

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE ENVIRONMENT COURT AT AUCKLAND

IN THE MATTER

of an appeal pursuant to Clause 14(1) of the First
Schedule to the Resource Management Act 1991

AND

IN THE MATTER

of the Far North Proposed District Plan

BETWEEN

Horticulture New Zealand

Applicant

AND

Far North District Council

Respondent

TO:

The Registrar
Environment Court
PO Box 7147
Victoria Street West
Auckland 1010

1. Horticulture New Zealand ('**HortNZ**') appeals part of a decision of the Far North District Council on the Proposed Far North District Plan.
2. HortNZ made a submission and further submission on the Far North Proposed District Plan (submission number 159 and further submission 354).
3. HortNZ is not a trade competitor for the purposes of section 308D of the Act.
4. HortNZ received notice of the decisions on 30 June 2026.
5. The part of the decision that HortNZ is appeal against:
 - (a) **NH-R4 - New buildings or structures and relocated buildings (excluding buildings used for a residential activity) ancillary to farming activity**
 - (b) **RPZOZ-R21 - Seasonal worker accommodation**
 - (c) **RPZOZ - S4 Building or structure coverage**
6. The reasons for the appeal in addition to those set out within Table 1, are that, in the absence of the relief sought, the Far North Proposed District Plan:

- (a) Does not promote sustainable management of natural and physical resources as required by section 5 of the RMA, as certain provisions do not appropriately enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while managing adverse effects.
 - (b) May impose undue costs, consent requirements and uncertainty for landowners and plan users;
- 7. HortNZ seeks the detailed relief as set out in Table 1. HortNZ also seeks any alternative or consequential relief to those or other related provisions necessary to give effect to the detailed relief set out in Table 1.
- 8. HortNZ attached the following documents to this notice:
 - (a) A copy of HortNZ's submission and further submission. (**Attachment 1**)
 - (b) A copy of the decision. (**Attachment 2**)
 - (c) A list of names and addresses of persons to be served a copy of this notice. (**Attachment 3**)
- 9. 12 August 2026

Sarah Cameron
Senior Policy Advisor
Horticulture New Zealand

Address for service of the Appellant:
Horticulture New Zealand
PO Box 10232, Wellington 6143
Phone: 04 470 5664
Email: sarah.cameron@hortnz.co.nz
Contact person: Sarah Cameron

Advice to recipients of copy of notice of appeal:

How to become a party to proceedings

You may be a party to the proceedings if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must, -

- Within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33), with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- Within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and the decision appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington or Christchurch.

Table 1: Reasons for appeal and relief sought

Provision Appealed	Reasons for Appeal	Relief Sought
NH-R4	Artificial Crop Protection Structures (ACPS) and Crop Support Structures (CCS) in Flood Hazard Areas The District Plan permits new ancillary farm buildings or structures within flood hazard areas where specified standards are met. These standards are: <i>PER-1 The building or structure and relocated buildings has a GFA or footprint that is less than 110m².</i> <i>PER-2 The building or structure and relocated buildings is not located within the 1 in 10 Year River Flood Hazard Area.</i> <i>PER-3 The building or structure and relocated buildings does not alter or divert an overland flow path.</i> PER-1 ACPS and CSS do not contain floors and therefore do not have a GFA. The standards also refer to ‘footprint’ however this term is not defined however the term ‘building footprint’ is defined and is consistent with the definition in the National Planning	Amend NH-R4 NH-R4 New buildings or structures and relocated buildings (excluding buildings used for a residential activity) ancillary to farming activity River Flood hazard areas PER-1 The building or structure and relocated buildings has a GFA or <u>building</u> footprint that is less than 110m². PER-2 The building or structure and relocated buildings is not located within the 1 in 10 Year River Flood Hazard Area. PER-3 The building or structure and relocated buildings does not alter or divert an overland flow path. <u>NOTE:</u> <u>NH-R4 does not apply to artificial crop protection structures and crop support structures.</u>

	Standards¹. If 'footprint' is interpreted as the area beneath the canopy or netting, almost all ACPS would exceed the threshold and require resource consent. These structures differ significantly from buildings because they: • Are lightweight and permeable • Do not create the same risks as buildings • Are unlikely to significantly obstruct flood flows; and • May reduce downstream debris accumulation during flood events. PER-2 PER-2 requires that structures are not located within the 1 in 10 Year River Flood Hazard Area. A large proportion of mapped flood hazard areas occur within the Horticulture Precinct and Rural Production Zone where ACPS are common. ACPS and CCS are often located on land declared to have a flood hazard risk because they are also areas of high production potential. The submission of HortNZ sought that ACPS and CCS should be provided for within NH-R4 as they are open structures which water can flow through.	
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¹ <https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

	The submission sought this be achieved via a new PER-4 <i>Artificial crop protection structures and crop support structures</i> , however this is better written as an exclusion to NH-R4.	
RPROZ-R21	Seasonal Worker Accommodation HortNZ sought the inclusion of a new rule to provide for seasonal worker accommodation, proposing a Permitted Activity for accommodation of up to 12 seasonal workers and a Restricted Discretionary Activity consenting pathway where the permitted standards could not be met. Council accepted the inclusion of a seasonal worker accommodation rule but reduced the permitted threshold to 10 workers and provided a Discretionary Activity consenting pathway where the standards are not met. New Zealand Immigration provides standards for accommodation and general facilities for RSE workers². In addition to standards on bedroom sizes, at least 1 bathroom and 1 flush toilet is required for every 7 people. That being the case, it would be more viable and practical to build accommodation for 12 rather than 10 persons. HortNZ considers that seasonal worker accommodation that might require resource consent is better managed through a Restricted Discretionary Activity pathway, where Council's assessment is limited to specified matters identified in the	Amend RPROZ-R21 RPROZ-R21 Seasonal worker accommodation Rural Production zone Activity Status: Permitted Where: PER-1 The establishment of a new, or expansion of existing seasonal worker accommodation where: 1. The accommodation is associated with a farming or forestry activity and is located the same landholding used for that operation; 2. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities; and 3. The accommodation provides for no more than 12 10 workers. Activity status where compliance with PER-1 not achieved: <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u>

² [Providing accommodation for RSE workers :: Immigration New Zealand](#)

	District Plan. This approach provides greater certainty for growers while still enabling Council to appropriately manage potential environmental effects. This approach would then align with other plans around the country in districts where seasonal worker accommodation is also important, including: • Waimakariri District Plan (Operative in Part) • Timaru District Plan (Operative in Part) • Waikato District Plan (Operative in Part)	a. <u>The use, intensity and scale of the operation on the site and the built form is compatible with and maintains rural character and amenity values of the surrounding zone.</u> b. <u>The extent to which the site layout and building design and intensity of the activity will internalise and mitigate effects including noise, lighting, impact on privacy and traffic.</u> c. <u>Access and vehicle movements on the site and the safety and efficiency of the roading network.</u> d. <u>The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites.</u> e. <u>On-site amenity for occupants.</u> f. <u>The need for and efficacy of any proposed measures to be used to avoid any workers' accommodation being subdivided and used as a principal residential unit if workers' accommodation is no longer required.</u>
RPROZ-S4	Greenhouses and Site Coverage The Horticulture Precinct excludes greenhouse³ from site coverage calculations, recognising that they are an integral component of commercial horticultural production. Council accepted HortNZ's submission on this point. This is expressed through the following rule: <i>Horticulture precinct: PERC2-S1</i>	RPROZ-S4 Building or structure coverage Rural Production zone The building or structure coverage of any site is no more than 15%. <u>This standard does not apply to:</u> a. <u>crop protection covers; or</u> b. <u>tunnel and greenhouses.</u>

³ means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in controlled environment but excludes artificial crop protection structures.

	Building or structure coverage: <i>The building or structure coverage of the site area is no more than 12.5%.</i> <i>This standard does not apply to:</i> <i>a. crop protection covers; or</i> <i>b. tunnel and greenhouses.</i> However, the equivalent standards for the Rural Production Zone do not include the same exclusion. The inconsistency means greenhouses will be treated differently depending on whether they located in the Horticultural Precinct or the Rural Production Zone and despite performing the same function and occurring in both environments. While greenhouses are not currently widely used in the Far North due to the region's favourable subtropical climate, they can support propagation, protected growing, research and development, and climate resilience. As production systems evolve in response to changing market demands, biosecurity risks and climate conditions, growers may increasingly utilise greenhouse technology.	
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Attachment 1: A copy of the relevant decision.

NH-R4	New buildings or structures and relocated buildings (excluding buildings used for a residential activity) ancillary to farming activity	
River Flood hazard areas	Activity status: Permitted Where: PER-1 The building or structure and relocated buildings has a GFA or footprint that is less than 110m ² . PER-2 The building or structure and relocated buildings is not located within the 1 in 10 Year River Flood Hazard Area. PER-3 The building or structure and relocated buildings does not alter or divert an overland flow path.	Activity status where compliance with PER1 or PER-2 or PER-3 is not achieved: Restricted discretionary Matters of discretion are restricted to: a. the effects of flood hazards on the integrity of the building or structure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. the effects of the building or structure on overland flow paths and flooding on surrounding sites; and c. the extent to which the risk to people and property from the flood hazard is avoided or managed.

RPROZ-R21	Seasonal worker accommodation
Rural Production zone	Activity Status: Permitted Where: PER-1 The establishment of a new, or expansion of existing seasonal worker accommodation where: 1. The accommodation is associated with a farming or forestry activity and is located the same landholding used for that operation; 2. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities; and 3. The accommodation provides for no more than 10 workers.

RPROZ-S4	Building or structure coverage
Rural Production zone	The building or structure coverage of any site is no more than 15%.

Attachment 2: A list of names and addresses of persons to be served a copy of this notice

NAME	ADDRESS
Environment Court	EnvironmentCourt@justice.govt.nz
Far North District Council	pdp@fndc.govt.nz
Ngāi Tukairangi No.2 Trust	lorin@ngaituk.co.nz
Northland Federated Farmers of New Zealand Inc	jcookmunro@fedfarms.org.nz
Vision Kerikeri 3	visionkerikeri@gmail.com
Kapiro Conservation Trust 2	kapiroconservationtrust@gmail.com
Vision Kerikeri 2	visionkerikeri@gmail.com

SUBMISSION ON Far North Proposed District Plan

19 October 2022

To: Far North District Council

Name of Submitter: Horticulture New Zealand

Contact for Service:

Sarah Cameron
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OVERVIEW

Submission structure

- 1 Part 1: HortNZ's Role
- 2 Part 2: Submission

Our submission

Horticulture New Zealand (HortNZ) thanks Far North District Council for the opportunity to submit on the Proposed District Plan and welcomes any opportunity to continue to work with 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 5,500 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 is 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.

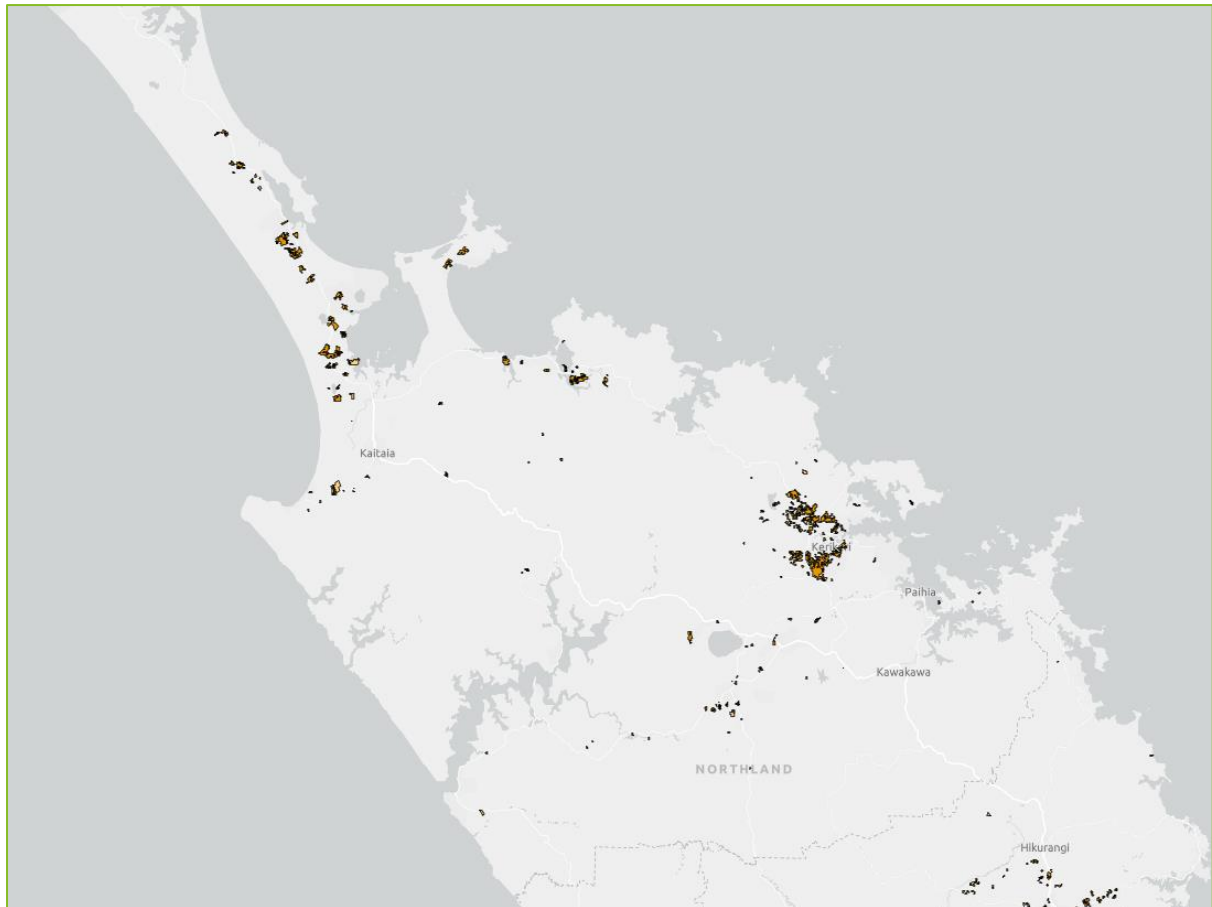


HortNZ's Resource Management Act 1991 Involvement

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.

1. Horticulture in the Far North

Picture one: Location of horticultural crops in Far North



In 2021/22, there were 128 orchards spread out across 645.31 hectares. These orchards are centred mainly in the Kerikeri region¹.

Type	Hectares
Gold	517.86
Green	25
Red	64.8

¹ Zespri

Rootstock (non-producing)	37.65
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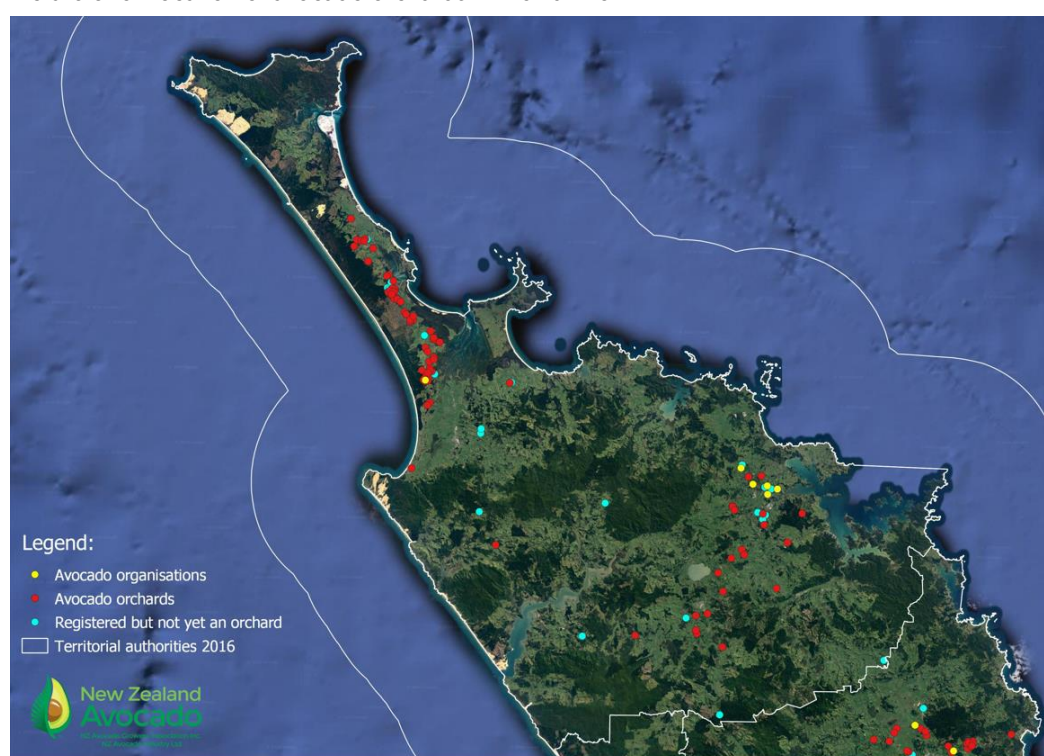
Greenfield conversion to kiwifruit orchard continues to increase with large scale developments continuing around Kerikeri.

Avocados

In 2020-21, there were 77 growers in the far north with an average size of 11.2 hectares. The number of growers in Northland has increased by 79% over the past 12 years mainly because of the favourable growing conditions but also driven in part by the more readily available and more competitive cost of land.

Northland's avocado industry represents 30% of national avocado production and 43% of producing hectares. In 2021-22 Northland accounted for \$37 million of industry value.

Picture one: Location of avocado orchards in the Far North



Tropical fruit

Northland's tropical climate supports an emerging market of tropical fruit growing. There are 100 hectares of bananas and 2-3 hectares of pineapples which are sold to the Northland and Auckland market. Other fruits/products grown include papaya, coffee beans and lotus (edible root). An initial attempt to grow mango is being made in October 2022².

Citrus

The three major citrus crops currently grown in Northland are lemons, mandarins and oranges. There is approx. 270-300 hectares of citrus grown from Warkworth north.

² Tropical Fruit Growers of New Zealand

- 26% of the national mandarin crop is produced in Northland with peak production in May. Mandarins produced in Northland are for the domestic market as mandarin exports have ceased for the last two years due to no export demand from Japan.
- 6% of the national navel orange crop is produced in Northland with peak production in August. A large part of the navel orange crop is exported.
- 13% of the national lemon crop is produced in Northland with peak production in July. 39% of the national crop was exported during 2021/22³

Other

Raspberries and blueberries are a relatively new but rapidly growing fruit crop along with nuts and olives and watermelon. There is a smattering of vegetables but generally, the far north climate is more suited to fruit.

2. Summary of Decisions Sought by HortNZ

HortNZ seek the following outcomes:

- Definitions and rules that recognise the importance of primary production
 - Reverse sensitivity
 - Ancillary earthworks
 - Seasonal accommodation
 - Greenhouse
 - Artificial crop protection and crop protection structures
- Provisions that recognise highly productive land in line with the National Policy Statement Highly Productive Land
- Strategic direction that provides for primary production and which is not compromised by other activities
- Requirement for council to undertake indigenous biodiversity mapping and not landowners
- Less restrictive operating rules for audible bird scarer devices and frost fans
- 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

3. Proposed Far North District Plan

3.1. Strategic Direction

It is important that primary production is sufficiently recognised and provided for in the strategic direction. The strategic direction seeks that primary production is recognised but does not provide for it or ensure it is not compromised by incompatible activities. We support the inclusion of specific strategic direction for the protection of highly productive land from inappropriate development.

³ Citrus Market Monitoring Report Citrus New Zealand

3.2. Future-proofing the District Plan to enable horticulture growth

It is important the district plan is future-proofed so that is fit-for-purpose and responsive to change over its approximately ten-year life (under the current RMA review timeframes) – notwithstanding the RMA reforms. The review of the rural provisions of the district plan is occurring in a dynamic space of change – including freshwater regulations, climate change mitigation and adaptation and national policy context in terms of matters such as highly productive land, biodiversity and urban development. This highlights the importance of future-proofing the availability of resources to supply the district’s growing population.

3.3 General Zoning Approach

HortNZ supports the intent of the Rural Production Zone (RPROZ) however protection of the rural zone from incompatible activities and reverse sensitivity should be strengthened.

The Horticulture Zone and Horticulture Processing Zone are supported however a 10m setback for buildings from a boundary is considered insufficient to address potential reverse sensitivity effects.

Concerns have been noted by growers that some areas within the Horticulture Zone eg – Puketotara Road have no connection to irrigation and question whether it is appropriate to be within the Horticulture Zone.

HortNZ supports rural lifestyle development being directed towards defined areas (e.g the Rural Lifestyle Zone) and a robust policy framework that limits ad-hoc development of inappropriate activities within the RPROZ. This is important for maintaining highly productive soils and the viability of horticultural operations within rural areas.

3.3.1 OVERLAYS

There are significant areas in the Far North that have overlays which require management in a different manner from underlying zone provisions.

Treaty Settlement Land Overlay

The Far North District has six iwi authorities that have reached treaty settlement with the Crown and the land included in this overlay has been returned through the settlement process. A significant number of avocado orchards are situated in the overlay – the locations are attached as appendix 1.

Historical and Cultural Values Overlay

There are a handful of orchards that are situated in this overlay and the locations are attached as appendix 2.

Outstanding Natural Feature and Landscape Overlay

There are a handful of orchards that are situated in this overlay and the locations are attached as appendix 3.

For the three overlays mentioned above, HortNZ is concerned that the rules as drafted do not allow for rural production as a permitted activity and that a consent (restricted discretionary) would be required to operate. Rural production activities need to be provided for as a permitted activity.

3.4 Highly Productive Land

The National Policy Statement for Highly Productive Land (NPSHPL) seeks to protect highly productive land (HPL) for 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.

While the proposed plan has a definition for HPL, HortNZ suggests amending to align with the NPSHPL and to strengthen protections for HPL throughout the plan.

While HortNZ supports this definition there needs to be consideration in the plan to allow for buildings that support primary production on HPL e.g postharvest facilities, wash houses seasonal accommodation etc.

3.5 Reverse Sensitivity

Reverse sensitivity issues are becoming an increasing problem for the horticulture sector as more people move into productive areas who do not have realistic expectations with regards to the activities that can occur because of primary production. Horticulture tends to be particularly susceptible to reverse sensitivity effects due to the location of highly productive land often being located 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.

A definition is sought for reverse sensitivity and consideration given to appropriate setbacks throughout the plan to avoid reverse sensitivity effects.

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.

The district plan will provide a planning framework for the community for at least the next decade and therefore a definition of seasonal worker accommodation should be included in the plan and should be provided for within the RPROZ. Several district plans have taken the approach of providing for such facilities based on a concept of shared kitchen and ablution facilities and separate sleeping quarters. This type of facility is cost efficient and adequately provides for seasonal 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). Often then 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 Standard⁴:

"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 seeking that a specific definition is provided for CSS and the existing definition of ACPS is strengthened so that a specific, clear and appropriate rule framework can be applied which includes a permitted activity rule for ACPS in the RPROZ.

⁴ <https://environment.govt.nz/publications/2i-definitions-standard-recommendations-on-submissions-report-for-the-first-set-of-national-planning-standards/>

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 prevent 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.

Shelterbelts play an important role in providing protection from wind and also mitigating spray draft and are generally necessary on a boundary for some crops. HortNZ seeks amendments to the definition of shelterbelt to recognise the importance of mitigating spray drift.

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 farming earthworks is the disturbance of soil, earth or substrate land surfaces ancillary to farming 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
- 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.

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 2014⁵). 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 Approach to Managing Greenhouses

Historically, and with changing practice, crop types and diversification in the horticultural sector, growers have become increasingly reliant on a variety of covered cropping methods

⁵ <https://www.hortnz.co.nz/assets/Compliance/Erosion-and-Sediment-Control-Guidelines-for-vegetable-production-v1.1.pdf>

to support rural production activities. Growing within a greenhouse can produce a more consistent yield and consistent quality of product for longer periods of the year in comparison to outdoor growing. On this basis HortNZ seeks a definition of greenhouse be included.

In the proposed plan, greenhouses are not included in the definition of 'Intensive Primary Production' which HortNZ supports. This is consistent with the definition for Intensive primary production in the National Planning Standards:

*"Means primary production activities that principally occur within buildings and involve growing fungi or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry"*⁶.

HortNZ does not consider that the rules for intensive primary production are appropriate for greenhouses, and instead they can be addressed through the rules applicable to primary production (which include performance standards relating to matters such as building coverage, height, setbacks, transport, light, noise etc.).

4.6 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.

If rural noise standards are being considered, 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 should be provided for some rural production activities that are not able to be controlled by noise standards such as frost fans and audible bird scaring devices. Such a provision is included in most district plans, such as Whakatane and Western Bay of Plenty and an example is provided below.

The example below has a similar effect to sections 326-328 of the RMA.

Exemption from noise standards

Subject to best practicable option being adopted the following activities are exempt from complying with noise standards:

- Rural production activities, including agricultural and horticultural vehicles and equipment; aircraft used for agricultural and horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans and audible bird

⁶ <https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

- scaring devices) associated with agricultural and horticultural activities such as:
spraying, harvesting,
- Livestock

In the draft plan, frost fans and audible bird scaring devices are a permitted activity if they meet noise requirements and operate within certain times.

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

While the Far North only experiences a few light frosts per year, HortNZ seeks less restrictive operating rules and seek provisions to manage reverse sensitivity impacts of noise sensitive activities establishing near legally established frost fans.

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 (mainly on kiwifruit orchards in Northland during budbreak in early spring). They are not used year-round.

HortNZ seeks less restrictive operating rules and amendments to the definition.

4.7 Biosecurity

The issue of biosecurity relates to the maintenance and enhancement of biodiversity values in the district. There is a 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.

4.8 Advanced Breeding Enhancing Technology

Hort NZ supports a full regulatory review at a national level on the future role of advanced breeding techniques and genetically modified organisms in New Zealand. HortNZ's view is that advanced breeding technology and genetically modified organisms should be regulated at the national level.

It is our expectation that gene editing technologies may become increasingly important for the primary sector and in particular horticulture, to adapt growing systems to enable a transition to a changing climate while still being productive. An enquiry by the Productivity Commission that focussed on a central aspect of New Zealand's productivity performance⁷ found that:

Genetic modification (GM) research is an important pathway to innovation, including in New Zealand's primary industries. It offers new opportunities for boosting productivity, solving biosecurity risks, and responding to climate change risks and other environmental problems effectively and efficiently.

Gene-editing technologies can be used to improve plant traits such as drought tolerance, disease resistance and fruit ripening. These technologies can also speed up conventional plant-breeding processes, allowing innovations such as new cultivars to be developed more quickly. Improved disease resistance in crops can in turn reduce the need for chemical herbicides and pesticides.

4.9 Indigenous Biodiversity

Significant Natural Areas (SNA) have not been identified in the plan (schedule 4). The District Plan approach to identifying SNA relies upon council encouraging and enabling landowners to assess indigenous biodiversity on their land. This approach is inconsistent with the exposure draft NPSIB.

Clause 3.8 of the draft NPSIB states:

Assessing areas that qualify as significant natural areas

- (1) Every territorial authority must undertake a district-wide assessment of the land in its district to identify areas of significant indigenous vegetation or significant habitat of indigenous fauna that qualify as SNAs.

HortNZ does not support the approach by council for landowners to map areas of SNA on their properties as it is inconsistent with national regulations.

⁷ <https://www.productivity.govt.nz/assets/Inquiries/immigration-settings/Immigration-Fit-for-the-future.pdf>

Submission on Far North Proposed District Plan

Without limiting the generality of the above, HortNZ seeks the following decisions on the proposed 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
Definitions			
New definition - <u>Ancillary rural earthworks</u>	New definition	There is a need to provide for 'day-to-day' activities that are integral to productive land use in the rural zone. In HortNZ's experience, providing a definition for ancillary rural earthworks and a clear rule framework is an efficient approach. Cultivation (gardening, and the disturbance of land for the installation of fence posts) are excluded from the definition of Earthworks, however there are other activities which HortNZ seeks to provide for.	Amend to include a definition of 'ancillary rural earthworks' <u>Ancillary rural earthworks means earthworks associated with normal agricultural and horticultural practices, such as:</u> <u>a. maintenance of drains, troughs and installation of their associated pipe networks, drilling bores and offal pits, burying of dead stock and plant waste, erosion and sediment control measures</u> <u>b. the burying of material infected by unwanted organisms as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared</u>

			<u>by the Minister under the Biosecurity Act 1993.</u> Note: For clarity, it is noted that cultivation is not 'defined as earthworks'.
New definition - <u>Seasonal worker accommodation</u>	New definition	Include a definition for seasonal worker accommodation as it is distinct from visitor accommodation.	Insert new definition as follows: <u>Seasonal worker accommodation means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u>
New definition - <u>Agricultural aviation movements</u>	New definition	A definition would provide clarity within the plan – as detailed in this submission, HortNZ seeks to clearly provide for this activity as a permitted activity in rural zones due to its intermittent nature.	Include a definition for 'agricultural aviation movements', <u>Agricultural aviation movements mean intermittent aircraft and helicopter movements for purposes ancillary to primary production activities, including topdressing, spraying, stock management, fertiliser application, and frost mitigation, and associated refuelling.</u>
New definition - <u>Crop Protection Structures</u>	New definition	HortNZ seeks to ensure that these structures are not inadvertently covered by inappropriate effects standards, where there is a risk that they may be	Include a definition for crop protection structures

		considered 'buildings' (due to inconsistency in interpretation). A way of addressing this is to provide a clear framework through a definition and specific standard or rule for the rural zone.	<u>Crop support structure means an open structure on which plants are grown</u>
New definition - <u>Greenhouse</u>	New definition	A definition should be included for greenhouses as it is used in the definition of artificial crop protection structures To support diversification to alternative growing methods	Include a definition for greenhouses <u>Greenhouses means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures</u>
New definition - <u>Horticulture zone</u>	New definition	A new horticulture zone has been provided for under special purpose zone. A definition should be provided for this zone	Include definition of horticulture zone
New definition - <u>Reverse sensitivity</u>	New definition	The RPS for Northland includes a definition for reverse sensitivity that should be included in the Plan.	Include a new definition for reverse sensitivity <u>means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby</u>

			<u>creating the potential for the operation of such existing activity to be constrained</u>
Definition - <u>Artificial Crop Protection Structures</u>	Support in part	HortNZ seek to ensure that these structures are not inadvertently covered by inappropriate effects standards, where there is a risk that they may be considered 'buildings' (due to inconsistency in interpretation). A way of addressing this is to provide a clear framework through a definition and specific standard or rule for the rural zone.	Include a definition for 'artificial crop protection structures', <u>Artificial crop protection structure means structures with material used to protect crops and/or enhance growth (excluding greenhouses)</u> <u>Note: For the avoidance of doubt artificial crop protection structures are not a building.</u>
Definition - <u>Bird Scaring Devices</u>	Support in part	The definition includes firearms which are not devices used primarily for scaring birds. The rule NOISE-R8 refers to audible bird scaring devices. The definition should be amended to be consistent with the rule.	Delete firearms from the definition of bird scaring device. Amend definition to <u>audible</u> bird scaring devices.
Definition - <u>Farming</u>	Oppose in part	HortNZ does not support the use of the term farming for horticultural primary production activities. Farming suggests pastoral land use and does not encompass the range of activities included in the definition.	Rename the definition of farming to <u>Rural Production Activities</u> and make consequential changes in the Plan. Amend the definition: <u>Rural production activities mean the use of land for:</u>

		The definition is a subset of primary production so should include parts b) and c) from the definition of primary production so there is clear alignment with this definition	<u>a) agricultural, pastoral, horticultural or apiculture activities including accessory buildings</u> <u>b) includes initial processing, as an ancillary activity, of commodities that result from the activities in a)</u> <u>c) includes any land and buildings used for the production of commodities from a) and used for the initial processing of the commodities in b).</u> <u>d) excludes mining, quarrying, plantation forestry activities, and intensive indoor primary production and further processing of commodities into a different product</u>
Definition - <u>Frost Fan</u>	Support	Definition is consistent with explanation of frost fans	Retain definition
Definition - <u>Highly productive land</u>	Support in part	To be consistent with amendments to farming definition and to align with the National Policy Statement Highly Productive Land	Amend the definition and give consideration to National Policy Statement Highly Productive Land means land that is, or has the potential to be, highly productive for farming <u>rural production activities</u>. It includes versatile soils and Land Use Capability Class 4 land and other Land Use Capability Classes Land Use Capability, or has the potential to be, highly productive having regard to:

			• Soil type • Physical characteristics • Climate conditions; and • Water availability
Definition - <u>Horticultural processing facility</u>	Support	Provides a reasonable overview of activities undertaken in a facility	Retain definition
Definition - <u>Intensive indoor primary production</u>	Support	The definition is from the National Planning Standards so supported.	Retain definition
Definition - <u>National Grid Corridor</u>	Support in part	The National Grid corridor is specifically for subdivision purposes so should be referred to as such	Amend definition to National Grid Subdivision <u>Corridor</u>
Definition - <u>National grid yard</u>	Oppose in part	The definition of National Grid Yard is not clear and applies a 12m distance from all support structures. There should be differentiation between poles and towers.	Define National Grid Yard as follows: <u>The area located within:</u> • <u>12m in any direction from the visible outer edge of a National Grid tower; or</u> • <u>10m in any direction from a National Grid single pole or pi-pole; or</u> • <u>The area located within 10m either side of the centreline of any overhead 110kV National Grid line on single or pi-pole; or</u> • <u>The area located within 12m either side of the centre line of</u>

			<u>any overhead National Grid line on towers.</u>
Definition - <u>Noise sensitive activity</u>	Support	Agree with definition	Retain definition
Definition - <u>Primary production</u>	Support	Definition aligns with planning standards	Retain definition
Definition - <u>Rural Produce retail</u>	Oppose in part	The definition seeks to limit rural produce retail to the produce grown or produced on-site. Growers may have several 'sites' as defined in the plan, on which they grow produce. The definition should be linked to the growing operation not the site.	Amend the definition of rural produce retail <u>Means the sale of rural produce grown or produced by the rural production operation, including products manufactured from that produce</u>
Definition - <u>Rural tourism activity</u>	Support in part	The definition refers to rural production retail. It should be consistent with the definition for rural produce retail.	Amend definition of rural tourism activity by amending 1 and 2 as follows: <u>1) rural produce retail</u> <u>2) rural produce manufacturing</u>
Definition - <u>Sensitive environment</u>	Support in part	The definition includes an area within 100m setback from the edge of a surface water body. The margins of wetlands, rivers and lakes is set at 30m so the 100m is inconsistent with that approach when applied for natural character purposes.	Amend definition of sensitive environment 8. The area within a 100 30 m setback from the edge of a surface water body.
Definition - <u>Shelterbelts</u>	Support in part	Shelterbelts can also be used to mitigate potential spray drift from agrichemical	Add to the definition of shelterbelts <u>or to mitigate potential spray drift from agrichemical applications</u>

		use (refer to effective shelter definition in Northland Regional Plan)	
Definition - <u>Surface water body</u>	Oppose in part	A surface water body should not include artificial watercourses including irrigation canals, water supply race or farm drainage canals which are not classed as waterbodies in the RMA as they are excluded in the definition of river.	Amend the definition of surface water body to exclude artificial watercourses including irrigation canals, water supply race or farm drainage canals.
Definition - <u>Versatile soils</u>	Support in part	Aligns with definition in the RPS however needs to be updated to reflect highly productive land definition in National Policy Statement Highly Productive Land	Amend definition to reflect National Policy Statement Highly Productive Land
Definition - <u>Wetland, lake and river margins</u>	Oppose part	A margin of 30 metres from a wetland, lake or river greater than 3m width would apply to the Rural Zones and horticulture Zone or 10m for a river less than 3m in average width. The distance applies in the natural character rules regardless of the significance of the natural character. There should be differentiation in distances depending on the value of the margin.	Amend rules that apply definition of wetland, land and river margins so that there is differentiation in distances depending on the value of the margin.
District wide matters			
Strategic direction			

SD-EP-02 Economic prosperity	Support in part	The district's economic and social wellbeing, including social and economic prosperity should include existing <u>and</u> new industries	Amend SD-EP-02 Existing <u>and new</u> industries and enterprises are supported and continue to prosper under volatile and changing economic conditions.
SD-EP-04 Natural environment	Support in part	Reversing climate change reads like it will 'end' which isn't the case. Prefer to use mitigate	Amend SD-EP-04 Land use practices reverse <u>mitigate</u> climate change by enabling carbon storage and reducing carbon emissions
SD-IE-O2 Infrastructure and electricity	Oppose	The objective seeks that infrastructure is protected from incompatible land use, subdivision and development. The RPS, NPSET and NPSREG do not seek protection. Objective 3.7 of the Northland RPS seeks to: <i>Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland's economic, cultural, environmental and social wellbeing.</i> Objective 3.8 is: <i>Manage resource use to:</i>	Amend SD-IE-O2 as follows: <u>Recognise and provide for infrastructure and renewable electricity generation activities and ensure that their operation, maintenance and upgrading are not compromised by incompatible subdivision, use and development.</u>

		(a) Optimise the use of existing infrastructure (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and (c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing. SD-IE-O2 should be consistent with higher order documents.	
SD-RE-O1 Rural environment	Support in part	It is important that primary production is sufficiently recognised and provided for in strategic direction. The SD seeks that primary production is recognised but does not provide for it or ensure it is not compromised by incompatible activities.	Amend as follows: <u>Primary production activities are recognised and provided for to enable them to operate efficiently and effectively to ensure the contribution for the economic and social wellbeing of the district and not be compromised by inappropriate subdivision, use and development</u>
SD-RE-O2 Rural environment	Support	Support the protection of Highly Productive Land from inappropriate development.	Retain SD-RE-O2
Energy, Infrastructure and Transport			
I-O3 Infrastructure	Oppose	HortNZ opposes an objective of 'protection' as this is inconsistent with	Amend I-O3 as follows:

		higher order documents such as the RPS and NPS-ET.	Infrastructure is protected from Ensure that infrastructure is not compromised by incompatible land use, subdivision and development that may result in reverse sensitivity effects to ensure its effective operation, maintenance and upgrading.
I-P7 Infrastructure	Oppose	HortNZ opposes a policy of 'protection' as this is inconsistent with higher order documents such as the RPS and NPS-ET. Neither Critical Electricity Lines or electricity distribution lines not defined or described. The policy relates to regionally significant infrastructure but clause g) includes local infrastructure.	Amend I-P7 as follows: Protect Ensure that regionally significant infrastructure from the effects of is not compromised by incompatible subdivision, use and development including reverse sensitivity effects which may compromise affect the operation and capacity of infrastructure by: g) to achieve appropriate protection of local, regional and nationally significant infrastructure e (i) recognising that some lines may cross private land Define critical electricity lines Define electricity distribution lines
I-R11	Oppose in part	HortNZ seeks that there is specific provision for artificial crop protection structures in the National Grid Yard	Amend I-R11 PER-2

New building or structures, and extensions to existing buildings or structures, in the National Grid Yard		which Transpower has accepted in other plans. There may be situations where reticulation and storage of water for irrigation may need to pass through the National Grid Yard. The key issue is that the activity does not impede access to the National Grid infrastructure.	non habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and <u>artificial crop protection structures</u> protective canopies. Clarify that 'reticulation and storage of water for irrigation purposes carried out by a network utility operator' is provided as a permitted activity within the National Grid Yard
I-R12 New buildings or structures and extension to existing buildings or structures and earthworks within 10m of a critical Electricity Lines Overlay	Oppose	There are no provisions for artificial crop protection structures and a setback of 10m from a critical electricity line would compromise horticultural activities. If the activity complies with NZECP34:2001 then the activity should be permitted, not just when being undertaken by a network utility operation.	Add to I-R11 PER-2 <u>3) The building complies with NZECP34:2001</u>
I-R13 Tree planting within 20m of a Critical Electricity Lines Overlay	Oppose	Where tree planting complies with Electricity (Hazard from Trees) Regulations 2003, the activity should be permitted.	Amend I-R13 Delete PER-1 and replace with: <u>Tree planting complies with Electricity (Hazard from Trees) Regulations 2003</u>

I-R21 Reticulation and storage of water for irrigation purposes within the National Grid Yard	Oppose	The reticulation and storage of water for irrigation purposes within the National Grid Yard is a non-complying activity. Such an approach is not effects based. The main issue is preventing access to the National Grid.	Amend I-R11 to provide for irrigation and water storage where access to the National Grid is not impeded
Renewable electricity generation			
REG-O4	Support	An objective that seeks to avoid or otherwise mitigate reverse sensitivity effects from sensitive activities is supported.	Retain REG-O4
REG-P9	Support in part	The policy seeks that large scale renewable electricity generation activities should generally be in the Rural Production Zone. There should be consideration that such activities do not locate on highly productive land.	Amend REG-P9 Avoid locating large-scale renewable electricity generation activities outside the Rural Production zone <u>or highly productive land</u> unless it can be demonstrated that adverse effects will be no more than minor.
Transport			
TRAN-Table 1 - minimum number of parking spaces	Support in part	The table seeks 1 parking space per 100m2 GBA for horticulture processing and distribution. Where there is large area of cool store this could be reduced as there are not significant numbers of workers in the cool store area.	Amend <u>TRAN-Table 1 horticulture processing and distribution to 1 parks per 500m2 for cool stores</u> Retain 1 space for 100m2 for horticulture processing and distribution
Hazards and risks			

NH-P6 River Flood Hazard	Support in part	Non habitable buildings are less of a risk and should be provided for - eg farm sheds and ACPS	Amend Include provisions for non-habitable buildings
NH-R4 New buildings or structures ancillary to farming activity	Oppose in part	Artificial crop protection structures and crop support structures should be provided for within NH-R4 as they are open structures which water can flow through.	Amend NH-R4 to include <u>PER-4</u> <u>Artificial crop protection structures and crop support structures</u>
Hazardous substances			
HS-O1 Hazardous substances	Support	The approach in the plan is supported with a focus on significant hazardous facilities.	Retain HS-O1
Historic and Cultural Values			
Historic heritage			
HA-P2	Support in part	The Kerikeri Heritage area overlay does include some areas which are part of rural production. Such activities should be able to continue while maintaining the integrity of the Heritage Overlay area.	Add to HA-P2 <u>c) providing for existing activities in the overlay area</u>

HA-P12	Support in part	The Pouerua Heritage area overlay does include some areas which are part of rural production. Such activities should be able to continue while maintaining the integrity of the Heritage Overlay area.	Add to HA-P12 <u>c) providing for existing activities in the overlay area</u>
HA-P16	Support in part	The Te Waimate Heritage area overlay does include some areas which are part of rural production. Such activities should be able to continue while maintaining the integrity of the Heritage Overlay area.	Add to HA-P16 <u>c) providing for existing activities in the overlay area</u>
New rule HA-RX	New rule	HA-R11 states that activities not otherwise listed in this chapter are discretionary activities. Rural production activities are not listed as a specific activity so need to be provided for as a permitted activity	Add a new rule = HA-RX Rural production activities Permitted All zones and heritage overlays
New rule SASM-RX Sites and areas of significance to Māori	New rule	SASM-R3 states that activities not otherwise listed in this chapter are discretionary activities. Rural production activities are not listed as a specific activity so need to be provided for as a permitted activity	Add a new rule = SASM-RX Rural production activities Permitted All zones and heritage overlays
Natural and Environment Values			
ECO - Ecosystems and Indigenous Biodiversity Schedule 4	Oppose	HortNZ opposes schedule 4 because there is a requirement in the draft NPSIB	Reword in line with NPSIB provisions

Schedule of significant natural areas		that territorial authorities undertake a district wide assessment. Subpart 2 - Significant natural areas 3.8 Assessing areas that qualify as significant natural areas (1) Every territorial authority must undertake a district-wide assessment of the land in its district to identify areas of significant indigenous vegetation or significant habitat of indigenous fauna that qualify as SNAs.	
IB-P5	Support in part	Recognition of primary production and highly versatile soils is supported. However, the defined term is highly productive land which should be used in the policy	Amend IB-P5 a) by replacing 'highly versatile soils' with 'highly productive land'
IB-P7	Support in part	Recognition of the need for management of pest plants and pest animals is supported, however the terms are not defined. It should be clear that these include pests under the Regional Pest Management Plan and unwanted organisms under the Biosecurity Act 1993. This would provide the policy framework to support rules providing for biosecurity.	Amend IB-P7 as follows: <u>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.</u>
IB-P9	Support in part	Need to be specific that land owners are only responsible for pets and pests on their land	Amend IB-P9

			Require landowners to manage pets and pest species <u>on their land</u> , including dogs, cats, possums, rats and mustelids, to avoid risks to threatened indigenous species, including avoiding the introduction of pets and pest species into kiwi present or high-density kiwi areas.
IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area	Support	Clearance for biosecurity purposes is supported.	Retain IB-R1 4)
Natural character			
NATC-P3	Support	Clearance for biosecurity purposes is supported.	Retain NATC-P3 d)
NATC-R1 New buildings or structures, and extensions or alterations to existing buildings or structures	Oppose	The maps identify areas of outstanding or high natural character, but the provisions apply generically to all-natural character. HortNZ seeks an approach that focuses on those areas identified as having outstanding or high natural character where potential for adverse effects is greatest.	Retain NATC-R1 PER-2 7) Include NATC-R1 Add new PER-5 <u>In areas that are not outstanding or high natural character provide for:</u> <u>Irrigation structures</u> <u>Crops support structures</u>

		A 30m setback for all buildings and structures regardless of the degree of natural character is not supported. Provisions for pumphouses is supported. The application of a 30m setback from wetland, lake and river margins is not supported as a blanket provision and precludes optimal use of highly productive land	<u>Artificial crop support structures with green or black cloth on vertical sides</u> <u>With a setback of 10m from a wetland, lake or river over 3m wide or 3m setback for wetland, lake or river less than 3m wide</u>
NATC - R2 Repair or maintenance	Support in part	Include activities ancillary to horticulture	Amend NATC - R2 <u>Add</u> <u>8. Irrigation infrastructure</u> <u>9. Artificial crop protection structures</u>
NATC-R3 Earthworks or indigenous vegetation clearance	Support	Clearance and earthworks for biosecurity purposes is supported.	Retain
Natural Features and Landscapes			
NFL- P4	Oppose in part	The policy only provides for farming (including horticulture) in limited circumstances. Given the extent of ONF' and ONL in the Far North this is limiting.	Add an additional clause to NFL-P4 <u>c) the activity is an existing land use</u>
NFL-R1	Oppose in part	The policy only provides for buildings and structures in very limited circumstances. Given the extent of ONF'	Amend NFL-R1

New buildings or structures, and extensions or alterations to existing buildings or structures		and ONL in the Far North this is very limiting.	PER-1 (2) no greater than 25m² <u>100m²</u>
NFL-R3 Earthworks or indigenous vegetation clearance	Support	Clearance for biosecurity purposes is supported.	Retain NFL-R3 4
NFL-R6 Farming	Oppose	There should be provision for rural production activities as a permitted activity	Amend NFL -R6 to a PER to give effect to P4 <u>NFL-R6 Rural production Permitted</u> <u>PER-1 The activity is existing lawfully established rural production activity</u> Delete DIS-1- Noncomplying Insert Activity status where compliance not achieved with PER-1 - Restricted discretionary
NFL-S2 Colours and materials	Oppose	This standard would limit colour of cloth used in orchards.	Amend NFL-S2 to include <u>Artificial crop protection structures are either dark green or black</u>
Subdivision			

SUB-O1	Support	Avoiding reverse sensitivity effects is supported	Retain SUB-O1
SUB-O2	Support	Protection of highly productive land is supported.	Retain SUB-O2
SUB-P3	Support in part	The adequate building platform needs to be within the setbacks for the zone	Amend SUB-P3 c) have an adequate size and appropriate shape to contain a building platform, <u>within setbacks for the zone;</u>
SUB-P8	Support in part	There is no specific policy framework for the Horticulture Zone so seek it be specifically included in P8. Also, the reference should be to highly productive land - not versatile soils.	Amend SUB-P8 by including <u>Horticulture Zone.</u> Amend SUB-P8 b) by replacing versatile soils with <u>highly productive land.</u>
SUB-P11	Support in part	The policy lists the matters to be considered for subdivision applications. Potential for reverse sensitivity should also be included as a matter for consideration.	Amend SUB-P11 by adding: <u>g) potential for reverse sensitivity effects.</u>
SUB-R3 Subdivision of land to create a new allotment	Support in part	A controlled activity subdivision status means that affected parties would not be consulted as part of the subdivision application. This is particularly relevant to the Horticulture Zone and the Rural Production Zone where the potential for adverse effects on adjoining land uses exist and effects on highly productive land which the plan seeks to protect. A	Delete Rural Production Zone and Horticulture Zone from the controlled activity rule. Add a new line in SUB-R3 <u>Rural production and Horticulture Zone</u>

		controlled activity will not achieve that outcome. Support consideration of incompatibilities of activities.	<u>Activity status - Restricted discretionary</u> <u>RDIS-1</u> <u>Where subdivision complies with standards:</u> <u>SUB-S1 minimum lot sizes</u> <u>SUB-S2 Requirements for building platform for each allotment</u> <u>SUB-S3 Water supply</u> <u>SUB-S4 Stormwater management</u> <u>SUB-S5 Wastewater disposal</u> <u>SUB-S6 Telecommunications and power supply</u> <u>SUB-S7 Easements for any purpose</u> <u>Matters of discretion are limited to:</u> <u>Matters of control in SUB-R3</u> <u>The potential adverse effects on adjoining horticultural and agricultural activities, including reverse sensitivity effects</u> <u>NOTE: Applications for restricted discretionary subdivision within the Horticulture Zone and the Rural Production Zone will be notified</u> <u>Activity status where compliance is not achieved - Discretionary</u>
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General District-Wide Matters			
Coastal Environment			
CE-O2	Support	Land use which is consistent with the surrounding land use is appropriate	Retain
CE-P6	Support in part	The use should be consistent with the surrounding land use - not just characteristics and qualities.	Amend to include <u>is consistent with surrounding land use</u>
CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures	Oppose in part	There needs to be provision for buildings for rural production activities in the Coastal environment given that farming is a permitted activity.	Amend CE-R1 PER-2 2) No greater than 25m ² 100m ² <u>except for artificial crop protection structure.</u> <u>Add PER-5</u> <u>Artificial crop protection structures located outside outstanding natural character areas where:</u> <u>Dark green or black cloth shall be used on all vertical faces</u> <u>Green or black cloth shall be used horizontally where the slope is over 10°</u> <u>The structures shall be set back at least 50m from MHWS</u> <u>No site coverage shall apply</u>

			<u>The structures shall be setback 5m from the road boundary unless screened with natural shelter</u> <u>Activity status where compliance is not achieved with PER-5 - Discretionary</u>
CE-R2 Repair or maintenance	Support in part	Provisions should be made for structures ancillary to farming activities	Amend CE-R2 to include <u>8. structures ancillary to primary production activities</u>
CE-R3 Earthworks	Support in part	Earthworks and clearance for biosecurity purposes is supported. HortNZ support providing for Ancillary rural earthworks as a permitted activity to enable the ongoing productive use of land in rural environments.	Amend PER 1 to include <u>x. The earthworks are ancillary rural earthworks</u>
CE-R4 Farming	Oppose	Existing use rights should apply to lawfully established farming activities. Restrictions should only apply to a new farming activity with farming inside a high natural character area should be controlled and inside an outstanding natural character area RDIS.	Amend CE-R4 PER-1 The farming activity is located outside high or outstanding natural character areas. <u>The rural production activity is lawfully established or a new rural production activity outside high or outstanding natural character areas</u> Amend activity status where compliance with PER-1 not achieved:

			Controlled inside high natural character areas Restricted Discretionary inside an outstanding natural character area Amend farming to rural production activities
Earthworks			
EW-P1	Support	Provisions for rural land used and farming activities in Rural Zones is supported.	Retain
EW-R1	New rule	Include a new PER rule for ancillary earthworks	Amend EW-S1 1. <u>General Rural Zone</u> <u>Rural Production Zone</u> <u>Horticulture Zone</u> <u>Rural Lifestyle Zone</u> <u>PER</u> <u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> <u>For any ancillary rural earthworks, there is no limit;</u>

			<u>PER-2</u> <u>For other activities: 5,000m3 in any 12-month period per site</u> <u>Where standard is not met</u> <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and</u> <u>2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and</u> <u>3. the impact on visual amenity and landscape character; and the impact on any overland flow paths.</u>
EW-R4 and R5	Oppose	The earthworks rules differentiate between site 8ha and over or those under 8has. Not sure why and is a bit artificial for growers as many horticultural sites are smaller than 8ha	Provide clarity on why there are different rules for greater and less than 8ha Delete EW-R4

			Delete EW-R5
EW-R15 National Grid Yard and 110kV transmission lines	Oppose in part	Permitted activity status should be allowed if compliance with NZECP34	Include PER compliance with NZECP34
EW-S1 Maximum earthwork thresholds	Oppose	The provisions allow for 5,000m ³ volume and 2,500m ² area as a PA however a consent would be required for any earthworks that met volume requirements on 1/4 of a hectare. Thresholds need to be reflective of the activities that take place in certain environments	Amend EW-S1 Delete area threshold 2,500m ²
<u>Noise</u>			
NOISE-O1	Support	The noise should reflect the underlying character of the zone	Retain
NOISE-O2	Support	Minimising potential reverse sensitivity effects is supported.	Retain
NOISE-P3	Support	The noise should reflect the underlying character of the zone	Retain
NOISE -Exemption	Support	The Plan provides an exemption of horticulture activities of a limited duration, but the exemption is not included in the rules or standards. Therefore, the status is questioned. It would be more appropriate to provide a	Amend the Exemptions 1-14 under the Note to a new Permitted rule with no conditions

		permitted activity rule for the matters to which exemptions apply	
NOISE-R7 Helicopter landing areas	Oppose in part	The rules exempt some activities from PER-2 and NOISE-S4. However, these should be included as a permitted activity within the rule.	Amend NOISE-R7 as follows: Delete iii) under this standard does not apply to and include as: <u>PER-3 Cropping, topdressing and spraying and the use of drones for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones or within Significant Natural areas on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12-month period.</u> <u>Activity status where compliance does not achieve with PER-3 Restricted discretionary</u>
NOISE-R8 Audible bird scaring devices	Oppose	A limitation of 7am – 7pm is not appropriate for audible bird scaring devices as the main activity is prior to sunrise and after sunset.	Amend NOISE-R8 PER-1 to: <u>Audible bird scaring devices must only be used between ½ before sunrise and ½ hour after sunset</u>
NOISE-R9 Frost fans	Oppose in part	The inclusion of multiple frost fans should apply to fans located on the same site. A grower cannot control the noise from fans on other sites.	Amend NOISE-R9 PER-3 by deleting 'or multiple'

NOISE-S1 Maximum noise levels	Support	The levels for the Rural Production Zone and Horticulture Zone are supported.	Retain NPOISE-S1 Rural production zone and horticulture Zone
NOISE-S4 Helicopter landing areas	Support in part	It should be clear that there are exemptions in the rules so NOISE-S4 does not apply. In particular NZS6807:1994 is not appropriate for the intermittent use for horticultural activities.	Clarify that NOISE-S4 does not apply to activities exempted in NOISE-R7
Signs			
SIGNS-S1 Maximum sign area per site	Support	Same or similar to operative plan	Retain
Treaty Settlement Land Overlay			
TSL-RX	New rule	TSL-R14 states that activities not otherwise listed in this chapter are discretionary activities. Rural production activities are not listed as a specific activity so need to be provided for as a permitted activity. The Overview states that the underlying zone provisions apply to TSL unless otherwise specific in the overlay provisions, but this is not included in the rules.	Add a new rule – TSL-RX Rural production activities Permitted All zones and Treaty Settlement Land overlays OR Include a rule that provides for underlying zone provisions to apply
PART 3 Area Specific Matters			

RPROZ -Rural Production Zone			
RPROZ - Overview	Support	HortNZ supports the intent for the Rural Production Zone	Retain
RPROZ - O1	Support	Managing the Rural Production Zone for primary production is supported	Retain
RPROZ- O2	Support	Inclusion of ancillary activities that support primary production is important	Retain
RPROZ- O3	Support	The rural working environment is what provides the rural character and amenity to the Rural Production Zone	Retain
RPROZ- P2	Support	Enabling primary production and ancillary activities and those with a functional need to support primary production is supported.	Retain
RPROZ-P3	Oppose in part	RPROZ-P5 seeks to avoid land uses for a number of reasons. It is considered that RPROZ could be combined with RPROZ - P5 by the addition of an additional clause	Delete RPROZ-P3 and amend RPROZ-P5 to incorporate reverse sensitivity effects. <u>f) could result in reverse sensitivity effects</u>
RPROZ- P4	Support	The description of rural character reflects the nature of the rural environment although there may be site coverage for orchard structures.	Retain

RPROZ- P5	Support in part	The approach of RPROZ-P5 is supported but an additional clause is supported for reverse sensitivity effects.	Amend RPROZ-P5 by adding: <u>f) could result in reverse sensitivity effects</u>
RPROZ- P6	Support	Fragmentation of rural land is a concern, so the policy approach is supported.	Retain
RPROZ- P7	Support	The matters for consideration are relevant and appropriate	Retain
RPROZ-R1 New buildings or structures, and extensions or alterations to existing buildings or structures	Support in part	There is not a specific rule for artificial crop protection structures so R1 would apply. HortNZ seeks changes to some of the Standards to ensure that such structures are adequately provided for.	HortNZ seeks changes to some of the Standards to ensure that such structures are adequately provided for See rule below
RPROZ - New rule Artificial crop protection structures	Support	Include specific rule for artificial crop protection structure	Insert a new PER rule <u>RPROZ-RX - Artificial Crop Protection Structures and Crop Protection Structures</u> <u>Activity Status: PER</u> <u>The establishment of a new, or expansion of an existing artificial crop protection structure or crop support structure.</u>

			<u>Where:</u> <u>The height of the structure does not exceed 6m; and</u> <u>Either:</u> <u>green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or</u> <u>the structure is setback 1m from the boundary</u> <u>Where this activity complies with the following rule requirements:</u> <u>RPROZ - S1 Maximum height</u> <u>RPROZ - S4 Setback</u> <u>Activity status when compliance not achieved:</u> <u>When compliance with RPROZ-RX (a) is not achieved: RDIS</u> <u>Matters of discretion:</u>
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			<u>Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth</u> <u>Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u> <u>Note: HortNZ has elsewhere in this submission sought definitions be included for CSS.</u>
RPROZ-R3 Residential activity	Support in part	The rule does not state the RPROZ-Standards that will apply. The standards relating to buildings should be included in the rule.	Add: PER-3 <u>The standards in RPROZ-R1 PER-2 are met</u>
RPROZ - R4 Visitor accommodation	Oppose in part	Ten guests as a permitted activity with a setback of 10m from a boundary is not considered appropriate to manage potential reverse sensitivity effects. The rule does not state the RPROZ-Standards that will apply. The standards relating to buildings should be included in the rule.	Amend RPROZ-R4 to six guests per night and increase setbacks in RPROZ-S3 to 20m from boundaries. Add: PER-4 <u>The standards in RPROZ-R1 PER-2 are met</u>
RPROZ-R5 Home business	Support in part	The rule does not state the RPROZ-Standards that will apply. The standards relating to buildings should be included in the rule.	Add: PER-5

			<u>The standards in RPROZ-R1 PER-2 are met</u>
RPROZ-R6 Educational facility	Support in part	Educational facilities limited to four students in a residential unit as a permitted activity will ensure that the effects are minor. The rule does not state the RPROZ-Standards that will apply	Add: PER-4 <u>The standards in RPROZ-R1 PER-2 are met</u>
RPROZ- R11 Rural produce manufacturing	Support in part	There should be provision for small scale rural industry as a permitted activity. Rural produce manufacturing is a rural industry so the rule would be better titled rural industry.	Amend RPROZ-R11 to Rural industry and all reference to rural produce manufacturing to rural industry Amend default status to RDA and include matters of discretion from RPROZ-R24.
RPROZ- R24 Rural industry	Oppose	Rural industry supports horticulture production and a discretionary activity status for all rural industry may prevent activities which support horticulture activities	Delete RPROZ-R24 and rename RPROZ-R11 as rural industry and include matters of discretion from RPROZ-R24 in RPROZ-R11 where permitted activity is not met.
RPROZ- R25 - R37	Support	Discretionary activity or non-complying status for activities that are generally not anticipated in the RPROZ is supported.	Retain Activity status for Rules RPROZ R25-R37
RPROZ - RX Seasonal worker accommodation	New rule	The provision of seasonal worker accommodation is becoming a necessary supporting activity to horticultural operations. HortNZ is seeking a suite of provisions to provide	Include a permitted activity rule for Seasonal Worker Accommodation <u>RPROZ-RX - Seasonal Worker Accommodation</u>

		for this activity - this is explained in more depth in the submission. HortNZ seeks that where seasonal worker accommodation does not meet the permitted activity standards, that this default to a Restricted Discretionary rule.	<u>Activity Status: PER</u> <u>1. The establishment of a new, or expansion of existing seasonal worker accommodation.</u> <u>Where:</u> <u>a. The seasonal worker accommodation is associated with horticultural activity</u> <u>b. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities</u> <u>c. The accommodation provides for no more than 12 workers</u> <u>d. It complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</u> <u>Where this activity complies with the following rule requirements:</u> <u>RPROZ S1 - Maximum height</u> <u>RPROZ S2 - Height in relation to boundary</u> <u>RPROZ S3 - Setbacks</u>
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			<u>Activity status when compliance not achieved:</u> <u>2. When compliance with RPROX-RX 1. (a)-(d) is not achieved: RDIS Matters of discretion:</u> <u>Those matters in RPROZ-RX 1. (a)-(d) that are not able to be met</u> <u>Methods to avoid, remedy or mitigate the effects on existing activities, including the provision of screening, landscaping and methods for noise control</u> <u>The extent to which the application complies with the Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008</u> <u>4. Where compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u> <u>Note: HortNZ has elsewhere in this submission sought definitions be included for Seasonal Worker Accommodation.</u>
RPROZ- S1 Maximum height	Support	The standard provides for artificial crop protection structures up to 6m	Retain

RPROZ-S2 Height in relation to boundary	Oppose in part	The standard should not apply to artificial crop protection structures as they are open in nature and let light through.	Add to RPROZ-S2 This standard does not apply to: <u>v) artificial crop protection structures</u>
RPROZ-S3 Setbacks	Support in part	The standard provides for artificial crop protection structures with a 3m setback. The setbacks only provide for a 10m setback of habitable buildings from boundaries which is considered insufficient to address potential reverse sensitivity effects.	Amend RPROZ-S3 3 habitable buildings must be setback at least 30m from the boundary of an unsealed road <u>and 20m from side and rear boundaries</u> Amend RPROZ-S3 (2) Artificial crop protection and support structures must be setback at least 3 1 m from all site boundaries; and
RPROZ- S5 Site coverage	Oppose in part	The standard provides for 12.5% site coverage by buildings or structures. There should be provision for a greater site coverage of artificial crop protection structures	Amend RPROZ-S5 by adding: This standard does not apply to: i) <u>Artificial crop protection structures</u> ii) <u>Greenhouses</u>
<u>Horticulture Zone</u>			
HZ- Overview	Support	The inclusion of a specific Horticulture Zone is supported	Retain
HZ- O1	Support	Providing for horticultural activities is supported	Retain

HZ- O2	Support	Providing for ancillary activities for horticulture is supported	Retain
HZ-O3	Support	The objective establishes the framework to ensure that land in the Horticulture Zone is not compromised.	Retain
HZ-P1	Support	The criteria for identifying the zone are supported	Retain
HZ-P2	Support in part	Potential for reverse sensitivity should be included.	Add to HZ-P2: <u>e) has the potential to create reverse sensitivity effects</u>
HZ- P3	Support	Provision for ancillary activities is supported	Retain
HZ-P4	Support in part	The policy provides for residential activities but should also include habitable buildings so that all buildings for a residential type of use are included in the policy	Amend HZ-P4: Ensure residential activities <u>and habitable buildings</u> are designed and located to avoid....
HZ- P5	Support	Subdivision of land in the Horticulture Zone should not compromise the land for horticulture activities	Retain
HZ- P7	Support	The matters for consideration are appropriate.	Retain

HZ- R1 New buildings or structures, and extensions or alterations to existing buildings or structures	Support	Provision for buildings and structures for permitted activities is supported, subject to standards.	Retain
HZ- R3 Residential activity	Support in part	The rule does not state the HZ- Standards that will apply. The standards relating to buildings should be included in the rule.	Add: <u>PER-2</u> <u>The standards in HZ-R1 PER-2 are met</u>
HZ- R10 Plant and food research	Support	Provision for research for the horticulture sector is important	Retain
HZ-R11 Plantation forestry	Support in part	Update of terminology	Amend to delete versatile soils to highly productive land
HZ- R12 Visitor accommodation	Support	A Discretionary activity status for visitor accommodation is supported.	Amend all PER to DIS
HZ- R13 Education facility	Support in part	A discretionary activity status for education facility is supported. A setback should apply	Amend all PER to DIS Add DIS-4 <u>A setback of 20m applies</u>
HZ-R14 Rural industry	Oppose	Rural industry supports horticulture production and a discretionary activity status for all rural industry may prevent activities which support horticulture activities. Rural manufacturing is part of rural industry so should be included	Delete HZ-R14 and amend HZ-R7 to apply to all rural industry

HZ- R15 – HZ- R26	Support	Discretionary activity or non-complying status for activities that are generally not anticipated in the HZ is supported.	Retain Activity status for Rules HZ R15- R26
HZ-S1 Maximum height		The standard provides for artificial crop protection structures up to 6m	
HZ-S2 Height in relation to boundary	Oppose in part	The standard should not apply to artificial crop protection structures as they are open in nature and let light through.	Add to RPROZ-S2 This standard does not apply to: <u>v) artificial crop protection structures</u>
HZ-S3 Setbacks	Support in part	The standard provides for artificial crop protection structures with a 3m setback. The setbacks only provide for a 10m setback of habitable buildings from boundaries which is considered insufficient to address potential reverse sensitivity effects.	Amend HZ-S3 1) habitable buildings must be setback at least 30m from the boundary of an unsealed road <u>and 20m from side and rear boundaries.</u> Amend to HZ-S3 2. Artificial crop protection and support structures must be setback at least 3 1 m from all site boundaries
HZ-S5 Site coverage	Support in part	The standard provides for 12.5% site coverage by buildings or structures but excludes crop protection structures and tunnel and glasshouses.	Amend HZ-S5 ii) replace 'glass houses' with <u>'greenhouses'</u>

HPFZ - Horticulture Processing Facilities Zone			
HPFZ - Overview	Support	Specific provision for the horticulture processing facilities is supported.	Retain
HPFZ- O1	Support	The contribution of horticulture processing facilities is recognised and supported	Retain
HPFZ-O2	Support		Retain
HPFZ-O4	Support	Avoiding reverse sensitivity on horticulture processing facilities is important.	Retain
HPFZ-P1	Support	Specific provision for the horticulture processing facilities is supported.	Retain
HPFZ- P3	Support in part	The policy only seeks to 'manage' land use that compromises the purpose and function of the horticulture processing facilities zone. There should be a more active approach to avoid compromising the zone	Provide a more active approach to avoid compromising the zone
HPFZ-R2 Impermeable surface coverage	Oppose in part	An impermeable surface area of no more than 30% is very restrictive for a processing facility	Amend HPFZ-R2 to 70% The impermeable surface coverage of any site is no more than 30% 70%
HPFZ-S1	Support	12m is the general height of cool stores	Retain

Maximum height			
HPFZ-S6 Landscaping	Support	Opotiki had similar rules which were supported	Retain
RLZ - Rural Lifestyle Zone			
RLZ- Overview	Support	The inclusion of a Rural Lifestyle zone is consistent with the National Planning Standards	Retain
RLZ-O4	Support	It is important that RLZ activities do not compromise activities in the adjacent RPROZ.	Retain
RLZ-P3	Support	It is important that RLZ activities do not compromise activities in the adjacent RPROZ.	Retain
RLZ-R4 Visitor accommodation	Support in part	Visitor accommodation should be set back from the adjacent RPROZ.	Increase RLZ-S3 to 20m for habitable buildings from the RPROZ boundary
RLZ-R6 Educational facility	Support in part	Educational facilities should be set back from the adjacent RPROZ.	Increased RLZ-S3 to 20m for educational facilities buildings from the RPROZ boundary
RLZ-S3 - Setbacks	Oppose in part	To implement RLZ-O4 there should be greater setbacks from the Rural Production Zone boundary.	Amend RLZ-S3 3) habitable buildings must be setback at least 30m from the boundary of an unsealed road <u>and 20m from the boundary of the Rural Production Zone or the Horticulture Zone.</u>

			<u>4) Educational facilities should be setback 20m from the boundary of the Rural Production Zone or the Horticulture Zone.</u>
Rural Residential Zone			
RRZ-O4	Support	The interface of the zone boundary is important especially where it borders the Rural Production Zone	Retain
RRZ-S3 Setbacks	Oppose in part	The setback provides for a 10m setback from the Rural Production Zone. This is not considered to be sufficient to mitigate potential reverse sensitivity effects.	Amend RRZ-S3 2) Minimum building setback from the boundary of any Rural production zone is at least 10m 20m

Far North Proposed District Plan

4 September 2023

To: Far North District Council

Name of Submitter: Horticulture New Zealand

Contact for Service:

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OVERVIEW

Submission structure

- 1 Part 1: HortNZ's Role
- 2 Part 2: Further submissions on behalf of HortNZ

Our submission

Horticulture New Zealand (HortNZ) made a submission on the proposed Far North District Plan and welcomes any opportunity to continue to work with council and to discuss our submission.

The details of HortNZ's further submissions and decisions we are seeking from council are set out below.

HortNZ's Role

Background to HortNZ

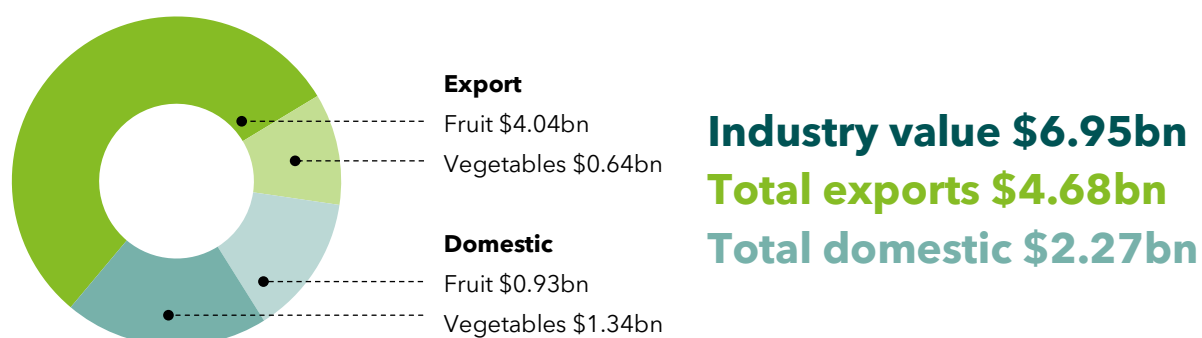
HortNZ represents the interests of approximately 4,200 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruit, and vegetables. The horticultural sector provides over 40,000 jobs.

There is 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.



Further Submission

1. Horticulture New Zealand's (HortNZ) further submissions are contained in the attached table below.
2. HortNZ represents commercial fruit and vegetable growers in the Far North so represents a relevant aspect of the public interest.
3. HortNZ is not a trade competitor and could not gain any advantage in trade competition through this further submission.
4. HortNZ wishes to be heard in support of its further submissions.
5. If others make similar submissions, HortNZ will consider presenting a joint case with them at the hearing.

Further submission on behalf of HortNZ on proposed Far North District Plan

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
General					
Kapiro Residents Association (S429)	S429.009	General / Process	Oppose	The submitter seeks inclusion of provisions for freshwater to give effect to the NPSFM 2020. It is the regional council responsibility to implement the NPSFM not the district council's.	Disallow S429.009 to include provisions for freshwater.
BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited (S335)	S335.006	General / Plan Content / Miscellaneous	Support	The submitter identifies that there is no contaminated land chapter in the Plan. While the NESCS provides the framework for managing contaminated land this can be assisted by an objective and policy framework in the Plan as sought by the submitter.	Allow S335.006 to include provision for contaminated land.
Northland Regional Council (S359)	S359.004	General / Plan Content / Miscellaneous	Support	The submitter seeks that the plan give effect to the National Policy Statement for Highly Productive Land (NPSHPL) and the National Policy Statement for Indigenous Biodiversity. HortNZ supports implementation of these higher order documents in the district plan.	Allow submission S359.004 to give effect to the NPSHPL and NPSIB.

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Northland Regional Council (S359)	S359.019	General / Plan Content / Miscellaneous	Support	The submitter is concerned that the provisions to avoid reverse sensitivity are not sufficient, especially in the rural production zone, and seek these be strengthened with greater setbacks, appropriate visual and physical screening and limitations on intensity of noise sensitive activities. HortNZ seeks to ensure that primary production activities are not constrained because of inappropriate location of sensitive activities.	Allow S359.019
Northland Regional Council (S359)	S359.027	General / Plan Content / Miscellaneous	Support	The submitter seeks protection of LUC1, 2 and 3 soils and possibly some LUC 4 as being highly productive. HortNZ supports this approach as the soils are a valuable resource. Much horticultural production occurs on Class 4 soils.	Allow S359.027
Northland Regional Council (S359)	S359.028	General / Plan Content / Miscellaneous	Support	The submitter seeks that highly productive land be included in the Horticultural zone or Rural Production Zone and that lifestyle development is on poorer soils. This approach is supported.	Allow S359.028
Far North District Council (S368)	S368.005	General / Plan Content / Miscellaneous	Support	The submitter seeks to amend the plan to give effect to the National Policy Statement for Indigenous Biodiversity. The approach is supported but submitters need to be able to be involved in additional provisions.	Allow S368.005 but ensure adequate input for submitters.

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Northland Federated Farmers of New Zealand (S421)	S421.180	General / Plan Content / Miscellaneous	Support	The submitter seeks that all references to high character areas are deleted from the Coastal Environment chapter as they are not necessary to meet the requirements of the RMA, NPSCS or RPS but include large areas of rural land which affects the ability to use it for rural production purposes. HortNZ supports this approach.	Allow S421.180 to delete all references to high character areas from the Coastal Environment chapter
Transpower New Zealand Ltd (S454)	S454.032	General / Plan Content / Miscellaneous	Support	The submitter seeks that all provisions for infrastructure are included in the infrastructure chapter. The intent is supported to the extent that there needs to be clarity where relevant provisions are located within the Plan.	Allow S454.032 to the extent that it provides clarity to the Plan.
Transpower New Zealand Ltd (S454)	S454.033	General / Plan Content / Miscellaneous	Support	The submitter seeks that all provisions for energy are included in the energy chapter. The intent is supported to the extent that there needs to be clarity where relevant provisions are located within the Plan	Allow S454.033 to the extent that it provides clarity to the Plan
Transpower New Zealand Ltd (S454)	S454.132	General / Plan Content / Miscellaneous	Oppose	The National Grid does not traverse the Horticultural Zone so specific provisions in that zone are not needed.	Disallow S454.132
LJ King Ltd (S464)	S464.034	General / Plan Content / Miscellaneous	Oppose	The submitter seeks changes to the objectives and policies for the rural production zone to allow a range of other activities. That approach is inconsistent with	Disallow S464.034

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				the National Planning Standards as to what is anticipated in the Rural Production Zone.	
Top Energy Limited (S483)	S483.031	General / Plan Content / Miscellaneous	Oppose	The submitter seeks a new objective in the Strategic Direction for 'Regionally Significant Infrastructure' including that it is 'protected'. HortNZ recognises the importance of infrastructure but does not support an objective of 'protect'.	Disallow S483.031.
Top Energy Limited (S483)	S483.188	General / Plan Content / Miscellaneous	Oppose	The submitter seeks provisions protecting all 'Critical Electricity Lines' (CEL), i.e. extend the provisions applying to 110kv lines to also include 33kv lines and insert a new chapter addressing the provisions pertaining to the CEL overlay. HortNZ does not support this 'protection' as needs of affected landowners also need to be taken into account.	Disallow S483.188
Ngā Tai Ora - Public Health Northland (S516)	S516.025	General / Plan Content / Miscellaneous	Support in part	The submitter seeks objectives and policies in the Strategic Direction chapters to recognise and provided for the benefits of Regionally Significant Infrastructure.	Allow S516.025 in part to recognise and provide for the benefits of regionally significant infrastructure.
Ngā Tai Ora - Public Health Northland (S516)	S516.027	General / Plan Content / Miscellaneous	Support	The submitter seeks to insert a new objective in the Strategic Direction: Avoid reverse sensitivity effects between incompatible activities and zones. Avoiding reverse	Allow S516.027

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				sensitivity is an important issue for HortNZ and growers.	
Ngā Tai Ora - Public Health Northland (S516)	S516.050	General / Plan Content / Miscellaneous	Oppose	The submitter seeks to insert rules for the management storage, use, transport and disposal of hazardous substances in the Far North District. HortNZ supports the approach to managing hazardous substances as in the PDP.	Disallow S516.050
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S522)	S522.022	General / Plan Content / Miscellaneous	Oppose	The submitter seeks additional standards for crop protection structures, including non-complying activity status, which would limit the use for horticultural production in the district. They are used in rural production zones which are working environment and are anticipated in those environments.	Disallow S522.022
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S527)	S527.030	General / Plan Content / Miscellaneous	Support	The submitter seeks to amend rural zones to firm up policies and rules to protect productive land - but elsewhere seeks to limit the use of highly productive land. HortNZ supports preventing fragmentation and loss of productive land from productive use, especially LUC Class 1- 3 land and productive types of soil/land suitable for horticulture.	Allow S527.030

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Roger Atkinson (S534)	S534.007	General / Plan Content / Miscellaneous	Oppose	The submitter seeks to delete the Horticultural Zone in its entirety. HortNZ opposes the deletion as the zone has been developed in response to issues faced by growers in the district to ensure that horticultural production can operate without constraints from reverse sensitivity effects. In addition the zone is likely to assist in achieving the objectives of the NPSHPL.	Disallow S534.007 and retain the horticultural zone.
John and Rose Whitehead (S535)	S535.007	General / Plan Content / Miscellaneous	Oppose	The submitter seeks to delete the Horticultural Zone in its entirety. HortNZ opposes the deletion as the zone has been developed in response to issues faced by growers in the district to ensure that horticultural production can operate without constraints from reverse sensitivity effects. In addition the zone is likely to assist in achieving the objectives of the NPSHPL.	Disallow S535.007 and retain the horticultural zone.
Description of District					
Northland Federated Farmers of New Zealand (S421)	S421.002	Significant Resource Management Issue 2	Support	A clear statement of the issues facing the rural environment is supported.	Allow S421.002
General approach					

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland Regional Council (S359)	S359.010	Approach to Integrated Management	Support	The submitter identifies the need for water resilience for the Far North district and seeks specific recognition of the issue in the strategic Directions. Lack of water and drought adversely affects horticultural growers so water resilience is supported.	Allow S359.010
Definitions					
Bentzen Farm Limited (S167)	S167.003	Definition Highly productive land	Oppose	HortNZ supports the inclusion of LUC 4 in the definition as horticulture occurs on Class 4 land in the Far North District and supports retention of Class 4 land until the RPS identifies highly productive land so that Class 4 HPL is not lost to rural production in the interim.	Disallow S167.003
Far North District Council (S368)	S368.029	Definition Highly productive land	Support	The clarification sought in the submission is supported.	Allow S368.029
Far North District Council (S368)	S368.116	Definition Highly productive land	Support	The submitter seeks consistent use of the term highly productive land. This is supported	Allow S368.116

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Braedon & Cook Limited (S401)	S401.002	Definition Highly productive land	Oppose	HortNZ supports the inclusion of LUC 4 in the definition as horticulture occurs on Class 4 land in the Far North District and supports retention of Class 4 land until the RPS identifies highly productive land so that Class 4 HPL is not lost to rural production in the interim. The district plan can be more stringent than the NPSHPL.	Disallow S401.002
Kiwi Fresh Orange Company Limited (S554)	S554.004	Definition Highly productive land	Oppose	HortNZ supports the inclusion of LUC 4 in the definition as horticulture occurs on Class 4 land in the Far North District and supports retention of Class 4 land until the RPS identifies highly productive land so that Class 4 HPL is not lost to rural production in the interim. The district plan can be more stringent than the NPSHPL.	Disallow S554.004
Northland Planning and Development 2020 Limited (S502)	S502.003	Definitions HOME BUSINESS	Oppose	The submitter seeks to delete the 2 nd clause in the definition. The definition is from the National Planning Standards and should be included in its entirety.	Disallow S502.003
Ngā Tai Ora - Public Health Northland (S516)	S516.018	Definitions INFRASTRUCTURE	Oppose	The definition of infrastructure is from s2 of the RMA so should be included as in the Act and not amended,	Disallow S516.018

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Transpower New Zealand Ltd (S454)	S454.010	Definitions NATIONAL GRID YARD	Oppose	HortNZ has sought another definition for the National Grid Yard.	Disallow S454.010
Radio New Zealand (S489)	S489.007	Definitions NOISE SENSITIVE ACTIVITY	Oppose	Noise sensitive activity is used differently to sensitive activity in the plan so both definitions should be retained.	Disallow S489.007
New Zealand Pork Industry Board (S55)	S55.011	Definitions SENSITIVE ACTIVITY	Support	The additions to the definition are supported.	Allow S55.011
Transpower New Zealand Ltd (S454)	S454.013	Definitions SENSITIVE ACTIVITY	Oppose	The notified definition is consistent with the NPSET definition for electricity transmission.	Disallow S454.013
Director General of Conservation (Department of Conservation) (S364)	S364.019	Definitions WETLAND	Support	The submitter seeks the inclusion of the definition for natural wetland in the NPSFM which clarifies what is a natural wetland. This is supported and seek that the associated rules refer to natural wetlands.	Allow S364.019
New Zealand Pork Industry Board (S55)	S55.001	Definitions New definition Ancillary rural earthworks	Support	HortNZ supports providing for earthworks for biosecurity purposes through the definition of ancillary rural earthworks.	Allow S55.001

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
New Zealand Pork Industry Board (S55)	S55.010	Definitions New definition reverse sensitivity	Support	HortNZ supports the clarity by including a definition for reverse sensitivity.	Allow S55.010
Horticulture New Zealand (S159)	S159.004	Definitions New definition Crop support structure	Support	The summary states: Insert a definition of 'crop protection structures' as follows: Crop support structure means an open structure on which plants are grown. The new definition sought is for 'crop support structures' which are different to artificial crop protection structures. There should be clarity between the two terms.	Allow S159.004 in part and Insert a definition of 'crop support structures' as follows: Crop support structure means an open structure on which plants are grown
Bentzen Farm Limited (S167)	S167.002	Definitions New definition Helicopter landing areas	Oppose	There should be a distinction between helicopter depots and helicopter landing areas with helicopter depots being used on a regular basis or as a base while helicopter landing areas could be used on a less regular basis.	Include a definition for helicopter landing area: means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing
Director General of Conservation	S364.084	Definitions New definition Biosecurity reasons	Support	It is HortNZ's understanding that clearance of vegetation for 'biosecurity purposes' is where there is an incursion of an unwanted organism under the Biosecurity Act 1993 and there is a declaration to remove the organism, which may involve removal of	Allow S364.084 to the extent that there should be clarity as to what is meant by 'biosecurity purposes'.

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				vegetation affected by the unwanted organism or acting as a host. It may be clearer that the provisions more clearly state what is a biosecurity purpose rather than inclusion of a definition.	
Northland Federated Farmers of New Zealand (S421)	S421.007	Definitions New definition Land based primary production	Support	The definition of land-based primary production is in the NPSHPL and it is relevant to include in the district plan.	Allow S421.007
Tangata Whenua					
Te Runanga o Ngai Takoto Trust (S390)	S390.048	Tangata Whenua	Oppose in part	The submitter seeks that cultural impact assessment of land use and subdivision proposals be required that have the potential for positive or adverse effects on the relationship of tāngata whenua with their ancestral lands, water, sites, wāhi tapu and other taonga. It is unclear what the trigger for such reports would be and any such reports should be related to the nature and scale of the activity and likely to have direct effects as a result of the activity.	Disallow S390.048 to the extent that cultural impact reports should not be a mandatory requirement for a resource consent.

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Strategic directions					
Neil Construction Limited (S349)	S349.003	Directions Overview	Oppose	The submitters seeks that the proposed district plan make greater provision for rural residential capacity. HortNZ considers that the strategic directions establish the overall framework for how issues are to be addressed in the plan – not making specific provision. In relation to rural residential the approach should be to ensure that it does not adversely affect primary production activities in the rural environment.	Disallow S349.003
Northland Regional Council (S359)	S359.005	Directions Overview	Support in part	The submitter seeks strategic direction as to how climate change will be managed through the PDP. Such an approach would provide clarity for the district.	Allow S359.005
Northland Federated Farmers of New Zealand (S421)	S421.012	Directions Overview	Support	The submitter seeks that recognition of the productive value of land is included as a factor when considering management of urban growth. This is supported.	Allow S421.012
Neil Construction Limited (S349)	S349.005	Urban Form and Development Objectives	Oppose	The deletion of the framework for urban form and development is not supported. Rural Residential should not compromise land for primary production.	Disallow S349.005

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Bentzen Farm Limited (S167)	S167.005	Rural Environment Objectives	Oppose	The submitter seeks to include a new SD: The importance of non-primary production activities in the rural environment to the social, economic and cultural wellbeing of the district is recognised and provided for. HortNZ does not support this objective as it is contrary to the direction in the National Planning Standards for the Rural Production Zone. Only those non-primary production activities that have a functional or operational need to locate in the rural environment should be provided for. The SD is setting the direction going forward for the rural area – which is different to what has happened in the past.	Disallow S167.005
P S Yates Family Trust (S333)	S333.005	Rural Environment Objectives	Oppose	The submitter seeks to include a new SD: The importance of non-primary production activities in the rural environment to the social, economic and cultural wellbeing of the district is recognised and provided for. HortNZ does not support this objective as it is contrary to the direction in the National Planning Standards for the Rural Production Zone. Only those non-primary production activities that have a functional or operational need to locate in the rural environment should be provided for. The SD is setting the direction going forward for the	Disallow S333.005

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				rural area - which is different to what has happened in the past.	
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.036	Rural Environment SD-RE-O1	Support	The submitter seeks that the rural zone objectives should also limit the other activities that can occur in the rural zones. HortNZ concurs that it should be clear that non-primary production activities are not anticipated in the rural environment unless they have a functional or operational need to locate in the rural area.	Allow S511.036
Transpower New Zealand Ltd (S454)	S454.031	Rural Environment SD-RE-O2	Oppose	The submitter seeks a specific 'carve out' for infrastructure. The NPSHPL 3.9 specifically lists activities that would be 'appropriate' on HPL, which include infrastructure where there is a functional or operational need to be on HPL. It is not necessary to specifically list one such activity within the SD.	Disallow S454.031
Waiaua Bay Farm Limited (S463)	S463.008	Rural Environment SD-RE-O2	Oppose	The submitter seeks the deletion of the objective as the NPSHPL has been introduced. The District Council has requirements to implement the NPSHPL so the objective is relevant to the council's functions.	Disallow S463.008

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Bentzen Farm Limited (S167)	S167.006	Natural Environment SD-EP-O5	Oppose	Section 6 of the RMA provides for the preservation and protection of natural character and protection of outstanding natural features and landscapes from inappropriate subdivision use and development. It does not require restoration.	Disallow S167.006
Infrastructure					
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.011	Infrastructure Overview	Oppose in part	The submitter seeks changes to the Infrastructure provisions through the inclusion of a definition of 'additional infrastructure' from the NPSUFD and applying proposed provisions for infrastructure to that 'additional infrastructure'. While the need to provide for educational facilities is recognised HortNZ does not support the approach as the definition of additional infrastructure involves more than educational facilities	Disallow S331.011
Transpower New Zealand Ltd (S454)	S454.035	Infrastructure Overview	Support	Recognition of NZECP34:2001 and the Hazard from Tree Regulations is supported.	Allow S454.035
Royal Forest and Bird Protection	S511.037	Infrastructure Objectives	Support	Clear differentiation between infrastructure and regionally significant infrastructure is supported.	Allow S511.037

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Society of New Zealand (S511)					
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.012	Infrastructure I-O1	Oppose	HortNZ does not support inclusion of additional infrastructure as sought by the submitter.	Disallow S331.012
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.013	Infrastructure I-O2	Oppose	HortNZ does not support inclusion of additional infrastructure as sought by the submitter.	Disallow S331.013
Northland Federated Farmers of New Zealand (S421)	S421.021	Infrastructure I-O2	Support	HortNZ supports I-O2 being retained.	Allow S421.021
Northland Federated Farmers of New Zealand (S421)	S421.025	Infrastructure I-O4	Support	Recognition of highly productive land in the objective is supported.	Allow S421.025
Transpower New Zealand Ltd (S454)	S454.044	Infrastructure Policies	Support in part	The submitter seeks a separate policy for the National Grid. A separate policy is supported to the extent that it differentiates from other infrastructure due to the NPSET applying. However the policy sought makes	Allow S454.044 to the extent of inclusion of specific policies for the National Grid but ensure that the policy framework appropriately

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				no mention of rural areas over which much of the National Grid traverses.	recognises the areas which the National Grid is located in.
Transpower New Zealand Ltd (S454)	S454.050	Infrastructure Policies	Oppose in part	The submitter seeks a separate policy for the National Grid. A separate policy is supported to the extent that it differentiates from other infrastructure due to the NPSET applying. However the NPSET seeks to recognise and provide for the National Grid and any policy framework should implement that approach – not ‘protection’.	Disallow S454.050 to the extent that the wording sought for a new policy is inconsistent with the NPSET.
Transpower New Zealand Ltd (S454)	S454.058	Infrastructure Policies	Support	Recognition of reverse sensitivity from sensitive activities is appropriate.	Allow S454.058
Top Energy Limited (S483)	S483.026	Infrastructure Policies	Oppose	It is not necessary to include policies in the SD chapter as the strategic objectives are implemented through the respective chapters.	Disallow S483.026
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.038	Infrastructure Policies	Support	Clear differentiation between infrastructure and regionally significant infrastructure is supported.	Allow S511.038

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.042	Infrastructure Policies	Support	The submitter seeks policies specifically for regionally significant infrastructure. However HPL should also be recognised in the policies	Allow S511.042 but also include highly productive land as a matter to be protected.
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.043	Infrastructure Policies	Support	The submitter seeks policies specifically for regionally significant infrastructure.	Allow S511.043
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.014	Infrastructure I-P1	Oppose	The addition of additional infrastructure is not supported for reasons set out above.	Disallow S331.014
Transpower New Zealand Ltd (S454)	S454.045	Infrastructure I-P3	Support in part	HortNZ supports separate policy framework for the National Grid to give effect to the NPSET but wording must be consistent with the NPSET.	Allow S454.045 to the extent that it gives effect to the NPSET.
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.015	Infrastructure I-P4	Oppose	The addition of additional infrastructure is not supported for reasons set out above.	Disallow S331.015

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.016	Infrastructure I-P5	Oppose	The addition of additional infrastructure is not supported for reasons set out above.	Disallow S331.016
Northland Federated Farmers of NZ	S421.039	Infrastructure I-P7	Support in part	HortNZ has sought changes to I-P7 for similar reasons to Federated Farmers to ensure that landowners are not adversely affected by infrastructure that traverses private property.	Allow S421.039 where it is consistent with the changes sought by HortNZ in S159.032
Top Energy Limited (S483)	S483.045	Infrastructure I-P7	Oppose	HortNZ has sought changes to I-P7 which are inconsistent with the changes sought by the submitter. In particular HortNZ does not support extending the policy to include local infrastructure or including maps of CEL through submissions as landowners are foreclosed on the opportunity to submit.	Disallow S483.045
Top Energy Limited (S483)	S483.047	Infrastructure I-P9	Oppose	Linear infrastructure should be encouraged to be within road where practicable to avoid impacts on private property.	Disallow S483.047
Transpower New Zealand Ltd (S454)	S454.053	Infrastructure I-P10	Support	The wording sought better reflects the nature of the National Grid	Allow S454.053

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.017	Infrastructure Rules	Oppose	The submitter requests that educational facilities are provided for within the district plan as a permitted activity in the Infrastructure Chapter (and subsequently removed from the relevant zoning chapters). HortNZ opposes this approach as it is important that the effects of the activity in the context of each zone are considered.	Disallow S331.017
Transpower New Zealand Ltd (S454)	S454.103	Infrastructure Rules	Support in part	HortNZ supports a permitted activity rule for earthworks within the National Grid Yard that complies with NZECP34:2001 and a default to restricted discretionary.	Allow S454.103 and include a permitted activity rule for earthworks within the National Grid Yard that complies with NZECP34:2001
Top Energy Limited (S483)	S483.059	Infrastructure I-R3	Oppose	The standards for upgrades need to be clear and ensure that they will not adversely affect other parties. The changes sought do not appear to achieve those outcomes.	Disallow S483.059.
Transpower New Zealand Ltd (S454)	S454.063	Infrastructure I-R7	Oppose	HortNZ considers that new overhead lines and associated structures can have adverse effects on other parties. Therefore a discretionary activity status is supported. If a RD status is included then a matter of discretion should be the effects on other parties, including affected landowners.	Disallow S454.063

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Transpower New Zealand Ltd (S454)	S454.065	Infrastructure I-R11	Oppose in part	HortNZ has sought changes to I-R11 to ensure that horticultural activities are able to be undertaken in the National Grid Yard.	Allow S454.065 to the extent that horticultural activities in the National Grid Yard can be undertaken as sought in the HortNZ submission.
Top Energy Limited (S483)	S483.069	Infrastructure I-R12	Oppose	HortNZ has sought changes to I-R12 to ensure that horticultural activities are able to be undertaken in the near Critical Electricity Lines and seeks to ensure that the rule is based on meeting requirements in NZECP34:2001.	Disallow S483.069
Top Energy Limited (S483)	S483.071	Infrastructure I-R12	Oppose	HortNZ has sought changes to I-R12 to ensure that horticultural activities are able to be undertaken in the near Critical Electricity Lines and seeks to ensure that the rule is based on meeting requirements in NZECP34:2001.	Disallow S483.071
Top Energy Limited (S483)	S483.072	Infrastructure I-R13	Oppose	The rule should only require that the regulations in the Hazard from Trees Regulations 2003 are met.	Disallow S483.072
Transpower New Zealand Ltd (S454)	S454.067	Infrastructure I-R18	Support in part	Amending the rule to apply to the National Grid Subdivision Corridor is supported but not the deletion of the restricted discretionary activity status.	Allow S454.067 to the extent of amending the rule to apply to the National Grid Subdivision Corridor

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Transpower New Zealand Ltd (S454)	S454.068	Infrastructure I-R20	Oppose	The addition of the National Grid Subdivision Corridor is not supported as it is provided for in I-R18.	Disallow S454.068
Transpower New Zealand Ltd (S454)	S454.069	Infrastructure I-R21	Oppose	HortNZ seeks changes to I-R21.	Disallow S454.069
Transport					
Northland Transportation Alliance (S184)	S184.020	Transport TRAN-Table 1	Oppose	A requirement for EV parking spaces is not relevant to all sectors in the Far North, especially rural activities where use of EV's is limited. Also linking bicycle spaces to number of employees is only relevant where the facility is within cycling distance for employees. In rural locations such spaces should not be mandatory.	Disallow S184.020
Natural hazards					
Bentzen Farm Limited (S167)	S167.008	Natural hazards NH-P9	Support	The focus of the policy on wildfire should be on vulnerable activities.	Allow S167.008
Kāinga Ora Homes and Communities (S561)	S561.044	Natural hazards NH-S1	Support	The proposed standard is not specific and is too general. The submitter seeks that the natural hazard should be identified on a map in the DP and this is supported.	Allow S561.044

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Hazardous substances					
Transpower New Zealand Ltd (S454)	S454.075	Hazardous substances Rules	Oppose in part	The submitter seeks that there is a new rule for the use storage or disposal of hazardous substances near the National Grid that would permit the activity where normal household usage volumes of hazardous substances are used, stored or disposed of. Such a rule would preclude the application of agrichemicals and fertiliser in the National Grid Yard as would be a 'use' greater than normal household usage and would be 'non-complying' under the rule that is sought. This is not supported. It is accepted that storage of hazardous substances within the National Grid Yard should be limited but not the use of such substances.	Disallow S454.075 in relation to use of hazardous substances and non-complying activity status.
Ngati Rangi ki Ngawha Hapu (S304)	S304.005	Hazardous substances HS-R2	Oppose	The matter identified by the submitter relates to a discharge which is the responsibility of the regional council, not the district council. Agrichemical use is managed under the Regional Land and Water Plan.	Disallow S304.005
Ngati Rangi ki Ngawha (S515)	S515.010	Hazardous substances HS-R2	Oppose	The matter identified by the submitter relates to a discharge which is the responsibility of the regional council, not the district council. Agrichemical use is	Disallow S515.010

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				managed under the Regional Land and Water Plan	
Heritage Overlays					
Northland Federated Farmers of New Zealand (S421)	S421.098	Heritage area overlays HA-O1	Support	The submitter seeks that heritage sites are identified and protected from inappropriate subdivision, use, and development, rather than 'protection' per se. This change is consistent with s6 of the RMA so is supported.	Allow S421.098
Northland Federated Farmers of New Zealand (S421)	S421.100	Heritage area overlays HA-P13	Support	The submitter seeks that heritage sites are identified and protected from inappropriate subdivision, use, and development, rather than 'protection' per se. This change is consistent with s6 of the RMA so is supported.	Allow S421.100
Northland Federated Farmers of New Zealand (S421)	S421.102	Heritage area overlays HA-R5	Support	The addition of 'ancillary rural earthworks' as a permitted activity is supported.	Allow S421.102
Northland Federated Farmers of New Zealand (S421)	S421.104	Heritage area overlays HA-R8	Support	The submitter identifies that there is a need to make adequate provision for farm buildings, and expresses concerns about the need to not be visible from a public place, which is not defined.	Allow S421.104

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				This concern is supported.	
Northland Federated Farmers of New Zealand (S421)	S421.106	Heritage area overlays HA-R11	Support	A change to restricted discretionary activity status is sought which is supported.	Allow S421.106
Northland Federated Farmers of New Zealand (S421)	S421.107	Heritage area overlays HA-S1	Support	A setback of 75m in the Te Waimate Heritage Overlay is not appropriate so the deletion is supported.	Allow S421.107
Heritage New Zealand Pouhere Taonga (S570)	S570.004	Heritage area overlays HA-S2	Support in part	The submitter seeks that the standard for heritage colours only apply to heritage areas where such a control is justified. Also they should not apply where a building or structure is unpainted.	Allow S570.004 and amend the requirement for painting buildings in heritage colours where specifically justified.
Heritage New Zealand Pouhere Taonga (S409)	S409.045	Heritage area overlays Heritage Overlay - Kerikeri	Oppose	There needs to be provision for rural production in the heritage overlays - including Kerikeri.	Disallow S409.045 unless adequate provision made for rural production activities as permitted activities in the overlay.
Northland Federated Farmers of New Zealand (S421)	S421.089	Heritage area overlays Heritage Overlay - Kerikeri	Support	The submitter seeks to amend the Overview to the Kerikeri Heritage overlay so that it acknowledges and provides for existing, legally established rural activities as part of the existing environment. This is supported	Allow S421.089

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				as rural production activities are important to the Far North economy.	
Heritage New Zealand Pouhere Taonga (S409)	S409.039	Heritage area overlays Heritage Overlay - Pouerua	Oppose	There needs to be provision for rural production in the heritage overlays - including Pouerua.	Disallow S409.039 unless adequate provision made for rural production activities as permitted activities in the overlay.
Northland Federated Farmers of New Zealand (S421)	S421.094	Heritage area overlays Heritage Overlay - Pouerua	Support	The submitter seeks to amend the Overview to the Pouerua Heritage overlay so that it acknowledges and provides for existing, legally established rural activities as part of the existing environment. This is supported as rural production activities are important to the Far North economy.	Allow S421.094
Heritage New Zealand Pouhere Taonga (S409)	S409.043	Heritage area overlays Heritage Overlay - Te Waimate	Oppose	There needs to be provision for rural production in the heritage overlays - including Te Waimate.	Disallow S409.043 unless adequate provision made for rural production activities as permitted activities in the overlay.
Northland Federated Farmers of New Zealand (S421)	S421.097	Heritage area overlays Heritage Overlay - Te Waimate	Support	The submitter seeks to amend the Overview to the Te Waimate Heritage overlay so that it acknowledges and provides for existing, legally established rural activities as part of the existing environment. This is supported as rural production activities are important to the Far North economy.	Allow S421.097

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Historic heritage					
Northland Federated Farmers of New Zealand (S421)	S421.109	Historic heritage Overview	Support	The submitter seeks to amend the Overview so that it promotes the use of non-regulatory methods as well as ensuring that historic heritage will be protected from inappropriate subdivision, use and development. HortNZ supports this approach.	Allow S421.109
Sites and areas of significance to Māori					
Northland Federated Farmers of New Zealand (S421)	S421.132	Sites and areas of significance to Māori Overview	Support	It is important that private landowners are recognised and considered in the identification and management of Sites and areas of significance to Māori.	Allow S421.132
Te Hiku Iwi Development Trust (S399)	S399.056	Sites and areas of significance to Māori Policies	Oppose in part	SASM-P1 sets out how sites will be identified using criteria in policy 4.5.3 of the Northland Regional Policy Statement. Therefore it is not necessary to include the new policy as sought by the submitter.	Disallow S399.056
Ecosystems and indigenous biodiversity					

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.055	Ecosystems and indigenous biodiversity Objectives	Support	The submitter seeks an objective that landowners are encouraged and supported to protect and enhance the biodiversity values of their land. Recognition of landowners is supported.	Allow S511.055
Director General of Conservation (Department of Conservation) (S364)	S364.031	Ecosystems and indigenous biodiversity IB-O1	Oppose	The submitter seeks the addition that SNA's are enhanced. The NPSIB does not seek enhancement so the policy is not consistent with the NPSIB.	Disallow S364.031
Director General of Conservation (Department of Conservation) (S364)	S364.032	Ecosystems and indigenous biodiversity IB-O2	Oppose	The submitter seeks that indigenous biodiversity is protected, maintained, and restored The NPSIB does not seek protected, maintained, and restored so the policy is not consistent with the NPSIB	Disallow S364.032
Summit Forests New Zealand Limited (S148)	S148.016	Ecosystems and indigenous biodiversity IB-P1	Support	It is the council's responsibility under the NPSIB to map SNA's.	Allow S148.016
Director General of Conservation	S364.038	Ecosystems and	Oppose in part	The NPSIB requires that SNA's are protected by avoiding or managing adverse effects from new subdivision use and development.	Disallow S364.038

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
(Department of Conservation) (S364)		indigenous biodiversity IB-P3		The policy as notified provides for this approach.	
Director General of Conservation (Department of Conservation) (S364)	S364.040	Ecosystems and indigenous biodiversity IB-P5	Oppose	The submitter seeks to delete IB-P5 a), including highly productive land. This is not supported as hpl also needs to be recognised and provided for.	Disallow S364.040
Director General of Conservation (Department of Conservation) (S364)	S364.044	Ecosystems and indigenous biodiversity IB-R1	Support in part	The submitter seeks clarification of 'biosecurity reasons'. The HortNZ submission on IB-P7 would assist in defining 'biosecurity reasons': <i>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.</i>	Allow S364.044 to the extent that biosecurity reasons' is based in the HortNZ submission on IB-P7.
Royal Forest and Bird Protection Society of New Zealand (S511)	S511.067	Ecosystems and indigenous biodiversity IB-R1	Support in part	Clarification of 'biosecurity purposes' in clause 4 as sought by the submitter is supported and consistent with the HortNZ submission on IB-P7.	Allow S511.067 in respect of IB-R1 (4).
Summit Forests New Zealand Limited (S148)	S148.022	Ecosystems and	Support	Requiring an ecologists report at the landowners cost when the council has not	Allow S148.022

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
		indigenous biodiversity IB-R4		included SNA's in the plan is an unfair cost to landowners.	
Director General of Conservation (Department of Conservation) (S364)	S364.047	Ecosystems and indigenous biodiversity IB-R4	Oppose	The submitter seeks to make the rule a controlled activity rule. This would be an overly restrictive regime at considerable cost to landowners.	Disallow S364.047
Natural character					
Northland Federated Farmers of New Zealand (S421)	S421.143	Natural character NATC-O1	Support	The wording sought is more consistent with s6 of the RMA.	Allow S421.143
Northland Federated Farmers of New Zealand (S421)	S421.144	Natural character NATC-O2	Support	The wording sought is more consistent with s6 of the RMA.	Allow S421.144
Waka Kotahi NZ Transport Agency (S356)	S356.069	Natural character NATC-R1	Support	Differentiation between Outstanding or High Natural Character Areas and other areas of natural character is supported.	Allow S356.069

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland Federated Farmers of New Zealand (S421)	S421.147	Natural character NATC-R1	Support	The submitter seeks to amend Rule NATC-R1 to provide for activities that need to be located within a natural character area as long as the subdivision, use and development is not inappropriate for the area. Activities need to be able to continue in natural character areas so this is supported.	Allow S421.147
Northland Federated Farmers of New Zealand (S421)	S421.148	Natural character NATC-R2	Support	The submitter seeks to amend Rule NATC-R2 to provide for activities that need to be located within a natural character area as long as the subdivision, use and development is not inappropriate for the area. Activities need to be able to continue in natural character areas so this is supported.	Allow S421.148
Summit Forests New Zealand Limited (S148)	S148.026	Natural character NATC-R3	Support	Provision for measures for sediment control are supported.	Allow S148.026
Natural features and landscapes					
Northland Federated Farmers of New Zealand (S421)	S421.151	Natural features and landscapes NFL-01	Support	The wording sought is more consistent with s6 of the RMA.	Allow S421.151

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Bentzen Farm Limited (S167)	S167.031	Natural features and landscapes NFL-02	Support	The wording sought is more consistent with s6 of the RMA.	Allow S167.031
Bentzen Farm Limited (S167)	S167.039	Natural features and landscapes Policies	Support	There needs to be recognition of existing land uses which often have contributed to the landscape.	Allow S167.039
Summit Forests New Zealand Limited (S148)	S148.027	Natural features and landscapes NFL-P4	Support	All primary production activities should be provided for.	Allow S148.027
Northland Planning and Development 2020 Limited (S502)	S502.042	Natural features and landscapes NFL-S3	Support	The amendment provides for a more reasonable amount of earthworks to be undertaken.	Allow S502.042
Subdivision					
Northland Regional Council (S359)	S359.029	Subdivision Objectives	Support	Objectives to discourage fragmentation of rural land and retention of highly productive land to give effect to the NPSHPL are supported.	Allow S359.029

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Te Hiku Community Board (S257)	S257.007	Subdivision SUB-O2	Oppose	The submitter seeks the deletion of protection of highly productive land. Such land is required by the NPSHPL to be protected so the clause should not be deleted.	Disallow S257.007
Director General of Conservation (Department of Conservation) (S364)	S364.053	Subdivision SUB-O2	Oppose	The submitter seeks the deletion of protection of highly productive land as it is not a s6 matter. Such land is required by the NPSHPL to be protected so the clause should not be deleted	Disallow S364.053
Northland Regional Council (S359)	S359.030	Subdivision Policies	Support	Policies to discourage fragmentation of rural land and retention of highly productive land to give effect to the NPSHPL are supported.	Allow S359.030
Bentzen Farm Limited (S167)	S167.052	Subdivision SUB-P8	Oppose	Rural lifestyle subdivision in the Rrual Production and Horticultural zones is inconsistent with providing for primary production activities so is not supported.	Disallow S167.052
Thomson Survey Ltd (S202)	S202.002	Subdivision SUB-P8	Oppose	The use of 'avoid' is deliberate and supported to ensure that rural lifestyle does not compromise primary production activities.	Disallow S202.002

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
New Zealand Pork Industry Board (S55)	S55.018	Subdivision SUB-R1	Support	Specific reference to reverse sensitivity is supported as it provides clarity.	Allow S55.018
New Zealand Pork Industry Board (S55)	S55.019	Subdivision SUB-R2	Support	Specific reference to reverse sensitivity is supported as it provides clarity.	Allow S55.019
New Zealand Pork Industry Board (S55)	S55.020	Subdivision SUB-R3	Support	Specific reference to reverse sensitivity is supported as it provides clarity.	Allow S55.020
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S527)	S527.023	Subdivision SUB-R7	Support	SUB-R7 and the management plan should include consideration of highly production land.	Allow S527.023 including provisions for highly productive land.
Thomson Survey Ltd (S190)	S190.002	Subdivision SUB-S1	Oppose	HortNZ opposes changes to the minimum lot sizes in the Rural Production and Horticultural zones. In particular the NPSHPL must be given effect to avoid subdivision of highly production land.	Disallow S190.002
Thomson Survey Ltd (S190)	S190.001	Subdivision SUB-S1	Oppose	HortNZ does not support reducing the minimum lot sizes in the Rural Production Zone as it will not achieve the objectives and policies in the Plan. Introducing a further layer as sought is not effects based.	Disallow S190.001

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Thomson Survey Ltd (S190)	S190.002	Subdivision SUB-S1	Oppose	Introducing a further layer in the Horticultural Zone as sought is not effects based and will not achieve the objectives and policies in the Plan. The change sought will lead to greater fragmentation of Highly productive land and does not give effect to the NPSHPL.	Disallow S190.002
Two M Investments Limited (S317)	S317.034	Subdivision SUB-S1	Support	The submitter seeks to retain the minimum lot sizes in the Horticultural Zone This is supported to achieve the objectives and policies in the Plan.	Allow S317.034
Northland Regional Council (S359)	S359.018	Subdivision SUB-S1	Support in part	The submitter seeks a more rigorous activity status for the Horticulture Zone. HortNZ has sought that the activity status be amended to ensure that there is more control on subdivision to protect highly productive soils.	Allow S359.018
Northland Planning and Development 2020 Limited (S502)	S502.082	Subdivision SUB-S1	Oppose	The submitter seeks to amend SUB-S1 to provide for: Rural Production Controlled activity 20ha, Restricted discretionary activity 8ha and Discretionary activity 4ha Rural lifestyle discretionary activity 1ha. HortNZ considers that this will lead to greater fragmentation of rural land, not achieve the objectives and policies in the Plan and not give effect to the NPSHPL.	Disallow S502.082

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Coastal environment					
Northland Federated Farmers of New Zealand (S421)	S421.181	Coastal environment CE-O1	Support	The change sought is more consistent with s6 of the RMA so is supported.	Allow S421.181
Waka Kotahi NZ Transport Agency (S356)	S356.094	Coastal environment CE-O2	Oppose	The submitter seeks to delete clause b. is consistent with the surrounding land use. HortNZ seeks retention of this clause as it provides a context for land use in the surrounding areas.	Disallow S356.094
Northland Federated Farmers of New Zealand (S421)	S421.182	Coastal environment CE-P1	Support	The submitter seeks the deletion of 'high' natural character. Outstanding natural character is provided for in the NZCPS, but there is no requirement to identify 'high' natural character. The focus should be to give effect to the NZCPS.	Allow S421.182
Director General of Conservation (Department of Conservation) (S364)	S364.063	Coastal environment CE-P2	Oppose	Objective 2 of the NZCPS seeks to recognise the characteristics and qualities that contribute to natural character, yet the submitter seeks to delete 'characteristics and qualities' which is inconsistent with the NZCPS.	Disallow S364.063

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Director General of Conservation (Department of Conservation) (S364)	S364.064	Coastal environment CE-P3	Oppose	Objective 2 of the NZCPS seeks to recognise the characteristics and qualities that contribute to natural character, yet the submitter seeks to delete 'characteristics and qualities' which is inconsistent with the NZCPS.	Disallow S364.064
Northland Federated Farmers of New Zealand (S421)	S421.186	Coastal environment CE-R1	Support	The submitter seeks the deletion of 'high' natural character. Outstanding natural character is provided for in the NZCPS, but there is no requirement to identify 'high' natural character. The focus should be to give effect to the NZCPS.	Allow S421.186
Director General of Conservation (Department of Conservation) (S364)	S364.070	Coastal environment CE-R3	Oppose	The submitter seeks the deletion of CE-R3 as it does not adequately give effect to Policy 11 of NZCPS. Policy 11 is indigenous biodiversity. CE-R3 is Earthworks or indigenous vegetation clearance.. Earthworks is not covered by Policy 11 so should be retained. The requirements in Policy 11 for indigenous biodiversity are not absolute so the activities provided for are to enable sustainable management.	Disallow S364.070
Director General of Conservation (Department of	S364.071	Coastal environment CE-R3	Oppose	The submitter seeks clarification of 'biosecurity reasons'. The HortNZ submission on IB-P7 would assist in defining 'biosecurity reasons': <i>Provide for the active</i>	Allow S364.071 to the extent that biosecurity reasons' is

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Conservation) (S364)				<i>management of pest plants and pest animals including those identified in the Regional Pest Management Plan and unwanted organisms under the Biosecurity Act 1993.</i>	based in the HortNZ submission on IB-P7.
Earthworks					
Northland Regional Council (S359)	S359.043	Earthworks Objectives	Support	The submitter seeks to amend provisions to avoid duplicating regional council functions where possible. HortNZ supports removal of duplication of requirements.	Allow S359.043
Bentzen Farm Limited (S167)	S167.083	Earthworks EW-O1	Support in part.	HortNZ seeks inclusion of provisions for ancillary rural earthworks and the submitter seeks provisions for rural land uses and development. Ensuring that basic rural earthworks can be undertaken is supported.	Allow S167.083
Northland Regional Council (S359)	S359.044	Earthworks Policies	Support	The submitter seeks to amend provisions to avoid duplicating regional council functions where possible. HortNZ supports removal of duplication of requirements.	Allow S359.044
Transpower New Zealand Ltd (S454)	S454.101	Earthworks Policies	Oppose	A policy of protection is inconsistent with the NPSET.	Disallow S454.101

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland Regional Council (S359)	S359.045	Earthworks Rules	Support	The submitter seeks to amend provisions to avoid duplicating regional council functions where possible. HortNZ supports removal of duplication of requirements.	Allow S359.045
Northland Planning and Development 2020 Limited (S502)	S502.024	Earthworks EW-R2	Support	The submitter has identified a number of structural matters with the rule which make it unworkable – such as including activities in the rule which are exempt in the definition of earthworks. There should be clarity in the rule.	Allow S502.024
Northland Federated Farmers of New Zealand (S421)	S421.194	Earthworks EW-R4	Support in part	HortNZ has sought the deletion of EW-R4 and EW-R5 but the submitter seeks that the rules are merged, size thresholds deleted and include provision for ancillary rural earthworks. HortNZ supports the intent of the submission if the rules are not deleted.	Allow S421.194 if the HortNZ submission to delete EW-R4 and EW-R5 is not accepted.
Northland Federated Farmers of New Zealand (S421)	S421.195	Earthworks EW-R5	Support in part	HortNZ has sought the deletion of EW-R4 and EW-R5 but the submitter seeks that the rules are merged, size thresholds deleted and include provision for ancillary rural earthworks. HortNZ supports the intent of the submission if the rules are not deleted.	Allow S421.195 if the HortNZ submission to delete EW-R4 and EW-R5 is not accepted.
Haigh Workman Limited (S215)	S215.048	Earthworks EW-R13	Support	The submitter seeks that the matters of discretion are limited to consideration of erosion and sediment control standard, rather than the broad matter of discretion in	Allow S215.048

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				the proposed rule. HortNZ supports the more specific matter of discretion.	
Bentzen Farm Limited (S167)	S167.084	Earthworks EW-R14	Support	The submitter is concerned that may earthworks activities not provided for in EW-R1- EW-R13 will default to a discretionary activity and so seek a new rule that if the activity complies with the standards then it is permitted. This approach is supported to avoid activities needing to get a resource consent even though they meet the standards.	Allow S167.084
Transpower New Zealand Ltd (S454)	S454.003	Earthworks EW-R15	Oppose	The standards should comply with NZECP34:2001.	Disallow S454.003 and ensure rule is consistent with NZECP34:2001.
Transpower New Zealand Ltd (S454)	S454.102	Earthworks EW-R15	Support in part	The submitter seeks that the rule is re-written as a permitted activity rule rather than a non-complying rule as a standard. This approach is supported. The standards should be consistent with NZECP34:2001.	Allow S454.102 to the extent that the rule is rewritten as a permitted activity rule which is consistent with NZECP34:2001.
Top Energy Limited (S483)	S483.180	Earthworks EW-R15	Support in part	The submitter seeks that the rule is re-written as a permitted activity rule rather than a non-complying rule as a standard. This approach is supported. The standards should be consistent with NZECP34:2001.	Allow S483.180 to the extent that the rule is rewritten as a permitted activity rule which is consistent with NZECP34:2001.

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland Regional Council (S359)	S359.038	Earthworks Standards	Support	The submitter seeks to amend provisions to avoid duplicating regional council functions where possible. HortNZ supports removal of duplication of requirements.	Allow S359.038
Northland Planning and Development 2020 Limited (S502)	S502.025	Earthworks EW-S1	Support in part	The submitter has identified similar concerns to HortNZ in EW-S1 and seeks changes. HortNZ supports the intent that the standard is inappropriate for ancillary rural earthworks.	Allow S502.025 to the extent that changes are made similar to those sought by HortNZ.
Haigh Workman Limited (S215)	S215.049	Earthworks EW-S5	Support	The submitter seeks that the matters of discretion are limited to consideration of erosion and sediment control standard, rather than the broad matter of discretion in the proposed rule. HortNZ supports the more specific matter of discretion.	Allow S215.049
Northland Planning and Development 2020 Limited (S502)	S502.026	Earthworks EW-S6	Support	There should be an exemption from the standard for ancillary rural earthworks, much as sought by the submitter.	Allow S502.026 to include an exemption for ancillary rural earthworks.
Light					
Director General of Conservation (Department of	S364.074	Light Objectives	Oppose	DOC seeks a new objective, policy and rules to avoid, minimise/remedy, or mitigate adverse effects from lighting on indigenous fauna. The policy should apply for activities	Disallow S364.074

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Conservation) (S364)				adjacent to or within SNAs. The submission sets out a range of 'best practice' methods to minimise effects but it would be unreasonable to prescribe these as regulations.	
Director General of Conservation (Department of Conservation) (S364)	S364.075	Light Policies	Oppose	DOC seeks a new objective, policy and rules to avoid, minimise/remedy, or mitigate adverse effects from lighting on indigenous fauna. The policy should apply for activities adjacent to or within SNAs. The submission sets out a range of 'best practice' methods to minimise effects but it would be unreasonable to prescribe these as regulations.	Disallow S364.075
Director General of Conservation (Department of Conservation) (S364)	S364.076	Light Rules	Oppose	DOC seeks a new objective, policy and rules to avoid, minimise/remedy, or mitigate adverse effects from lighting on indigenous fauna. The policy should apply for activities adjacent to or within SNAs. The submission sets out a range of 'best practice' methods to minimise effects but it would be unreasonable to prescribe these as regulations.	Disallow S364.076
Noise					
Ngā Tai Ora - Public Health	S516.064	Noise	Oppose	The submitter seeks a new objective: NOISE-O3 The health and wellbeing of people and	Disallow S516.064

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland (S516)		Objectives		communities are protected from significant levels of noise. HortNZ does not support an objective of 'protection' but rather that noise is managed consistent with the function of the zone to not cause significant adverse effects on people.	
Waka Kotahi NZ Transport Agency (S356)	S356.106	Noise NOISE-O2	Oppose	The submitter seeks to delete reverse sensitivity. HortNZ considers that it is important that sensitive activities are located to minimise potential for reverse sensitivity.	Disallow S356.106
Top Energy Limited (S483)	S483.181	Noise NOISE-O2	Support in part	HortNZ supports a strengthening of the objective to 'avoid reverse sensitivity'.	Allow S483.181
Ngā Tai Ora - Public Health Northland (S516)	S516.065	Noise NOISE-P1	Oppose	The submitter seeks a new policy to protect public health. HortNZ does not support a policy of 'protection' but rather that noise is managed consistent with the function of the zone to not cause significant adverse effects on people.	Disallow S516.065
NZ Agricultural Aviation Association (S182)	S182.022	Noise Rules	Support	The submitter seeks a new rule for agricultural aviation activities to ensure they are adequately provided for in the Plan. HortNZ supports ensuring that such activities are provided for.	Allow S182.022

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Bentzen Farm Limited (S167)	S167.087	Noise NOISE-R7	Oppose	HortNZ has sought changes to the rule to address a number of issues sought by the submitter.	Disallow S167.087 but amend as sought in S159.088
NZ Agricultural Aviation Association (S182)	S182.021	Noise NOISE-R7	Support	The submitter seeks to delete the exemption in NOISE-R7 iii) as they seek a separate permitted activity rule for agricultural aviation so the exemption is not needed.	Allow S182.021 and include a separate permitted activity rule for agricultural aviation
Northland Federated Farmers of New Zealand (S421)	S421.198	Noise NOISE-R7	Support in part	The submitter is concerned as to how the exemption in NOISE-R7 iii) would be applied. HortNZ considers that this is best addressed through a separate permitted activity rule for agricultural aviation.	Allow S421.198 by including a separate permitted activity rule for agricultural aviation
Ngā Tai Ora - Public Health Northland (S516)	S516.068	Noise NOISE-R7	Oppose in part	The submitter is concerned as to how the exemptions in NOISE R7 will be applied. HortNZ considers that this is best addressed through a separate permitted activity rule for agricultural aviation.	Allow S516.068 by including a separate permitted activity rule for agricultural aviation
Ngā Tai Ora - Public Health Northland (S516)	S516.069	Noise NOISE-R8	Oppose in part	PER-3 should not be in conjunction with PER 3 as the maximum noise level is set in PER2 so NOISE-S1 should not apply.	Allow S516.069 to amend PER 2 but delete PER 3.
Ngā Tai Ora - Public Health	S516.070	Noise NOISE-R9	Support in part	It should be clear that there will be no further correction for special audible characteristics	Allow S516.070

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland (S516)					
Ngā Tai Ora - Public Health Northland (S516)	S516.072	Noise NOISE-S1	Oppose	The submitter is seeking a re-write of S1 but has not provided the changes sought. Without the re-write being available it is not possible to assess the effect of the changes sought.	Disallow S516.072
Bentzen Farm Limited (S167)	S167.088	Noise NOISE-S4	Oppose	HortNZ has sought changes to Noise S4.	Disallow S167.088 and amend as sought in S159.092
NZ Agricultural Aviation Association (S182)	S182.023	Noise NOISE-S4	Support	It needs to be clear that Noise -S4 does not apply to agricultural aviation activities.	Allow S182.023
Treaty settlement land overlay					
Te Aupōuri Commercial Development Ltd (S339)	S339.039	Treaty settlement land overlay TSL-P2	Oppose	TSL-P2 provides for small scale commercial activities but the submitter wants to delete 'small scale' and provide for larger scale commercial activities. HortNZ considers that provisions for commercial activities need to be consistent with the underlying zone.	Disallow S339.039
Te Aupōuri Commercial	S339.040	Treaty settlement	Oppose	The submitter seeks to delete clauses in the policy that seek to ensure that development is compatible with surrounding activities and	Disallow S339.040

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Development Ltd (S339)		land overlay TSL-P3		will not compromise the underlying zone, adjacent land or other zones to be efficiently or effectively used for their intended purpose. This would include primary production activities within the rural zones and mean that new development would not have to consider the effects on such activities. It is important that activities provided for in the underlying zone are not adversely affected by TSL developments.	
Te Runanga o Ngai Takoto Trust (S390)	S390.069	Treaty settlement land overlay TSL-P3	Oppose	The submitter seeks to delete clauses in the policy that seek to ensure that development is compatible with surrounding activities and will not compromise the underlying zone, adjacent land or other zones to be efficiently or effectively used for their intended purpose. This would include primary production activities within the rural zones and mean that new development would not have to consider the effects on such activities. It is important that activities provided for in the underlying zone are not adversely affected by TSL developments.	Disallow S390.069
Kāinga Ora Homes and Communities (S561)	S561.056	Treaty settlement land overlay TSL-P3	Oppose	The submitter seeks to delete clauses in TSL-P3 which provide for TSL development that is consistent with the local environment and existing activities. This is not supported.	Disallow S561.056

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Kāinga Ora Homes and Communities (S561)	S561.057	Treaty settlement land overlay TSL-P4	Oppose	The submitter seeks that the policy be included as matters of discretion. HortNZ considers that the policy provide direction as to how land use and subdivision will be managed and so the policy should be retained.	Disallow S561.057
Kāinga Ora Homes and Communities (S561)	S561.063	Treaty settlement land overlay TSL-R4	Support in part	The submitter seeks to amend TSL-R4 by including specific matters of discretion adapted from TSL-P4. Recognition of the need to manage reverse sensitivity and the ability of surrounding properties to undertake primary production activities in the rural environment is supported. However TSL-P4 should still be retained.	Allow S561.063 to include matters of discretion.
Kāinga Ora Homes and Communities (S561)	S561.064	Treaty settlement land overlay TSL-R5	Oppose	HortNZ considers that visitor accommodation activity status should be the same as the underlying zone. In the Rural Production Zone it is Discretionary for over 10 guests per night. The same standard should apply in the TSL where located in the Rural Production Zone.	Disallow S561.064
Te Aupōuri Commercial Development Ltd (S339)	S339.047	Treaty settlement land overlay TSL-R12	Oppose	The submitter is seeking that commercial development as a permitted activity could cover 35% of the site rather than the GBA of 250m2. HortNZ considers that such a threshold could lead to large developments with little	Disallow S339.047

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				or no controls or consideration of effects on adjoining land activities.	
Kāinga Ora Homes and Communities (S561)	S561.061	Treaty settlement land overlay Standards	Oppose	The submitter seeks to delete TSL-R2 Impermeable surfaces and replace with a new standard. The rule provides for 35% cover while the new standard sought seeks 60%. This is a significant increase from the proposed rule and no reasons are given for this increase. This is opposed.	Disallow S561.061
Rural Production					
Bentzen Farm Limited (S167)	S167.090	Rural production Overview	Oppose	The submitter seeks to amend the overview by adding: "The purpose of the zone is also to contribute to the social, economic and cultural well-being of the district by providing for a range of other land use activities." HortNZ does not support this as it is contrary to the direction in the National Planning Standards for the Rural Production Zone. Only those non-primary production activities that have a functional or operational need to locate in the rural environment should be provided for.	Disallow S167.090

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Matauri Trustee Limited (S243)	S243.108	Rural production Overview	Oppose	The submitter seeks to amend the overview by adding: "The purpose of the zone is also to contribute to the social, economic and cultural well-being of the district by providing for a range of other land use activities." HortNZ does not support this as it is contrary to the direction in the National Planning Standards for the Rural Production Zone. Only those non-primary production activities that have a functional or operational need to locate in the rural environment should be provided for. The submitter suggests that the zone would be better called 'General Rural Zone' but that zone description is very similar and focussed on primary production with other activities that supports primary production, including rural industry and other activities that require a rural location.	Disallow S243.108
Rosemorn Industries Limited (S340)	S340.002	Rural production Objectives	Oppose	Commercial and industrial activities do not require a rural location so should not be located in the rural production zone. While this may have occurred historically the PDP is providing a new direction consistent with the National Planning Standards.	Disallow S340.002

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Bentzen Farm Limited (S167)	S167.091	Rural production RPROZ-O2	Oppose	The submitter seeks to delete ' that have a functional need to be in a rural environment' from the objective. The objective is consistent with the National Planning Standards and should be retained.	Disallow S167.091
Thomson Survey Ltd (S197)	S197.001	Rural production RPROZ-O2	Oppose	While there may currently be an array of other activities in the Rural Zone the plan seeks to change that framework. Current activities will continue to have existing use rights if they were lawfully established.	Disallow S197.001
Transpower New Zealand Ltd (S454)	S454.108	Rural production RPROZ-O2	Oppose	There is no need to specifically refer to the National Grid in the objective as it has a functional need to locate in the rural environment.	Disallow S454.108
Rosemorn Industries Limited (S340)	S340.003	Rural production Policies	Oppose	Commercial and industrial activities do not require a rural location so should not be located in the rural production zone. While this may have occurred historically the PDP is providing a new direction consistent with the National Planning Standards.	Disallow S340.003
Kapiro Residents Association (S427)	S427.032	Rural production Policies	Support	HortNZ supports policies to prevent fragmentation and loss of rural land, particularly highly productive land.	Allow S427.032

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Transpower New Zealand Ltd (S454)	S454.109	Rural production Policies	Support in part	Providing for infrastructure that has a functional need to locate in the rural zone is supported but it should be a policy of 'provide' not 'enable'.	Allow S454.109 to the extent of providing for infrastructure that has a functional need to locate in the rural production zone.
Carbon Neutral NZ Trust (S529)	S529.155	Rural production Policies	Support	The submitter supports protection of productive land especially LUC Class 1- 3 land and productive types of soil/land suitable for horticulture. It is not necessary to wait until the regional council has implemented the NPS-HPL. HortNZ agrees that the district plan can implement the NPSHPL to protect land through the current district plan process.	Allow S529.155
NZ Agricultural Aviation Association (S182)	S182.028	Rural production RPROZ-P1	Support	HortNZ supports the enabling of primary production and recognition that typical adverse effects should be anticipated and expected	Allow S182.028
Thomson Survey Ltd (S199)	S199.001	Rural production RPROZ-P2	Oppose	Activities that are not primary production, service primary production or require a rural location should not be enabled in the rural production zone.	Disallow S199.001
Ministry of Education Te Tāhuhu o Te	S331.066	Rural production RPROZ-P2	Oppose	Educational facilities do not necessarily directly support primary production so should not be included in RPROZ-P2 b).	Disallow S331.066

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Mātauranga (S331)					
Bentzen Farm Limited (S167)	S167.095	Rural production RPROZ-P5	Oppose	The submitter seeks to delete the policy or delete clause b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone. HortNZ considers that the policy is important for ensuring that primary production activities can operate without the potential for reverse sensitivity effects and impacts on primary production activities.	Disallow S167.095
Thomson Survey Ltd (S199)	S199.002	Rural production RPROZ-P5	Oppose	The submitter opposes the intent and restrictive wording of RPROZ-P5 and contends that there are permitted activities listed in the zone rules that will be contrary to the policies. HortNZ considers that such activities currently located in the rural production zone will have existing use rights if they are lawfully established. The changes sought weaken the policy which will compromise primary production activities and is contrary to the NPSHPL.	Disallow S199.002

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Thomson Survey Ltd (S199)	S199.003	Rural production RPROZ-P6	Oppose	The changes sought by the submitter do not give effect to the NPSHPL or implement the National Planning Standards.	Disallow S199.003
Puketona Business Park Limited (S45)	S45.005	Rural production Rules	Oppose	The submitter seeks industrial activity as restricted discretionary activity. Existing industrial activity in the Rural Production Zone that is lawfully established under the Operative District Plan will have existing use rights so is provided for in the RMA, even though the district plan is proposed to change.	Disallow S45.005
Our Kerikeri Community Charitable Trust (S338)	S338.051	Rural production Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.051
Sean Frieling (S357)	S357.026	Rural production Rules	Oppose	The submitter seeks small subdivision in the rural production zone but does not consider the impact on primary production activities.	Disallow S357.026
Kapiro Residents Association (S427)	S427.033	Rural production Rules	Support	Protection of highly productive land is supported and important for horticulture in the Far North.	Allow S427.033

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Kapiro Residents Association (S427)	S427.063	Rural production Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.063
New Zealand Motor Caravan Association (S438)	S438.009	Rural production Rules	Oppose	Camping grounds are a form of visitor accommodation so are a sensitive activity. Therefore there needs to be consideration of the effects of the activity, including reverse sensitivity effects on adjacent activities.	Disallow S438.009
Kapiro Conservation Trust (S449)	S449.047	Rural production Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.047
Kapiro Conservation Trust (S449)	S449.060	Rural production Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and	Disallow S449.060

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				contribute to the economic and social wellbeing of the community.	
Kapiro Conservation Trust (S449)	S449.066	Rural production Rules	Support	Protection of highly productive land is supported and important for horticulture in the Far North.	Allow S449.066
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S522)	S522.048	Rural production Rules	Support	Protection of highly productive land is supported and important for horticulture in the Far North.	Allow S522.048
Our Kerikeri Community Charitable Trust (S338)	S338.052	Rural production RPROZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.052
Kapiro Residents Association (S427)	S427.060	Rural production RPROZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.060

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Kapiro Conservation Trust (S449)	S449.035	Rural production RPROZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.035
Michael John Winch (S67)	S67.010	Rural production RPROZ-R2	Oppose	The submitter seeks to decrease the impermeable surface coverage of any site to no more than 5%. Such a limit is very restrictive for small sites.	Disallow S67.010
Michael John Winch (S67)	S67.011	Rural production RPROZ-R2	Support	The submitter seeks to include HPL as a matter of discretion in RPROZ-R2. This is supported.	Allow S67.011
Te Waka Pupuri Putea Trust (S477)	S477.016	Rural production RPROZ-R3	Support	The submitter supports the proposed rule as it provides for the preservation of the character of the zone in its restriction on intensification and development and the protection from reverse sensitivity related issues that can arise. HortNZ supports that approach.	Allow S477.016
Airbnb (S214)	S214.002	Rural production RPROZ-R4	Oppose	HortNZ does not support a default activity status of restricted discretionary as it does not enable an adequate assessment of effects.	Disallow S214.002

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Northland Planning and Development 2020 Limited (S502)	S502.047	Rural production RPROZ-R5	Oppose	There needs to be a limit on the size of an accessory building otherwise a home business could be significantly larger than anticipated in the rule. If the business exceeds the threshold a consent can be sought.	Disallow S502.047
Ministry of Education Te Tāhuhu o Te Mātauranga (S331)	S331.068	Rural production RPROZ-R6	Oppose	The submitter seeks to increase the size to 30 students as a permitted activity and the default status to restricted discretionary. This is a significant increase in scale and potential effects in the Rural production zone and is not supported.	Disallow S331.068
Te Waka Pupuri Putea Trust (S477)	S477.017	Rural production RPROZ-R10	Support	HortNZ supports the rule for rural produce retail.	Allow S477.017
Bentzen Farm Limited (S167)	S167.101	Rural production RPROZ-R19	Oppose	HortNZ supports the proposed RPROZ-R19 for minor residential units as it seeks to ensure that there is not a proliferation of such units throughout the rural production zone with the potential to create reverse sensitivity effects.	Disallow S167.101
Our Kerikeri Community Charitable Trust (S338)	S338.065	Rural production Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and	Disallow S338.065

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				contribute to the economic and social wellbeing of the community.	
Kapiro Residents Association (S427)	S427.066	Rural production Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.066
Kapiro Conservation Trust (S449)	S449.061	Rural production Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.061
Our Kerikeri Community Charitable Trust (S338)	S338.029	Rural production RPROZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.029

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Kapiro Residents Association (S427)	S427.023	Rural production RPROZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.023
Kapiro Conservation Trust (S449)	S449.048	Rural production RPROZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.048
Our Kerikeri Community Charitable Trust (S338)	S338.056	Rural production RPROZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.056
Kapiro Residents Association (S427)	S427.041	Rural production RPROZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and	Disallow S427.041

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				contribute to the economic and social wellbeing of the community.	
Kapiro Conservation Trust (S449)	S449.052	Rural production RPROZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.052
Rural lifestyle					
Our Kerikeri Community Charitable Trust (S338)	S338.055	Rural lifestyle Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.055
Kapiro Residents Association (S427)	S427.064	Rural lifestyle Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.064

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Kapiro Conservation Trust (S449)	S449.051	Rural lifestyle Rules	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.051
Carbon Neutral NZ Trust (S529)	S529.162	Rural lifestyle Rules	Support	Protection of highly productive land is supported	Allow S529.162
Our Kerikeri Community Charitable Trust (S338)	S338.053	Rural lifestyle RLZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.053
Kapiro Residents Association (S427)	S427.061	Rural lifestyle RLZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.061

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Kapiro Conservation Trust (S449)	S449.049	Rural lifestyle RLZ-R1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.049
Our Kerikeri Community Charitable Trust (S338)	S338.066	Rural lifestyle Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.066
Kapiro Residents Association (S427)	S427.067	Rural lifestyle Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.067
Kapiro Conservation Trust (S449)	S449.062	Rural lifestyle Standards	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and	Disallow S449.062

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				contribute to the economic and social wellbeing of the community.	
Our Kerikeri Community Charitable Trust (S338)	S338.054	Rural lifestyle RLZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.054
Kapiro Residents Association (S427)	S427.042	Rural lifestyle RLZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.042
Kapiro Conservation Trust (S449)	S449.050	Rural lifestyle RLZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.050

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Our Kerikeri Community Charitable Trust (S338)	S338.057	Rural lifestyle RLZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.057
Kapiro Residents Association (S427)	S427.043	Rural lifestyle RLZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.043
Kapiro Conservation Trust (S449)	S449.053	Rural lifestyle RLZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.053
Horticulture Zone					
Hall Nominees Ltd (S252)	S252.002	Horticulture Overview	Oppose	The submitter seeks the deletion of the Horticulture Zone. HortNZ considers that the zone is an appropriate response to issues	Disallow S252.002

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
				faced by growers in the Far North District and support its retention.	
Rosemorn Industries Limited (S340)	S340.001	Horticulture Overview	Oppose	The submitter seeks the deletion of the Horticulture Zone. HortNZ considers that the zone is an appropriate response to issues faced by growers in the Far North District and support its retention.	Disallow S340.001
Levin Stones Holding Limited, Keri Park Lodge Limited (S549)	S549.001	Horticulture Overview	Oppose	The submitter seeks the deletion of the Horticulture Zone. HortNZ considers that the zone is an appropriate response to issues faced by growers in the Far North District and support its retention.	Disallow S549.001
Rosemorn Industries Limited (S340)	S340.005	Horticulture Objectives	Oppose	Policy HZ-P2 provides direction that land uses that are incompatible with the purpose function and character of the zone are avoided. Industrial and commercial activities generally do not have a functional need to locate in the zone and are more appropriately located in another zone. Existing use rights will apply to those activities currently located in the Horticulture Zone.	Disallow S340.005
Rosemorn Industries Limited (S340)	S340.006	Horticulture Policies	Oppose	Policy HZ-P2 provides direction that land uses that are incompatible with the purpose function and character of the zone are	Disallow S340.006

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				avoided. Industrial and commercial activities generally do not have a functional need to locate in the zone and are more appropriately located in another zone. Existing use rights will apply to those activities currently located in the Horticulture Zone.	
Kapiro Residents Association (S427)	S427.035	Horticulture Policies	Support	The submitter supports the protection of highly productive land and HortNZ supports such a policy.	Allow S427.035
Kapiro Conservation Trust (S449)	S449.067	Horticulture Policies	Support	The submitter supports the protection of highly productive land and HortNZ supports such a policy.	Allow S449.067
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S527)	S527.029	Horticulture HZ-P5	Support	A policy of 'avoid' would be more consistent with the NPSHPL.	Allow S527.029
Rosemorn Industries Limited (S340)	S340.004	Horticulture Rules	Oppose	If there is to be provision for extension of existing commercial or industrial activities, that are not rural industry, then the activity status should be non-complying as in HZ-R19 and HZ-R20,	Disallow S340.004

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Kapiro Residents Association (S427)	S427.034	Horticulture Rules	Support	The submitter supports the protection of highly productive land and HortNZ supports such an approach.	Allow S427.034
Kapiro Conservation Trust (S449)	S449.038	Horticulture Rules	Support	The submitter supports the protection of highly productive land and HortNZ supports such an approach.	Allow S449.038
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S522)	S522.024	Horticulture Rules	Support	The submitter supports provisions that will prevent further land fragmentation, sprawling development, and loss of productive agricultural/horticultural land and support the creation of Horticulture zones to protect the productive land and irrigation infrastructure assets in the district. HortNZ concurs.	Allow S522.024
Vision Kerikeri (Vision for Kerikeri and Environs, VKK) (S522)	S522.050	Horticulture Rules	Support	The submitter seeks to amend to include specific policies/rules to prevent fragmentation and loss of land in rural and horticulture zones, including HPL. Such an approach would give effect to the NPSHPL.	Allow S522.050
Airbnb (S214)	S214.012	Horticulture HZ-R12	Oppose	The submitter seeks permitted visitor accommodation for up to 10 guests. This is not effects based in the horticultural zone.	Disallow S214.012
Ministry of Education Te	S331.102	Horticulture	Oppose	The submitter seeks a permitted activity rule for educational facilities ancillary to an	Disallow S331.102

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Tāhuhu o Te Mātauranga (S331)		HZ-R13		established residential and/or horticultural activity for up to 12 students. HortNZ does not support permitted activity status for educational facilities as it does not enable an assessment of the effects of the activity.	
Our Kerikeri Community Charitable Trust (S338)	S338.060	Horticulture HZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.060
Kapiro Residents Association (S427)	S427.046	Horticulture HZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.046
Kapiro Conservation Trust (S449)	S449.056	Horticulture HZ-S1	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.056

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
Our Kerikeri Community Charitable Trust (S338)	S338.061	Horticulture HZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S338.061
Kapiro Residents Association (S427)	S427.047	Horticulture HZ-S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S427.047
Kapiro Conservation Trust (S449)	S449.057	Horticulture HZ- S3	Oppose	The submitter seeks additional controls on artificial crop protection structures, including a non-complying rule. Artificial crop protection structures are critical to horticulture in the Far North and contribute to the economic and social wellbeing of the community.	Disallow S449.057
Nicole Wooster (S259)	S259.001	Rural production Objectives	Support	The submitter considers that it is important to ensure that farming/horticulture activities are not restricted in this zone as no other zone is suitable for the range of primary production activities we have established.	Allow S259.001

Submitter	Sub #	Plan Provision	Support/ oppose	Reason	Decision sought
				HortNZ supports this position.	
Planning Maps					
Puketotara Lodge Ltd (S188)	S188.001	Planning maps Horticulture Zone	Oppose	The submitter seeks the deletion of the Horticulture Zone and all the maps. HortNZ supports the Horticulture Zone and the mapped areas as in the Proposed Plan.	Disallow S188.001
Hall Nominees Ltd (S252)	S252.001	Planning maps Horticulture Zone	Oppose	The submitter seeks the deletion of the Horticulture Zone and all the maps. HortNZ supports the Horticulture Zone and the mapped areas as in the Proposed Plan.	Disallow S252.001
Hall Nominees Ltd (S252)	S252.005	Planning maps Horticulture Zone	Oppose	The submitter seeks the deletion of the Horticulture Zone and all the maps. HortNZ supports the Horticulture Zone and the mapped areas as in the Proposed Plan.	Disallow S252.005
Our Kerikeri Community Charitable Trust (S338)	S338.036	Planning maps Horticulture Zone	Oppose	The submitter seeks rezoning of some properties in the Horticulture Zone based on criteria. Such an approach would mean that there will not be a contiguous zone and would not be able to meet the objectives and policies for the zone.	Disallow S338.036

Submitter	Sub #	Plan Provision	Support/oppose	Reason	Decision sought
Kapiro Residents Association (S427)	S427.026	Planning maps Horticulture Zone	Oppose	The submitter seeks rezoning of some properties in the Horticulture Zone based on criteria so there would be 'Rural Living' Islands within the Horticulture Zone. Such an approach would mean that there will not be a contiguous zone and would not be able to meet the objectives and policies for the zone.	Disallow S427.026
Kapiro Conservation Trust (S449)	S449.039	Planning maps Horticulture Zone	Oppose	The submitter seeks rezoning of some properties in the Horticulture Zone based on criteria. Such an approach would mean that there will not be a contiguous zone and would not be able to meet the objectives and policies for the zone.	Disallow S449.039
Northland Regional Council (S359)	S359.017	Planning maps Rural Production Zone	Support	The submitter seeks to amend the planning maps to rezone the service catchment of the mid north water storage project near Kaikohe from Rural Production to Horticulture to manage potential for reverse sensitivity and to support land use change which is likely to have economic, employment and greenhouse gas emissions reduction benefits. This is supported.	Allow S359.017