High class soils	S/P Federated Farmers 680.58 to delete policy	Pg 33 Para 93-95 R	Section 7 Pg 29
419.55	Policy 5.2.3 Effects of subdivision and development on soils	Retain as proposed.	Pg 49 Para 96-99 A/P	Section 7 Pg 29
1168.54	Policy 5.2.3a)	Support Balle Bros 466.43 to retain policy	Pg 45 A/P	Section 7 Pg 29
419.56	Obj 5.3.1 Rural character and amenity	Rural character and amenity	Pg 50 Para 101 -113 A/P	Section 8 Pg 32
419.57	5.3 X Rural character and amenity	Include a new policy for Rural character and amenity	Pg 50 Para 101 -113	Section 8 Pg 32
419.58	Policy 5.3.2 Productive rural	Retain as proposed	Pg 86 A/P	Section 8 Pg 32

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
	activities			
1168.55	Policy 5.3.2	Support Federated Farmers 680.61 re wording of productive rural land	Pg 88 A	Section 8 Pg 32
419.59	Policy 5.3.3 Industrial and commercial activities	Refine or combine with Policy 5.3.9	Pg 96 A	Section 11 Pg 39
419.60	Policy 5.3.4 Density of dwellings	Retain as proposed	Pg 58 Para 256 A/P	Section 15 Pg 45 Section 18 Pg 54
1168.56	Policy 5.3.4 Density of dwellings	Support NZ Pork	Pg 58 Para 256 A/P	Section 15 Pg 45 Section 18 Pg 54
1168.57	Policy 5.3.4 Density of dwellings	Support T & G Global 676.3 re provision of worker accommodation	Pg 58 Para 256 A/P	Section 18 Pg 54
1168.58	Policy 5.3.4 Density of dwellings	Support Waikato DC 697.556 re additional point re second and minor dwellings	Pg 58 Para 256 A/P	Section 15 Pg 45
419.61	Policy 5.3.5 Earthworks	Retain as proposed	Pg 165 A/P	Section 22 Pg 65
419.62	Policy 5.3.7 Reverse sensitivity	Amend 5.3.7 as follows: (a)Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed: (i)Large numbers of animals being farmed, extensive areas of <u>commercial vegetable production,</u> plants, vines or fruit crops, plantation forests and farm forests; c)<u>Avoid or</u> Mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design of subdivisions and development.	Pg 136 A/P	Section 13 Pg 41
1168.60	5.3.7	Supporting Zeala Ltd 281.8	Pg 133 R	Section 13 Pg 41
1168.59	5.3.7	Supporting Zeala Ltd 281.8	Pg 133 R	Section 13 Pg 41

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
419.63	Policy 5.3.8 Effects of rural character and amenity from rural subdivision	Retain as proposed	Pg 63 Para 256 A/P	Section 14 Pg 44
1168.61	Policy 5.3.8	Support Balle Bros 466.62	Pg 63 Para 256 A/P	Section 14 Pg 44
419.64	Policy 5.3.9 Non-rural activities	Amend 5.3.9 as follows: Policy – <u>Other</u> ~~Non~~-rural activities Refine or combine policy 5.3.3 and 5.3.9 as described above.	Pg 90 A/P	Section 10 Pg 36
1168.62	Policy 5.3.9 Non-rural activities	Oppose Waikato DC 697.557 which seeks new policy for retirement villages (Should have been 697.559)	Pg 93 A/P	Section 10 Pg 36
419.65	Policy 5.3.15 Noise and vibration	Retain as proposed	Pg 312 A/P	Section 21 Pg 62
1168.63	Policy 5.3.15 Reverse sensitivity	Support Federated Farmers 680.71 to include noise and vibration effects (Also reference 5.3.7)	Pg 312 R	Section 21 Pg 62
1168.64	Policy 5.3.16 Ag research centres	Support Dairy NZ 639.1 re amendments to Policy 5.3.16	Pg 234 R	To be addressed in Rebuttal

HortNZ submissions and further submissions – Hearing 18 Rural – Chapter 22 – Rural Rules

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
1168	New provision	Oppose Waikato DC 697.456 seeking provisions for retirement villages	Not included	Section 17 Pg 47
419.8	22.1.2 P7	HortNZ supports the provision for farming activities as a permitted activity with no additional specific conditions. As mentioned, HortNZ generally supports the proposed definition of farming, which includes the processing of farm produce on site.	Pg 267 A/P	Section 17 Pg 47

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
1168.66	22.1.2 P2	Support Surveying Company 746.66 seeking additional activities in Rural zone	Pg 256 A	Section 17 Pg 47
1168.67	22.1.2 P2	Support Shaw and Hall 877.12 (should be 27) seeking additional activities in Rural zone	Pg 256 A	Section 17 Pg 47
419.9	22.3.X	New rule for worker accommodation	Pg 79 R	Section 18 Pg 54
419.10	22.X	New rule for artificial crop protection structures	Pg 353 A/P	Section 19 Pg 57
419.11	22.1.3 RD2 Rural industry	HortNZ supports the Restricted Discretionary status for Rural Industry. HortNZ is unsure of the use of the term “waste disposal”. The term waste disposal is not defined in the Proposed Plan. Rather the plan defines “Waste management” which includes waste disposal. It is not clear what Council are outcomes are being sought, or what standards the waste disposal systems are required to meet. Delete iii) waste disposal	Pg 292 A/P	Section 17 Pg 47
419.12	22.3.X RDA	New rule for worker accommodation	Pg 79 R	Section 18 Pg 54
419.13	22.3.X RDA	New rule for artificial crop protection structures	Pg 3535 A/P	Section 19 Pg 57
419.17	22.2.1.1 P1 Noise	Retain farming noise as a PA	Pg 312 A/P	Section 21 Pg 62
419.18	22.2.1.2 P1 Noise frost fans	Amend Rule 22.2.1.2 P1 to 60db	R	Section 21 Pg 62
419.19	22.2.1.2 D1 Noise frost fans	Amend to RDA with matters of discretion	A/P	Section 21 Pg 62
419.20	22.2.3.1 P1 Earthworks	Amend to provide for ancillary rural earthworks and other permitted Activities	Pg 156 A/P	Section 22 Pg 65
1168.15	22.2.3.1 P2 iv) Earthworks	Support Balle Bros 466.15 re setbacks from boundaries	R	Section 22 Pg 65
419.21	22.2.3.1 P3a) Earthworks	Amend PA for residential activity earthworks	Pg 156 A/P	Section 22 Pg 65
419.22	22.2.3.1	Insert new rule for cleanfill	A/P	
419.25	22.3 Land use buildings	New rule for worker accommodation	Pg 80 R	Section 18 Pg 54
1168.72	22.3.1 No of dwellings	Support T & G Global 676.17 supporting number of dwellings within a lot	Pg 73 A/P	Section 23 Pg 68

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
1168.73	22.3.2 Minor dwelling	Support NZ Pork 197.23 seeking to delete provision		Section 23 Pg 68
1168.74	22.3.2 P1 Minor dwelling	Oppose Waikato DC 697.798 re changes to minor dwelling provisions		Section 23 Pg 68
419.26	22.3.4.1 P1 Building height	Amend Rule 22.3.4.1 P1 The maximum height of any building associated with a) A residential activity must not exceed 10m b) a farming or rural industrial or services activity must not exceed 15m.	A/P	Section 23 Pg 68
1168.75	22.3.4.1 Building height	Support Balle Bros 466.19 seeking 15m height	A/P	Section 23 Pg 68
419.27	22.3.4.2 Frost fans P1	Retain Rule	A/P	Section 23 Pg 68
419.28	22.3.5 Daylight admission	**Option A:** Amend the definition of Building Or **Option B:** Amend Rule 22.3.5 to specifically exclude ACPS A building (excluding artificial crop protection structures) must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary. And Insert new Rule 22.3.5 PX as set out below	Pg 353 A/P	Section 19 Pg 57
419.29	22.3.5 PX ACPS	Insert new Rule 22.3.5 PX Artificial crop protection structures Artificial crop protection structures that comply with Rule 22.1.2 PX Artificial crop protection structures	A/P	Section 19 Pg 57
419.29	22.3.6 P1	Amend the definition of building And Amend Rule 22.3.6. P1 to insert an additional clause: (iii) except that this rule shall not apply to buildings associated with rural production activities or rural industries and services and shall not apply to artificial crop protection structures.	A/P	Section 19 Pg 57

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
419.30 Should be 31	22.3.6 D1 Building coverage	Amend to RDA with matters of discretion	R	Section 19 Pg 57
1168.76	22.3.6 Building coverage	Support NZ Pork 197.24 seeking to delete building coverage for rural buildings	R	Section 23 Pg 68
1168.77	22.3.6 Building coverage	Support T & G Global 676.7 seeking amendments to building coverage for rural buildings	A/P	Section 23 Pg 68
1168.78	22.3.6 Building coverage	Support Federated Farmers 680.224 seeking amendments to building coverage for rural buildings	A/P	Section 23 Pg 68
1168.79	22.3.6 Building coverage	Support Surveying Company 746.83 seeking amendments to building coverage for rural buildings	A/P	Section 23 Pg 68
419. Doesn't appear in Council list of HortNZ submission	22.3.7.1 P2 Building setbacks	Amend the definition of building Or Amend Rule 22.3.7 P2 (a)A non-habitable building (excluding artificial crop protection structures) located on a Record of Title less than 1.6ha must be set back a minimum of: (i)7.5m from the road boundary; (ii)17.5m from the centre line of an indicative road; (iii)12m from every boundary other than a road boundary. And Insert new rule as set out below.	Pg 145	Section 19 Pg 57
419. Doesn't appear in Council list of HortNZ submission	22.3.7.4 P1 Building setbacks	Amend the definition of building Or Amend Rule 22.3.7 P4 (a)A non-habitable building (excluding artificial crop protection structures) located on a Record of Title 1.6ha or more must be set back a minimum of: (i)12m from the road boundary; (ii)22m from the centre line of an indicative road; (iii)12m from every boundary other than a road boundary. And		Section 19 Pg 57

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
		Insert new rule as set out below.		
419 Doesn't appear in Council list of HortNZ submission	22.3.7.1 PX Building setbacks	Insert new Rule 22.3.7 PX Artificial crop protection structures that comply with Rule 22.1.2 PX Artificial crop protection structures		Section 19 Pg 57
419 Doesn't appear in Council list of HortNZ submission	22.3.7.1 RD1 Building setbacks	Amend Rule 22.3.7.1 RD1 (a)A building that does not comply with Rule 22.3.7.1 P1, P2, P3 ~~or~~ P4 or PX (b)Council's discretion is restricted to the following matters: (i)amenity values; (ii)effects on traffic.		Section 19 Pg 57
1168.80	22.3.7.1	Support Fonterra 797.32 re building setback when land in common ownership	A/P	Section 23 Pg 68
419.32	22.3.7.2 P1 Building setbacks sensitive land use	Amend Rule 22.3.7.2 P1 (a)Any building for a sensitive land use must be set back a minimum of: (x) 100m from the boundary of another site containing a rural industry or services activity (xi) 100m from the boundary of another site containing a farming activity where the sensitive land use is not a residential activity.	Pg 145 R	Section 23 Pg 68
419.33	22.3.7.5 P1 Building setback-water bodies	Amend Rule 22.3.7.5 P1 a)Any building must be set back a minimum of: (i)~~32~~ 30m from the margin of any; A.Lake; and B.Wetland; (ii)~~23~~ 20m from the bank of any river (other than the Waikato River and Waipa River); (iii)~~28~~ 20m from the banks of the Waikato River and Waipa River; and	A/P	Section 23 Pg 68

Sub point	Provision	Submission	S42A Report Ref and Rec.	HortNZ Evidence Topic Ref
419.34	22.3.7.5 P2 Building setback- water bodies	Amend Rule 22.3.7.5 P2 a) A public amenity of up to 25m^2, ~~and a pump shed~~ within any building setback identified in Rule 22.3.7.5 P1 and a pump shed must be setback a minimum of 5m from any waterbody	A	Section 23 Pg 68
1168.81	22.3.7.5 P1 Building setback- water bodies	Support Balle Bros 466.22 seeking to amend setback distances	A/P	Section 23 Pg 68
419.35	22.3.7.6 Building setback Environmental Protection area	Provide clarification how this rule applies to the EPA and HBEA	A/P	Section 23 Pg 68

HortNZ submissions and further submissions – Hearing 18 Rural – Definitions

Sub point	Provision	Submission	S42A Report Ref and Rec.	Evidence Ref and
419.111	Definition agricultural and horticultural research activities	Retain as proposed	Pg 240 A	
1168.93	Definition ancillary rural earthworks	Support NZ Pork 197.12 re biosecurity	Pg 158 A	Section 22 Pg 65
419.115	Definition artificial crop protection structures	Include a new definition for artificial crop protection structures: Artificial Crop Protection structures means structures with material used to protect crops and/or enhance growth (excluding greenhouses).	A/P	Section 19 Pg 57
419.120	Definition farming	Amend definition to primary production : Means a) any agricultural, pastoral, horticultural, forestry or aquaculture activities for the purpose of commercial gain or exchange; and b) and includes any land and auxiliary buildings used for the production of the products, including storing, washing and packing of product for market, that result from the listed activities; but c) does not include processing of those products into a	A/P	Section 17 Pg 47

Sub point	Provision	Submission	S42A Report Ref and Rec.	Evidence Ref and
		different product Amend all usage of 'farming' to 'primary production' OR Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and air as the medium for production, or the indoor production of plants. It includes: (a) Ancillary produce stalls; (b) Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage (c) Greenhouses.		
1168.96	Definition Farming	Support Federated Farmers 680.134	A/P	Section 17 Pg 47
1168.117	Definition Farming	Support Waikato DC 697.385	A/P	Section 17 Pg 47
1168.95	Definition Farming	Support T & G Global 676.5	A/P	Section 17 Pg 47
1168.98	Definition horticultural activity	Support Sharp Planning 695.55 re definition horticultural activity	R	Section 17 Pg 47
1168.99	Definition horticultural activity	Support Surveying Company 746.8 re definition horticultural activity		Section 17 Pg 47
1168.86	Definition Productive Rural activities	Support Fish and Game 433.49	A/P	Section 17 Pg 47
1168.82	Definition Productive Rural activities	Oppose Fish and Game 433.49	A/P	Section 17 Pg 47
419.121	Definition farming noise	Amend definition: Primary production noise Means noise generated by primary production vehicles, machinery or equipment, any aircraft used for aerial spraying or fertiliser application, and farm animals, including farm dogs. It does not include bird scaring devices and frost fans.	A/P	Section 21 Pg 62
1168.97	Definition farming noise	Support Waikato DC 697.386	A/P	Section 21 Pg 62

Sub point	Provision	Submission	S42A Report Ref and Rec.	Evidence Ref and
419.122	Definition greenhouse	Insert new definition: Include a definition for greenhouses as follows: Greenhouses are a totally enclosed structure where plants are grown in a controlled environment.	R	Section 21 Pg 62
419.126	Definition intensive farming	Means primary production activities that involve the production of fungi, livestock or poultry that principally occur within buildings. OR Amend definition: … It excludes the following, provided the building is used for the purpose for which it was built: (a) woolsheds; (b) dairy sheds; (c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and (d) ~~glasshouse~~greenhouse production or	Pg 109 A/P	Section 12 Pg 40
1168.122	Definition intensive farming	Oppose Federated Farmers 680.253	Pg 110 A/P	Section 12 Pg 40
1168.121	Definition intensive farming	Opposed Zeala Ltd 281.19	Pg 107 A/P	Section 12 Pg 40
1168.106	Definition intensive farming	Support T & G Global 676.6	Pg 106 A/P	Section 12 Pg 40
1168.123	Definition intensive farming	Oppose Waikato DC 697.395	Pg 110 A/P	Section 12 Pg 40
1168.86	Definition intensive farming	Support Leigh Shaw and Bradley Hall 877.2 re definition packhouse	Pg 111 A/P	Section 12 Pg 40
1168.88	Definition intensive farming	Support Leigh Shaw and Bradley Hall 877.7 re definition on site primary production manufacturing	Pg 111 A/P	Section 12 Pg 40
419.134	Definition rural ancillary earthworks	Delete the definition completely.	Pg 159 A	Section 22 Pg 65

Sub point	Provision	Submission	S42A Report Ref and Rec.	Evidence Ref and
1168.93	Definition ancillary rural earthworks	Support NZ Pork 197.12 re biosecurity inclusion	Pg 158 R	Section 22 Pg 65
1168.92	Definition ancillary rural earthworks	Support Federated Farmers 680.131		Section 22 Pg 65
419.135	Definition Rural industry	Delete the definition. Insert new definition: Rural industry and services means an activity undertaken within a rural area where the activity is directly related to rural production activities and includes: • facilities for processing, packing, and storing primary products and • activities which service rural production • rural contractors depots • postharvest facilities • Research facilities	A/P	Section 11 Pg 39
1168.131	Definition rural industry	Support Waikato DC 697.506	A/P	Section 11 Pg 39
419.136	Definition farm worker accommodation	Insert new definition: Accommodation for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area.		Section 18 Pg 54