

8 September 2020

Proposed Waikato District Plan Hearing Panel
Waikato District Council
Private Bag 544
NGARUAWAHIA 3742

Email: districtplan@waidc.govt.nz

Dear Commissioners

RE: Proposed Waikato District Plan Hearing 18 (Rural Zone) – Livestock Improvement Corporation Submission (637) & DairyNZ Submission (639)

On behalf of Livestock Improvement Corporation (“LIC”) and DairyNZ, the purpose of this letter is to table general support for the relevant Section 42A Report recommendations for Hearing 18 (Rural Zone) and provide comment on some matters (n.b. the LIC and DairyNZ submissions sought the same relief). LIC and DairyNZ have chosen not to attend Hearing 18 and request that in lieu of attendance this letter be tabled for the consideration of the Hearing Commissioners.

The Operative Waikato District Plan (“Operative Plan”) provides for the LIC and DairyNZ Research Centres (at Newstead) through “scheduled site” provisions within the Rural Zone (via Schedule 25C (Agricultural Research Centres))¹. Schedule 25C permits a range of agricultural research related activities within the two identified Research Centres additional to activities permitted within the Rural Zone. The Proposed Waikato District Plan (“Proposed Plan”) continues this approach by identifying LIC and DairyNZ Agricultural Research Centre “Specific Areas” within the Rural Zone supported by site specific rules in Section 22.5 (Agricultural Research Centres) which are based on the Operative Plan provisions.

The two Research Centres are predominantly pastoral farmland with identified Research Campus areas. The LIC Research Centre is approximately 290 hectares consisting primarily of the LIC bull stud farm (used for the national dairy breeding programme) located adjacent to the Research Campus on Ruakura Road. The DairyNZ Research Centre is approximately 365 hectares comprising two dairy research farms (and a Research Campus area). The Rural Zone land use effects and land

¹ The scheduled site approach was also utilised for the AgResearch, LIC and DairyNZ Agricultural Research Centres in the Waikato District Plan that preceded the Operative Plan.

use building rules apply to the Research Centres, however consistent with the Operative Plan, Section 22.5 of the Proposed Plan includes more lenient height and site coverage provisions within the identified “Campus” areas.

The LIC and DairyNZ submissions supported retaining the Agricultural Research Centre “Specific Area” provisions in Section 22.5 but also sought some additional permitted activities to provide greater certainty that typical research related facilities were provided for and increased consistency with the Operative Plan provisions (n.b. laboratories, warehouse and storage, commercial activities², conference facilities, social clubs and cafés (where the aforementioned activities are incidental to research)).

The Section 42A Report notes Rule P1 permits “*agricultural and horticultural research*” and that the definition is very broad as it includes a range of research related activities preceded by the statement “*all activities associated with agricultural and horticultural research including, but not limited to...*”. The Section 42A Report also notes “*warehousing*” and “*bulk storage*” is within the ambit of the definition of “*industrial activity*” (permitted under Rule P3 if incidental to research), and I agree no change is required as a result. The Section 42A Report also notes that staff café’s, social clubs and conference facilities could be considered as “*staff facilities*” (permitted under Rule P7 if incidental to research). However, the Section 42A Report agrees it would be beneficial to expand the list of permitted activities “*to provide greater direction regarding the range of activities anticipated*”. I’ve reviewed the recommended changes, and consider they are adequately consistent with those sought in the submissions. While the Section 42A Report appears to overlook adding commercial activities (incidental to research), I note the definition of “*agricultural and horticultural research*” specifically refers to “*the commercial application of such activities*”.

I agree with the Section 42A Report recommended changes to restructure the permitted activity table in Section 22.5.2 so it is clearer when a discretionary activity resource consent is triggered.

In terms of Rule P7, the Section 42A Report recommends retaining a 200 metre setback for any staff dwelling in the vicinity of the Inghams Feed Mill (“Inghams”) as a permitted activity condition. As noted in the submissions, the 200 metre setback is redundant as it originates from the Operative Plan and was only relevant to AgResearch’s Ruakura Research Centre (“Ruakura”) as Inghams is located adjacent to the western boundary. Ruakura used to be within Waikato District and was subject to the same scheduled provisions in the Operative Plan as LIC and DairyNZ. However, when the Hamilton City boundary was extended in 2009, Ruakura became part of Hamilton City and is now subject to the Knowledge Zone provisions within the Operative Hamilton City District Plan. In addition, Inghams is located over 2.5 kilometres from the nearest boundary of the LIC or DairyNZ Research Centres. Accordingly, it’s not necessary to retain the 200 metre setback requirement.

In response to the submissions, the Section 42A Report recommends amending Policy 5.3.16 as follows:

5.3.16 Policy – Specific Area – Agricultural Research Centres

² The submission notes that commercial activities incidental to agricultural and horticultural research are listed as permitted in the Operative District Plan, but the rule had not been transferred to the Proposed District Plan.

- a) *Recognise-Enable and protect the continued operation and development of specifically identified Agricultural Research Centres that are an integral part of the agricultural sector.*
- b) *Provide for a range of rural activities and agricultural research activities that complement each other.*

I consider the recommended changes adequately improve the policy framework by providing for the “enablement” and ongoing “development” of the Research Centres.

Consistent with the LIC and DairyNZ submissions, the Section 42A report recommends retaining the definitions of “*agricultural and horticultural research activities*”, “*Agricultural Research Centres*” and “*Campus*” which I support as these terms are integral to the application of the Specific Area provisions in Section 22.5.

Should there be any queries raised in relation to these matters, please contact me via the details provided below.

Yours sincerely



Graeme Mathieson
Mitchell Daysh Ltd

Email: graeme.mathieson@mitchelldaysh.co.nz

Mobile: 027 220 2640

cc: Marise Winthrop (LIC Corporate Counsel), email marise.winthrop@lic.co.nz
Andrew Ropata (LIC Lawyer), email andrew.ropata@lic.co.nz
David Evans (Dairy NZ General Manager Corporate Services), email david.evans@dairynz.co.nz