

**000BEFORE THE HEARING COMMISSIONERS
IN WAIKATO DISTRICT**

IN THE MATTER of the Resource Management Act 1991 (“**the Act**”)

AND

IN THE MATTER of the Proposed Waikato District Plan (Stage 1) Hearing 28: Other Matters - Rural.

**STATEMENT OF EVIDENCE BY LYNETTE PEARL WHARFE
FOR HORTICULTURE NEW ZEALAND
21 JUNE 2021**

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Lynette Pearl Wharfe. I am a planning consultant with The AgriBusiness Group. I have a BA in Social Sciences and post graduate papers in Environmental Studies, including Environmental Law, Resource Economics and Resource Management.
- 1.2 I am an accredited commissioner under the Making Good Decisions programme with Ministry for the Environment.
- 1.3 I have been a consultant with The AgriBusiness Group since 2002. The Agribusiness Group was established in 2001 to help build business capability in the primary sector.
- 1.4 I have spent over 18 years as a consultant, primarily to the agricultural industry and rural sector, specialising in resource management, environmental issues, and environmental education and facilitation, including 18 years of providing advice to Horticulture New Zealand (“**HortNZ**”) and its precursor organisations, NZ Vegetable and Potato Growers Federation, NZ Fruitgrowers Federation.
- 1.5 As part of providing advice to HortNZ for submissions and plans across the country I have been involved in development of Regional Policy Statements, Regional Plans and District Plans, including omnibus plans such as the Auckland Unitary Plan and the Horizons One Plan and district plans in Whakatane, Opotiki and Hastings so am familiar with the range of matters to be addressed in the Proposed Waikato District Plan (“**PWDP**”).
- 1.6 I have been involved as a consultant to HortNZ contributing to submissions and further submissions on the Proposed Waikato District Plan.
- 1.7 I have read the Environment Court’s Code of Conduct for Expert Witnesses, and I agree to comply with it. My qualifications as an expert are set out in Appendix 1. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. SCOPE OF EVIDENCE

- 2.1 This evidence provides a planning assessment of those provisions on which HortNZ submitted which are addressed in Hearing 28 Other Matters – Rural (OMR) which are submission and further submission points that were not addressed in Hearing 18 – Rural.

- 2.2 Some of the topics have been addressed as part of Hearing 18 although the specific submission point was not addressed.
- 2.3 I refer to the relevant parts of my EIC to Hearing 18 – Rural dated 15 September 2020 and Supplementary Statement of Evidence dated 29 September where relevant.
- 2.4 In undertaking this assessment, I have considered:
- (a) The Section 42A Hearings Report for Hearing 28
 - (b) The Section 42A Report for Hearing 18 – Rural
 - (c) The s42A Rebuttal Report for Hearing 18 – Rural Zone – Land use
 - (d) The s32 Reports for PWDP

3. MY UNDERSTANDING OF HORTICULTURE NEW ZEALAND'S SUBMISSIONS

- 3.1 HortNZ made submissions and further submission on the PWDP because horticulture is a key activity within the Waikato District.

4. POLICY FRAMEWORK

- 4.1 This statement of evidence relies on the EIC that I presented for Hearing 18 Rural and assessments undertaken as part of preparing that evidence and the policy framework that underpins my position.
- 4.2 I set out that policy framework below to provide the context for this evidence and to clarify my position in the light of comments in the s42A Report Rebuttal for Hearing 18 which rejects much of my evidence on the basis that 'we simply have a different view of the elements and activities that contribute and are a normal and anticipated part of the rural environment'.¹
- 4.3 The approach I have taken in my EIC for Hearing 18 and this Hearing 28 (OMR) is based on the National Planning Standards Zone Framework which describes the General Rural Zone as:

Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.²

¹ Para 89.s42 A Report Rebuttal Rural Zone – Land use Hearing 18

² National Planning Standards, Zone Framework, MfE 2019

- 4.4 On this basis I set out a policy regime in my EIC that would:
- (a) Recognise and enable rural production activities and associated buildings and structures;
 - (b) Provide for rural industry and services which have a direct relationship with primary production and require a rural location;
 - (c) Provide for activities that require a rural location because of a functional or operational need;
 - (d) Avoid non-rural activities that have no direct relationship with primary production or have a functional or operational need for a rural location.
- 4.5 To support this structure I sought the following:
- (a) Ensure that reverse sensitivity effects are avoided or minimised;
 - (b) Ensure that rural character is adequately provided for in a policy framework;
 - (c) That high class soils are protected.
- 4.6 This structure does not seek to delete activities that typically locate in rural areas, such as community facilities or rural commercial activities. Rather it seeks that they are provided for in an appropriate manner.
- 4.7 This policy framework underpins my responses to the matters raised in submissions. While the s42A Report writer may disagree with my focus I consider it is consistent with the framework set out in the National Planning Standards and provides a clear direction for the rural zone in Waikato district, including the matters addressed below as part of Hearing 28.
- 4.8 I note that the Zone Framework in the National Planning Standards is to be implemented by April 2024 and submissions provide sufficient scope to implement this framework through the current district plan process.
- 4.9 In my opinion, my approach is consistent with the Directions from the Hearing Panel (20 February 2020) that sought that there be full implementation of the NPS to the extent that is reasonably achievable and within the scope of submissions and further submissions received.

5. RURAL CHARACTER

- 5.1 HortNZ made a submission (419.57) seeking a specific policy to describe rural character and amenity. This submission was not assessed as part of the discussion in the s42A Report for Hearing 18 but is included in Hearing 28 (OMR) s42A Report Para 49.
- 5.2 The recommendation to Hearing 18 was to include a policy for rural character and amenity, but not as sought by HortNZ.
- 5.3 I addressed this issue in my EIC to Hearing 18 in Section 8 and set out reasons why I consider that the recommended policy was not appropriate for the Waikato District, particularly being based on Christchurch City which is very different to the rural context in Waikato district.
- 5.4 I do not support describing specific rural activities as being in certain areas within a policy as these may change over time as technology changes. Section 1.4.3 describes the rural environment and is a more appropriate location in the Plan to include such descriptions.
- 5.5 I also do not consider that a policy direction of 'recognise' (as recommended in the Hearing 18 s42A Report Policy 5.3.2) is sufficient to meet Objective 5.3.1 and have 'particular regard' to section 7 (f) matters – maintenance and enhancement of the quality of the environment or s7 (c) maintenance and enhancement of amenity values.
- 5.6 The s42A Report for Hearing 28 (OMR) does not consider the wording sought by HortNZ and whether it is more appropriate than Policy 5.3.2 recommended to Hearing 18. Rather the writer defers the decision to the Panel to determine the wording preference and on that basis recommends that the HortNZ submission be rejected.
- 5.7 Taking these factors into account, I have assessed both the HortNZ submission wording and the recommended Policy 5.3.2 and consider that an alternative policy framework would be more appropriate.
- 5.8 I have sought to ensure that:
- (a) The approach is consistent with the style in the PDP (e.g., Policy 4.2.2 Residential character);
 - (b) Provides clear policy direction to implement Objective 5.3.1 'Rural character and amenity are maintained';
 - (c) Is consistent with s7 (c) and (f) of the RMA which is the basis for the objective and policy;

- (d) Incorporates those aspects of rural character which are important to maintain in Waikato District, noting that Chapter 1.4.3 describes the rural environment and activities in Waikato District.

5.9 The alternative Policy 5.3.2 for the Hearing Panel's consideration is as follows:

Policy 5.3.2 Contributing elements of rural character and amenity

Ensure that the elements that characterise the rural area are retained, which includes:

- (a) *The predominance of primary production activities and associated buildings such as sheds and structures, which may vary across the district and seasonally;*
- (b) *A low density built form with relatively open space;*
- (c) *A landscape within which natural features and vegetation (including rural production and forest landscapes) predominate;*
- (d) *Sounds, smells, dust and traffic associated with primary production activities and anticipated in a rural working environment;*
- (e) *The existence of rural communities and rural-related services;*
- (f) *A clear distinction between rural and urban form, including through the general lack of urban infrastructure such as street lighting and footpaths.*

6. LAND PREPARATION – 419.15

6.1 The s42A Report for Hearing 28 (OMR) lists submission 419.15 where HortNZ sought that land preparation for horticultural activities be a permitted activity, which is addressed in Para 79.

6.2 Also listed under definitions is submission 419.114 in which HortNZ sought a definition for land preparation and a range of changes to earthworks and ancillary rural earthworks definitions, which is addressed at Para 147.

6.3 The matters are closely linked so will address them together.

6.4 Over the course of the hearings it has been recommended that:

- (a) The National Planning Standard definition of earthworks be used in the Plan (Hearing 5);

- (b) The definition of cultivation from the National Planning Standard be included in the Plan (Hearing 5);
 - (c) Amendments to the definition and rules for ancillary rural earthworks have been recommended (Hearing 18).
- 6.5 Having assessed these recommended changes they collectively address the matters identified in the HortNZ submission seeking a definition for land preparation and a specific rule for land preparation.
- 6.6 If these recommended changes are adopted by the Hearing Panel the need for the inclusion of land preparation provisions are largely redundant.
- 6.7 So it is my recommendation that the changes set out in the previous hearings related to definitions for ancillary rural earthworks, cultivation and earthworks are adopted with no additional provisions for land preparation.

7. RETIREMENT VILLAGES – FS 1168.65

- 7.1 HortNZ made a further submission (1168.65) opposing a submission by Waikato District Council (697.456) seeking that new provisions be added to the Rural Zone for Retirement Villages. This submission is included in Hearing 28 (OMR) and addressed in the s42A Report Paras 84-91.
- 7.2 While the HortNZ further submission was not listed in the Rural Hearing 18 I did address the matter at 17.29 of my EIC and also made comments about the appropriateness of retirement villages in the rural zone as part of comments on non-rural activities (Refer 10.19 and 15.6).
- 7.3 In my EIC (17.35) I sought a non-complying status for any new retirement village in the Rural Zone.
- 7.4 The s42A Report for Hearing 28 Para 91 addresses the WDC submission point and recommends that it be rejected as the approach to new retirement villages in the Rural Zone is that they be non-complying given their urban rather than rural purpose and form.
- 7.5 This recommendation concurs with my position in my EIC for Hearing 18 so I support the s42A Report recommendation.

8. MINOR RESIDENTIAL UNITS - FS1168.73, 76, 74

- 8.1 HortNZ made further submissions on minor dwellings (residential units) (FS1168.73, 76, 74) which are included in Hearing 28 (OMR) and are addressed in the s42A Report Paras 124- 127.

- 8.2 Linked to this topic is the HortNZ submission 419.136 seeking a definition for farm worker accommodation, which I will address in this section rather than separately in the definition section.
- 8.3 Other submissions and further submissions by HortNZ were considered in Hearing 18 where specific provisions for worker accommodation were addressed.
- 8.4 The topic of minor residential units and workers accommodation has been canvassed in a range of reports including:
- (a) S42A Report for Hearing 18 Para 271-286
 - (b) S42A Rebuttal for Hearing 18 Rural land use Paras 36-44
 - (c) S42A Report for Hearing 28 (OMR) Paras 125- 127
 - (d) My EIC to Hearing 18 Paras 18.1-18.27
 - (e) My Rebuttal Evidence to Hearing 18 Paras 2.1-2.12
 - (f) Statement by Lucy Deverall to Hearing 18 Paras 53-69.
- 8.5 The s42A Report for Hearing 28 (OMR) writer rejects the submissions from NZ Pork and HortNZ regarding worker accommodation and remains of the view that the provision for minor dwellings is adequate to address the need for worker accommodation.
- 8.6 In my EIC (Section 18) I set out a range of reasons why I consider that this approach does not address the key issue of provision of seasonal worker accommodation. I noted the following:
- (a) A minor residential unit raises issues regarding whether such workers constitute a 'household' as in the definition of residential unit (18.7-18-11)
 - (b) The s42A Report writer is recommending that specific provision be made for visitor accommodation in the rural zone permitted up to 5 guests, even though this is not linked to a rural production activity.
 - (c) There is a clear functional need for worker accommodation linked to the purpose of the Rural Zone.
- 8.7 The s42A Report writer for Hearing 18 and 28 considers that the addition of a NOTE to Rule 22.3.2 Minor dwelling that minor units in the Rural Zone can include accommodation for farm or seasonal workers addresses the issue of 'household'.

- 8.8 In my opinion a NOTE has no statutory status and so the definition of residential unit will take precedence over a Note, thereby making the 'so-called' clarification of little or no use.
- 8.9 The definition of residential unit is the definition in the National Planning Standard so a change cannot be made to that definition in the Plan.
- 8.10 The rationale for opposing worker accommodation seems to be linked to the ability to subdivide (Refer s42A Report Rebuttal for Hearing 18 Para 39).
- 8.11 In my opinion the type of worker accommodation being sought by HortNZ is not constructed as a 'dwelling' or a 'residential unit' and should be de-coupled from the issues of subdivision raised by the report writer. The very reason that the separated facilities has been developed is to ensure that such units do not facilitate subdivision. This is clearly set out in the statement for Hearing 18 by Ms Deverall.
- 8.12 Increasing the maximum size of minor dwellings may assist with provision of farm worker accommodation where the worker is permanent or long term but does not assist with the provision of bespoke seasonal worker accommodation that is sought to support primary production in the district.
- 8.13 This is clearly a matter where there is a substantive difference of opinion between the s42A Report writer and other parties who seek provisions for worker accommodation, including HortNZ, NZ Pork, The Surveying Company, and T & G Global.
- 8.14 All the parties have set out clear rationale for the need and purpose of worker accommodation and also identified the perverse outcome given that such accommodation is provided for in the Auckland Unitary Plan, but not Waikato District.
- 8.15 The parties seek to be able to provide appropriate accommodation for workers within Waikato District that is different to a 'minor residential unit'.
- 8.16 In the strikethrough to Ch 22 attached to my EIC I set out a PA and RDA rule for worker accommodation and a definition which I continue to support and am of the opinion will appropriately provide for worker accommodation without incentivising subdivision and reducing rural character in the Rural Zone.

9. DEFINITIONS

- 9.1 Submissions on definitions that are included in Hearing 28 (OMR) are:

- (a) Land preparation 419.114
- (b) Farm worker accommodation 419.136
- (c) Horticultural activities FS1168.99, 1168.89
- (d) Agricultural and horticultural research activities 419.111
- (e) Building – artificial crop protection structures 419.31, 419.116, FS 1168.90
- (f) Building coverage 419.117
- (g) Earthworks –FS1168.91, 419.118
- (h) High class soils 419.124, FS1168.103
- (i) Noxious, dangerous, offensive or toxic activities 419.131

9.2 The recommendations in the s42A Report for Hearing 28 on the following are accepted and are not addressed further in this evidence:

- (a) Agricultural and horticultural research activities 419.111(s42A Report Para 153)
- (b) Noxious, dangerous, offensive or toxic activities 419.131 (s42A Report Para 165)

Land preparation 419.114 (s42A Report Para 147)

9.3 Refer to Section 6 above where I address both the definition and rule for land preparation.

Farm worker accommodation 419.136 (s42A Report Para 148)

9.4 The HortNZ submission seeking a definition for farm worker accommodation is linked to the specific submissions seeking provision for adequate worker accommodation.

9.5 I have addressed this submission point above in Section 8 along with submission points on minor residential units.

Horticultural activities FS1168.99, 1168.89 (s42A Report Para 151)

9.6 HortNZ made further submissions supporting the addition of a definition for horticultural activities that includes greenhouses, plant nurseries and orchards.

9.7 The s42A Report for Hearing 28 (OMR) considers the need for a definition for horticultural activities. It recommends that a definition is not needed as the s42A Report for Hearing 18 has recommended changes to the definition of farming that include horticulture, and greenhouses fall within that definition.

- 9.8 The recommendation to amend the definition of farming is at Para 402 of the s42A Report for Hearing 18 and does include greenhouses.
- 9.9 I addressed the definition of farming at Para 17 .6 – 20 of my EIC to Hearing 18 and also in Section 4 where I supported use of ‘rural production activities’ rather than ‘farming’. I also sought changes to the recommended definition of farming for clarity and also included a definition for horticulture activity (Para 17.20) if the Hearing Panel was of a mind to include a definition for the term:
- Means the use of land to grow food or beverage crops for human consumption (other than arable crops) of flowers for commercial supply.*
- 9.10 Generally I concur that greenhouses and orchards are included as horticulture in the recommended definition of farming, but it is not clear if plant nurseries are included.
- 9.11 For clarity ‘plant nurseries’ should be included in the definition of ‘farming’ and the definition renamed ‘rural production activities’ and other changes made as sought in my EIC.
- 9.12 To assist the Hearing Panel I have attached to this evidence as Appendix 2 a strikethrough of the definition of farming, including the changes recommended in the s42A Report for Hearing 18 and the changes that I support as part of this hearing.

Earthworks (s42A Report Para 158)

- 9.13 HortNZ 419.118 and NZ Pork 197.31 and HortNZ FS1168.91 both sought that there be provision for provision for burial of material infected by unwanted organisms added to the earthworks definition.
- 9.14 The s42A Report rejects the submissions based on discussion in the s42A Report for Hearing 18 Rural para 226 in respect to the definition of ancillary rural earthworks.
- 9.15 My EIC for Hearing 18 Para 22.5- 22.21 set out the reasons why provision for earthworks for biosecurity purposes is important.
- 9.16 Ms Deverall also addressed biosecurity in her statement for Hearing 18.
- 9.17 My EIC for Hearing 21A also addressed biosecurity provisions in relation to vegetation clearance.
- 9.18 In the s42A Report Rebuttal for the Rural land Use for Hearing 18 the writer (Para 47) considers that such works could potentially fall within

the scope of emergency works enabled under s330 RMA or within the PA standards for Rule 22.2.3.1.

- 9.19 The Report then states that the risk of adverse effects arising from permitting earthworks for biosecurity disposal is considered to be low given that such events are rare and that the primary environmental risk is discharges to ground water from disposal of dead stock which is a regional plan matter.
- 9.20 The issue that the district plan needs to address is the ability to dig a hole for diseased material and the parties seek a pragmatic solution without the need for recourse to emergency works in the RMA.
- 9.21 It is worth reminding the Panel that a number of councils have accepted the need to address earthworks for biosecurity purposes in district plans and I reaffirm my support of such provisions in the Waikato District Plan.
- 9.22 Given that Hearing 5 recommended that the definition of earthworks from the National Planning Standard be adopted the submission points relating to amending the definition of earthworks are not appropriate. However the submission points relating to including provision for biosecurity purposes in the definition of ancillary rural earthworks would be appropriate and not inconsistent with the National Planning Standards.

Building – artificial crop protection structures (s42A Report Para 160)

- 9.23 HortNZ submissions (419.31 and 419.116) and further submission (1168.90) in Hearing 28 relate to the submissions on the definition of building to exclude artificial crop protection structures and related provisions in Rule 22.3.7.1 and seeking a new permitted activity for artificial crop protection structures.
- 9.24 The s42A Report rejects the submissions on the basis that Hearing 5 determined to apply the National Planning Standard definition of building and notes that artificial crop protection structures were addressed in the Rural Report with provisions to better provide for such structures. I note that these structures were also addressed in the s42A Rebuttal report for Hearing 18 where the writer rejected HortNZ evidence regarding boundary setbacks and daylight recession planes.
- 9.25 As discussed in my EIC Section 19 for Hearing 18 it is unclear if artificial crop protection structures are a 'building' under the National Planning Standard definition and therefore whether the building standards in the Plan will apply. Artificial crop protection structures without horizontal cover will not meet the definition of building and it is a moot point that those with horizontal cover constitutes a 'roof'

Therefore for clarity and to ensure that there are provisions for artificial crop protection structures I proposed a standalone rule to ensure that they are adequately provided for in the Waikato District Plan.

- 9.26 The s42A Report for Hearing 28 does not refer to, or consider, the Supplementary Evidence that was provided following HortNZ's evidence on Hearing 18. The Supplementary Statement dated 29 September by Ms Deverall includes an attachment by Mr Stuart Ford setting out the cost of the proposed setback standards that the Hearing 18 s42A Report recommended.
- 9.27 I also provided a Supplementary Statement dated 29 September that set out the policy framework for artificial crop protection and provides details of other district plan provisions.
- 9.28 The s42A Report for Hearing 28 (OMR) does not consider the information in the Supplementary Statements or reassess the recommendations in Hearing 18 in light of the supplementary evidence.
- 9.29 However in the absence of any further analysis on the matter and on the basis of the information in the Supplementary Statement by Ms Deverall I continue to support a rule framework for artificial crop protection structures that excludes such structures from boundary setbacks and daylight angle controls as set out in EIC Para 19.26.

Building coverage (s42A Report Para 162)

- 9.30 HortNZ (419.117) sought that the definition of building coverage be amended to exclude artificial crop protection structures which is addressed in Hearing 28 Para 162.
- 9.31 The report writer notes that a recommendation to Hearing 18 was to insert an exclusion in 22.3.6 Building coverage to specifically exclude artificial crop protection structures from building coverage requirements.
- 9.32 While this provision would potentially address the matter pertaining to site coverage the issue as to whether 'building' provisions apply to such structures remains outstanding.
- 9.33 To ensure clarity about the provisions for artificial crop protection structures I support the rule set out in EIC Para 19.26 which would remove the need for the specific exclusion in Rule 22.3.6.

High class soils (s42A Report Para 164)

- 9.34 The definition of high class soils was considered at Para 3.59 of the s42A Report for Hearing 5 Definitions and set out six original

submission and four further submissions, including the submission and FS of HortNZ (419.124 1168.103). The recommendation was made that the submissions be given further consideration at the 'Other Matters' hearing because the NPS for Highly Productive Land (NPSHPL) was then out for consultation and it was anticipated that it would be gazetted by early 2020 and that a definition should align with the definition in the NPSHPL.

- 9.35 The NPSHPL has not yet been gazetted so alignment from that document is currently not possible.
- 9.36 However the Hearing Panel need to consider the submissions that have been made on the definition of high class soils in the PDP.
- 9.37 The definition is important as to how the objective and policies in the PDP will function.
- 9.38 The proposed definition is the same as the Waikato RPS:
- Those soils in Land Use Capability Classes I and II (excluding peat soils) and soils in Land use Capability Class IIIe1 and IIIe5, classified as Allophanic Soils, using the NZ Soil Classification.*
- 9.39 HortNZ sought that the definition of high-class soils be broadened to include all Class III soils as the proposed definition is too limited and does not include all areas of highly productive land which are used for commercial vegetable production and which should be considered important to be retained and protected from inappropriate subdivision use of development.
- 9.40 The definition sought by HortNZ more clearly aligns with the definition which was proposed in the Draft NPSHPL, with Classes I – III being default criteria until a regional identification process has been undertaken.
- 9.41 The s42A Report for Hearing 28 (OMR) is recommending that until the NPSHPL is gazetted and consequent plan changes are undertaken (perhaps in 5, or more, years time) to give effect to the national direction that the proposed definition should be retained.
- 9.42 In the meantime soils which are not included in the proposed definition (i.e. some Class III soils) will continue to be outside the policy framework for high class soils in the PDP and so could be lost to production in the intervening time.
- 9.43 A 'Review of high class soils in the Waikato District' by Dr Reece Hill was attached as App 6 to the Subdivision s42A Report for Hearing

18. Figure 9 in the report demonstrates that significant areas of Class III land are being subdivided in Waikato District.³

- 9.44 It is likely that such subdivision and land fragmentation will continue unless the council or government place limitations on such usage.
- 9.45 The HortNZ submission provides the opportunity for the plan to signal that high class soils are wider and include all Class III soils within the policy framework for high class soils in the Plan.
- 9.46 A number of district plans include all Class III soils as highly productive, high class or versatile, such as Hastings and Central Hawkes Bay. Central Otago has a descriptor of high class soil which has been demonstrated to include Class 3 land. Whangarei includes 3e1, 3e5, 3s1, 3s2, 3s4 as highly versatile land, which is broader than that included in the PWDP.
- 9.47 Recently the government has published 'Our Land 2021'⁴ and identified that fragmentation of land and loss of highly productive land is a significant issue:

The area of highly productive land that was unavailable for agriculture (because it had a house on it) increased by 54 percent for 2002–19.

- 9.48 Our Land 2021 identifies Class I-III as highly productive land.⁵
- 9.49 By amending the definition of high class soils to include all Class III soils in the PDP would assist in arresting the loss of highly productive land to productive use, in anticipation of the NPSHPL and in line with the land identified as highly productive in Our Land 2021.
- 9.50 Such an approach would be precautionary and prudent planning given the current national context of this issue, pending clarification through the NPSHPL or other regulation.

10. CONCLUSION

- 10.1 This evidence addresses submission and further submission points that were not addressed in Hearing 18 – Rural. The approach taken in addressing these submissions in Hearing 28 (OMR) is consistent

³ https://wdcsitefinitiy.blob.core.windows.net/sitefinitiy-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-18/section-42a/sub-hearing-18---rural-appendix-6---a-review-of-high-class-soils-in-the-waikato-district.pdf?sfvrsn=fc5f8ac9_2

⁴ <https://environment.govt.nz/publications/our-land-2021/>

⁵ Pg 19 ibid

with the policy framework that I set out in my EIC for Hearing 18 and reaffirmed in section 4 above.

- 10.2 This approach is consistent with the strategic direction in the plan to provide for primary production activities which enable the economic social and cultural wellbeing of the community.

Lynette Wharfe

21 June 2021

Appendix 1: Experience of Lynette Wharfe

Some of the projects I have been involved in that I consider are particularly relevant in this context are:

- a) Project Manager and facilitator for a Sustainable Management Fund (“**SMF**”) Project ‘Reducing nitrate leaching to groundwater from winter vegetable crops’, to develop management tools for vegetable growers to implement best practice for fertiliser applications, to assist in changing fertiliser usage.
- (b) Managed an SMF project for NZ Agrichemical Education Trust communicating the revised NZS 8409:2004 Management of Agrichemicals to local authorities throughout NZ, including development and leading workshops with councils.
- (c) Revised the Manual for the Introductory GROWSAFE® Course for the NZ Agrichemical Education Trust, to make the Manual more user friendly and accessible and to align it with the Hazardous Substances and New Organisms legislation. (
- (d) Managing the research component for SFF project – SAMSN – developing a framework for the development of Sustainable Management Systems for agriculture and horticulture.
- (e) Project Manager MAF Operational Research Project Effectiveness of Codes of Practice investigating the use of codes of practice in the agriculture and horticulture sectors.
- (f) Undertook a review of Current Industry and Regional Programmes aimed at reducing pesticide risk, including assessing a number of Codes of Practice.
- (g) Contributed as a project team member for a Sustainable Farming Fund project ‘Environmental best practice in agricultural and rural aviation’ that included developing a Guidance Note on agricultural aviation, which is now on the Quality Planning website.
- (h) Undertook a review of agrichemical provisions in the Auckland Regional Air Land and Water Plan and developed a risk-based response for inclusion in the Proposed Auckland Unitary Plan.

Appendix 2: Definition of farming

S42A Hearing 18 recommended changes Black underline and strikethrough

L Wharfe recommended changes from Hearing 18 EIC and Hearing 28 EIC - red

Farming: Rural production activities Means

(a) Any agricultural, pastoral, horticultural, aquacultural, or apicultural activity having as its primary purpose the production of any livestock, fish, poultry, plant nurseries or crop using the in-situ soil, water and air as the medium for production; and

(b) ~~Ancillary produce stalls;~~

(b) ~~Includes initial~~ processing, ~~as an ancillary activity of farm~~ produce that result from the activities in a) grown on the same site land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage;

(c) Includes any land and buildings used for the production of commodities from (a) and used for the initial processing of commodities in (b) and includes greenhouses, indoor hydroponics, pack houses and coolstores; but

(d) Excludes further processing of those commodities into a different product;

(e) Includes loading areas for helicopters and airstrips for top dressing and spraying for rural production activities ~~the same site;~~

(f) Includes on-farm agricultural and horticultural research activities;

(g) Excludes intensive farming