

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSIONS ON NOTIFIED PROPOSED CENTRAL HAWKES BAY  
DISTRICT PLAN**

Clause 8 of Schedule 1, Resource Management Act 1991

**To:** Central Hawkes Bay District Council  
PO Box 127  
Waipawa 4240

Email: [districtplan@chbdc.govt.nz](mailto:districtplan@chbdc.govt.nz)

**1. Further submitter details**

Name of further submitter: Silver Fern Farms Limited (“**Silver Fern Farms**”)

Silver Fern Farms made a submission on the Proposed Central Hawke’s Bay District Plan (“**PDP**”), being submission no. 116.

**2. Only certain people can make a further submission**

Silver Fern Farms has an interest in the PDP that is greater than the interest that the general public has on the following grounds:

- a. Silver Fern Farms has significant assets and operational interests within the Central Hawke’s Bay District. Silver Fern Farms’ Takapau Processing Plant (the “**Site**”) and the underlying 485 ha property are located some 3.5 km east of Takapau near the intersections of Fraser Road, Oruawharo Road, Station Road and State Highway 2.
- b. Silver Fern Farms holds long-term resource consents from the Hawke’s Bay Regional Council for the Site’s operation. Silver Fern Farms wishes to ensure that the PDP recognises and provides for the Site’s continued operation and associated effects. In Silver Fern Farms’ view, this includes managing sensitive activities in rural zones to ensure that lawfully established activities that are appropriately located in and/or functionally dependent on a rural location are not compromised.

**3. Hearing options**

Silver Fern Farms does wish to be heard in support of its further submission.

If others are making a similar submission, Silver Fern Farms would consider presenting a joint case with them at the Hearing.

**Signature:**

**SILVER FERN FARMS LIMITED**

by its authorised agents Mitchell Daysh Limited



**Date:**

3 November 2021

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4. Further submission details

Submitter	Submission Point	Plan Reference	Position on submission point	Reasons for support or opposition	Decision sought from Council
<b>Silver Fern Farms further submissions on relief sought by Te Mata Mushrooms Land Company Limited (Submitter 102)</b>					
Te Mata Mushrooms Land Company Limited	S102.013	RLR-O2	Support	<p>Silver Fern Farms' original submission sought an amendment to this objective to 'protect' the primary production role of rural land.</p> <p>This submission #S102.013 seeks direct reference to '<i>...lawfully established rural industries and intensive rural production activities</i>'.</p> <p>Silver Fern Farms agrees that this addition would - in conjunction with Silver Fern Farms original submission point #S116.006 - improve the clarity of, and direction provided by this objective.</p>	Allow in full
	S102.004	Maps	Oppose	<p>Submitter # 102 Te Mata Mushrooms Land Company Limited ("<b>Te Mata Mushrooms</b>") seeks that the land west of Fraser Road (Takapau) and the eastern boundary of the proposed Settlement Zone for Takapau be set aside for future commercial and industrial development and use.</p> <p>The land subject of Te Mata Mushrooms' submission is shown in Figure 2 of its submission and is</p>	Disallow in full.
	S102.012	RLR-O1			
	S102.017	RLR-P2			
	S102.019	RLR-P4			
	S102.021	RLR-M1			

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	S102.085	RPROZ-RXX (new rule)		<p>identified in the submission as “...Lot 2 DP 24989, Oruawharo Road, Takapau – potentially extending south of SH 2 with the road and rail as geographic boundaries, and Fraser Road as the eastern extent”.</p> <p>Te Mata Mushrooms submits that the subject land is “...an appropriate location for a ‘hub’ of activity to cluster around an IPP [Intensive Primary Production activity] and increasingly towards Takapau, providing for a range of land use activities that support these primary production activities. Land uses [sic] industrial, commercial and renewable energy generation (solar farms), at a scale that is potentially bigger than what is anticipated in Settlement Zones, yet complementary in order to offer employment supporting... Takapau”.</p> <p>Te Mata Mushrooms seeks the above outcome by replacing the notified Rural Production Zone (“<b>RPROZ</b>”) applying to the land with a Future Development Overlay, Industrial Zone, Commercial Zone or Settlement Zone, or a mix of these instruments.</p>	

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				<p>Silver Fern Farms <b>opposes</b> these submissions by Te Mata Mushrooms as follows.</p> <p>Te Mata Mushrooms’ proposed redevelopment area includes Silver Fern Farms’ Takapau Site. However, Silver Fern Farms intends to continue the established rural industry activity at the Site. It considers the RPROZ is (largely) an appropriate zone to:</p> <ul style="list-style-type: none"> <li>(a) Accommodate rural industry; and</li> <li>(b) Minimise the risk of reverse sensitivity effects from constraining rural industry.</li> </ul> <p>In Silver Fern Farms’ opinion, the relief sought by Te Mata Mushrooms’ submission would inappropriately compromise the continued operation of the Site because:</p> <ul style="list-style-type: none"> <li>(a) The Site would be included in an urban Industrial, Commercial or Settlement zone, or Future Development Overlay. These instruments would limit the continued operation (and upgrading, maintenance or expansion) of the Site - despite the functional</li> </ul>	

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				<p>need of rural industry for a rural location, and the significant benefits of the Site's continued operation; and</p> <p>(b) Incompatible urban activities would be enabled close to the Site, radically increasing the potential for land use conflict to arise.</p>	
	S102.036	GRUZ-12		Te Mata Mushrooms' submission points seek amendments to enable 'service activities' to locate in the General Rural Zone (" <b>GRUZ</b> ") and the RPROZ. Silver Fern Farms considers that the wide range of activities that fall under the definition of 'service activities' creates uncertainty and risk of reverse sensitivity effects arising where service activities that are sensitive to and/or incompatible with the effects of primary production and rural industry locate in the GRUZ or RPROZ.	Disallow in full.
	S102.050	GRUZ-PXX (new policy)			
	S102.051	GRUZ-PXX (new policy)			
	S102.063	RPROZ-OXX (new objective)			
	S102.074	RPROZ-PXX (new policy)			

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	S102.075	RPROZ-PXX (new policy)			
	S102.060	RPROZ-O1	Oppose in part	<p>Silver Fern Farms agrees that the PDP should define “rural industry” and expressly provide for this activity in the GRUZ and RPROZ via policy references and permitted and restricted discretionary consenting pathways.</p> <p>However, Silver Fern Farms prefers its proposed amendments to RPROZ-O1 (see submission point S116.028) to those proposed by Te Mata Mushrooms. It considers that the changes sought by Te Mata Mushrooms introduce undesirable imprecision via the phrases “...a range of activities” and “...unless an urban zone is more suitable”.</p>	Disallow in part
	S102.061	RPROZ-O2	Oppose	Te Mata Mushrooms seeks the relief shown with underlining below in relation to RPROZ-O2 and RPREOZ-P9:	Disallow in full.
	S102.073	RPROZ-P9		<p><b>RPROZ-O2</b> <i>The rural land resource is protected from fragmentation, and from being compromised by inappropriate building and development,</i></p>	

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				<p><i>including from ad hoc urban expansion. <u>Planned and coordinated areas of greenfield business land are to be considered on a case by case basis, either through rezoning or use of Future Development Areas and respective Development Plans or Structure Plans.</u></i></p> <p><b>RPROZ-P9</b> <i>'To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the Rural Production Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area <u>and consider locating these activities within the Future Development Area at Takapau.</u></i></p> <p>Silver Fern Farms has significant concerns about potential reverse sensitivity effects arising if urban and/or commercial activities are inappropriately enabled in the Site's environs.</p> <p>Silver Fern Farms considers the relief sought by Te Mata Mushrooms seeks to convert policy deterrence of urban activities into support for these activities. In Silver Fern Farms' opinion, this inherently</p>	



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contradicts the intent of RPROZ-O2 and RPROZ-P9, which is revealed by the cost-benefit assessment presented in the effectiveness and efficiency analyses provided in Tables 5.2.1 and 5.2.2 of the Rural Environment S32 report.

Given the (appropriate) focus of the RPROZ provisions on providing for rural land uses, and the absence of a functional need for urban activities to locate in rural zones, Silver Fern Farms strongly opposes dilution of this objective and policy to anticipate urban land uses and/or structure planning in the RPROZ.

It further notes that the addition of text about rezoning and structure planning in these provisions is superfluous. Procedural directions for plan changes to facilitate rezoning and structure planning are set out by Schedule 1 to the RMA and the Hawke's Bay Regional Policy Statement.

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<b>Silver Fern Farms' further submissions on relief sought by other submitters</b>					
Horticulture New Zealand	S81.026	Definitions	Support	This submission is consistent with Silver Fern Farms' view that a definition for ' <i>Rural Industry</i> ', consistent with the National Planning Standards, needs to be included in the PDP.	Allow in full
New Zealand Pork Industry Board	S42.002	Definitions	Support	<p>The submitter recommends that the definition of '<i>Ancillary Rural Earthworks (Primary Production)</i>' be amended to include reference to biosecurity-related earthworks as a permitted activity, specifically '<i>the burying of material infected by unwanted organisms as declared by the Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993</i>'.</p> <p>Silver Fern Farms agrees that a permitted activity status is appropriate for earthworks needed as part of a biosecurity response.</p>	Allow in full
Federated Farmers of New Zealand	S121.238	Definition (Intensive Primary Production)	Support	Silver Fern Farms agrees with the submitter's recommendation (shown below) that sub-clause (a) of this definition requires amendment to ensure the <b>temporary</b> keeping of stock indoors (such as within	Allow in full.

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				<p>a meat processing plant) is not inadvertently defined as 'Intensive Primary Production':</p> <p><i>'a. commercial livestock (excluding the farming of mustelids) kept and fed <u>permanently</u> in buildings or in outdoor enclosures on a particular site, where the stocking density precludes the maintenance of pasture or ground cover'</i></p>	
Horticulture New Zealand	S81.034	RLR-I1 Incremental Loss of Highly Productive Land	Support	<p>The submitter recommends adding a direct reference to reverse sensitivity to this provision.</p> <p>Silver Fern Farms agrees that reverse sensitivity can constrain established rural production activities and is best referenced directly, rather than obliquely, in this provision.</p>	Allow in full
Heretaunga Tamatea Settlement Trust	S120.010	<i>RLR-PXX</i> (new policy)	Support	<p>Silver Fern Farms agrees with this submitter that <i>"Ensuring a reliable source of stored water is essential to ensuring the productive capacity of the land"</i>, and as such, is worthy of policy recognition.</p>	Allow in full
Horticulture New Zealand	S81.040	RLR-P2	Support in part	<p>Silver Fern Farms' original submission point S116.010 (below) sought amendment of this policy to require <b>unplanned</b> urban expansion onto highly productive land to be avoided. Silver Fern Farms expressed its</p>	Allow in part (subject to retention of the amendments)

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				<p>view that formal planning processes must precede the conversion of highly productive rural land to urban use and development:</p> <p><b><i>RLR-P2</i></b> <i>To avoid unplanned urban expansion onto the District's highly productive land in the Rural Production Zone where other feasible options exist.</i></p> <p>Silver Fern Farms agrees with this submitter that if Objective UFD-O2 (<i>'Retain and protect valuable highly productive land in the District from urban development'</i>) and/or associated policies are amended, any consequential implications for RLR-P2 must be considered to ensure that the effects of 'planned' urban expansion on rural land resources have appropriate policy guidance.</p>	<p>recommended by Silver Fern Farms' submission point S116.010).</p>
Horticulture New Zealand	S81.045	RLR-AER4	Support	<p>Silver Fern Farms agrees that the Anticipated Environmental Results ("<b>AER</b>") should correlate with the directions of policy settings.</p> <p>Given the rural zones policy framework focusses on primary production and associated activities (such as rural industry), Silver Fern Farms agrees that this AER should be amended along the lines</p>	<p>Allow in part, as follows:</p> <p><i>A diversity of activity in the rural area</i> <u>Activities in the rural area are primary production and</u></p>

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				recommended by this submitter, but with direct reference to rural industry as a 'related activity'. Rural industry has a functional need for a rural location and is key to a high-performing primary production sector.	<u>related activities (such as rural industry)</u>
Horticulture New Zealand	S81.059	TRAN-S1	Support in part	<p>Silver Fern Farms agrees with this submitter that TRAN-S1 should be amended to clarify that:</p> <ul style="list-style-type: none"> <li>&gt; No on-site car parking is required to be provided for seasonal worker accommodation units.</li> <li>&gt; Car parking standards for activities involving shift work only contemplate the staff on-site at one time, rather than the total number of FTE staff employed.</li> </ul>	Allow in part
			Oppose in part	<p>In Silver Fern Farms' view, the operative district plan specifies appropriate parking rates for '<i>Industrial and Service Activities</i>' at Table 1 to Rule 8.5.4 (Parking and Loading). These are:</p> <ul style="list-style-type: none"> <li>&gt; 1 park for visitors per 100m<sup>2</sup> GFA; and</li> <li>&gt; 1 park for staff per 200m<sup>2</sup> GFA; and</li> <li>&gt; 1 park per 100m<sup>2</sup> outdoor storage space</li> </ul>	Disallow in part

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				Silver Fern Farms supports retention of the operative parking rates and disagrees that a rate of 1 park per 50m <sup>2</sup> of GFA is appropriate for rural industry.	
Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies)	S110.011	HAZS-R3	Support	Silver Fern Farms agrees that this rule should be refined to focus on activities that increase hazardous substance storage, or off-site risk associated with hazardous substance, and should not inadvertently apply to development undertaken at an existing Major Hazardous Facility but unrelated to hazardous substances.	Allow in full.
James Bridge	S105.008	NH-O3	Support	Silver Fern Farms agrees with these submitters that the all-inclusive use of “Any” in this objective - <i>‘Any increase in risk to people, property, infrastructure and the environment from the effects of natural hazards is avoided’</i> - is unworkable and requires amendment.  As policy NH-P8 encourages relocatable and/or recoverable activities in areas of natural hazard risk, the all-encompassing drafting of this objective NH-O3 may be an oversight.	Allow in part.
Federated Farmers of New Zealand	S121.125				
Kāinga Ora - Homes and Communities	S129.050				
Horticulture New Zealand	S81.066				

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				<p>Silver Fern Farms notes that Objective 31 and Policy 3.12.1 of the Hawkes Bay Regional Policy Statement (“RPS”) prioritise areas of high human population density and contemplate natural hazard remediation and mitigation measures - not just avoidance.</p> <p>Silver Fern Farms considers that NH-O3 and associated policies (see the next row of this table) require amendment to give proper effect to the RPS, as required by RMA S75.</p>	
Woolworths New Zealand Limited	S66.004	NH-P7	Support	<p>Silver Fern Farms agrees that the requirement of this policy to avoid <b>all</b> development in areas of significant natural hazard is inappropriate and requires clarification. Otherwise, appropriate / necessary development is precluded.</p> <p>Silver Fern Farms notes that policy NH-P8 encourages relocatable and/or recoverable activities in areas of natural hazard risk, which further clouds the meaning of this policy NH-P7.</p>	Allow in full.
James Bridge	S105.010	NH-P9	Support	<p>Silver Fern Farms agrees with this submitter that mitigation of effects is available to resource consent applicants under various sections of the RMA. As such, the ‘avoidance’ focus of this policy “<i>To ensure</i></p>	Allow in full.

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				<i>that subdivision, land use activities or other new development is located and designed to avoid the need for further natural hazard mitigation activities” is inappropriate.</i>	
Federated Farmers of New Zealand	S121.136	NH-R1	Support	<p>Silver Fern Farms agrees that in a mapped Fault Avoidance Area, Flood Hazard Area and/or Tsunami Hazard Area, the scope for people to undertake natural hazard mitigation activities on a permitted basis should be widened, where the mitigation:</p> <ul style="list-style-type: none"> <li>➤ Is necessary to reduce natural hazard risk;</li> <li>➤ Cannot avoid encroaching into the mapped natural hazard risk area; and</li> <li>➤ Does not exacerbate or displace natural hazard risks onto other parties.</li> </ul>	Allow in full.
Woolworths New Zealand Limited	S66.003	NH-R2(2)	Support	<p>Silver Fern Farms is similarly concerned that as a ‘BIC 2b(c)’ structure (under <i>NH-APP1 – Table of Building Importance Categories (BIC)</i>), future development and/or building additions in areas of its Site where the Fault Avoidance Area mapping applies would be subject to the same matters of discretion as an entirely different building type</p>	Allow in full.



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				would be (such as “Multi-occupancy residential, commercial (including offices and retail)”).	
				Silver Fern Farms agrees that the broadly framed matters of discretion (particularly NH-R2(2)(b)) need refining to ensure that different building types under the ‘BIC 2b’ category are only assessed against <b>relevant</b> matters when resource consent applications are processed.	
Horticulture New Zealand	S81.069	NH-APP1	Support	In addition to its further submission on Woolworths’ submission point no. S66.003, Silver Fern Farms agrees that an assessment methodology for natural hazard risk to buildings that is relevant to the particular building type in question, is preferable to the broad BIC categories and matters of discretion set out in the notified PDP. The latter seem to apply generic assessment criteria to highly dissimilar building typologies. It would not be appropriate, for example, for natural hazard risk at the Site to be assessed in an identical manner to a residential development.	Allow in full.
Kāinga Ora - Homes and	S129.070	SUB-O4	Oppose	Silver Fern Farms disagrees with the submitter’s proposed amendments to SUB-O4. It considers that	Disallow in full.

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Communities				the avoidance of reverse sensitivity effects is a primary consideration to be applied in the management of adverse effects and should be retained in this objective.	
Kāinga Ora - Homes and Communities	S129.087	SUB-P16	Oppose	<p>Silver Fern Farms disagrees with the submitter's view that this policy should be deleted. Subdivision fundamentally influences land uses on new allotments.</p> <p>The subdivision consent process is a convenient point to address the effects of intensification and land use change, given it can be difficult to impose effective controls through later consenting processes.</p> <p>This may include matters such as subdivision density, the size and locations of building platforms in relation to boundaries, and various other matters that may be the subject of consent notices registered under RMA S221.</p>	Disallow in full
Horticulture New Zealand	S81.081	SUB-R5	Support	Silver Fern Farms agrees with this submitter that SUB-R5(1)(a)(ii) requires deletion because it states " <i>A site is only eligible to be subdivided to create a</i>	Allow in full.

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				<p><i>lifestyle site once every 3 years...". This raises an expectation that lifestyle subdivision in the Rural Production Zone and General Rural Zone will be consented.</i></p> <p>Silver Fern Farms concurs with the submitter that a more conservative approach towards lifestyle subdivision is warranted in the RPOZ and GRUZ (particularly given the Rural Lifestyle Zone is included in the PDP).</p>	
Thomas Collie	S107.002	SUB-R5	Oppose	<p>Silver Fern Farms disagrees with the submitter's view that the Operative District Plan lifestyle site subdivision provisions should be retained.</p> <p>Rule 9.10(a) of the Operative District Plan provides for subdivision to create an 0.4 ha lifestyle site in the Rural Zone as a controlled activity subject to basic performance standards relating to lot dimensions, access and services.</p> <p>The operative Subdivision (and Rural Zone) policy directions do not consider the reverse sensitivity effects of lifestyle site subdivision on lawfully established rural activities.</p>	Disallow in full.

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				<p>As such, the Operative District Plan enables lifestyle site subdivision without regard to the potential conflict with primary production and other rural activities that have a functional need to occupy the rural zones and a range of unavoidable effects on residential amenity.</p> <p>In Silver Fern Farms' view, the Operative District Plan provisions for lifestyle site subdivision are outdated and inappropriate.</p>	
Kāinga Ora - Homes and Communities	S129.118	SUB-AM11	Oppose	<p>This submitter recommends amending SUB-AM11 to:</p> <ul style="list-style-type: none"> <li>➤ Replace reference to the “<i>avoidance</i>” of reverse sensitivity effects with “<i>minimise</i>”; and</li> <li>➤ Delete references to the registration of restrictive covenants or consent notices on the certificate of title of sites where reverse sensitivity effects are likely to result.</li> </ul> <p>Silver Fern Farms disagrees with this submission, given:</p> <ul style="list-style-type: none"> <li>➤ The predominant role of the Rural Production Zone and General Rural Zone in providing for</li> </ul>	Disallow in full.

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				<p>rural activities, where the avoidance of activities that may cause reverse sensitivity effects is an appropriate consideration; and</p> <ul style="list-style-type: none"> <li>➤ The legitimate role of restrictive covenants and/or consent notices as methods to prevent reverse sensitivity effects arising.</li> </ul>	
New Zealand Pork Industry Board	S42.035	LIGHT-S1	Support	Silver Fern Farms agrees with the submitter that the artificial light spill standard requires amendment to ensure lawfully established rural activities are not constrained by consenting requirements and reverse sensitivity issues if lifestyle sites and sensitive uses establish in rural areas where light spill is an existing feature of rural activities.	Allow in full.
Kāinga Ora - Homes and Communities	S129.128	NOISE-O1	Oppose	<p>In Silver Fern Farms' view. the submitter's proposed revision of NOISE-O1 is less effective in addressing reverse sensitivity effects than the notified text.</p> <p>The proposed re-wording would place the burden of noise mitigation on lawfully established activities. This disregards the land uses, scale and type of effects and level of amenity contemplated by the relevant zone – which are fundamental to assessing proposals for sensitive activities in rural zones.</p>	Disallow in full.

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Kāinga Ora - Homes and Communities	S129.130	NOISE-03	Oppose	<p>Silver Fern Farms considers that the submitter’s proposed addition of ‘where practicable’ to this objective is inappropriate.</p> <p>Where a new noise sensitive activity locates near an existing lawfully established activity that generates noise, the burden is on the new activity (as the agent of change) to avoid, remedy or mitigate conflict and reverse sensitivity effects, or, to locate elsewhere.</p> <p>Silver Fern Farms does not agree that the PDP’s objectives relating to noise should enable (or, contemplate enabling) land use conflicts generated by introducing noise sensitive activities into environments where noise is a reasonable existing characteristic. This is particularly so if the new activity has no functional need for the location - which is a matter addressed by NOISE-04.</p>	Disallow in full.
Horticulture New Zealand	S81.108	GRUZ-P3	Oppose	Silver Fern Farms disagrees with the submitter’s proposed amendments to this policy to add reference to the ‘scale’ of rural industry activities	Disallow in full.

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Federated Farmers of New Zealand	S121.180			<p>and disagrees that this addition is consistent with the National Planning Standards.</p> <p>The description of the General Rural Zone in the National Planning Standards recognises that rural industry requires a rural location. As such, amendment of the GRUZ policy directions to artificially constrain the scale of rural industry in the GRUZ will be unlikely to add value to the consenting process for activities that are inherently of a large scale - such as dairy and meat processing plants.</p>	
Horticulture New Zealand	S81.143	RPROZ-O4	Support in part	Silver Fern Farms agrees with the submitter's recommended inclusion of reference to seasonal worker accommodation in this objective, given the association between the use of highly productive rural land and seasonal worker employment.	Allow in part.
Horticulture New Zealand	S81.147	RPROZ-P2	Support	Silver Fern Farms agrees with the submitter's requested relief, as it provides explicit recognition of functional or operational need, reverse sensitivity and compatibility with rural environment, to assist the consideration of proposals to establish potentially sensitive activities in the RPROZ.	Allow in full.

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Federated Farmers of New Zealand	S121.209	RPROZ-P3	Oppose	<p>Silver Fern Farms disagrees with the relief sought by this submission point, shown below with underlining.</p> <p><i>'To manage the scale of post-harvest facilities and rural commercial <u>and rural industry</u> activities to ensure that they remain compatible with the primary productive purpose of the Rural Production Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.'</i></p> <p>Rural industry activities commonly have operational and functional needs <b>specifically</b> relating to their large scale, effects and proximity to the rural sector. Rural industry has little or no ability to locate in non-rural zones.</p> <p>This is recognised in the National Planning Standards which, in describing the GRUZ and RPROZ, specify '<i>...a range of activities that support primary production activities, including associated rural industry, and other activities <b>that require a rural location</b></i>' (bold added). It is a key distinction</p>	Disallow this submission point



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				<p>from commercial activities servicing the rural sector, which may have greater locational choice.</p> <p>Given the inherent functional and operational needs of rural industry for large rural sites and robust buildings – and the scope within large landholdings to avoid or mitigate the effects of large-scale built form - it would be inappropriate to constrain the scale of this activity via a generic policy setting.</p> <p>Environmental effects associated with the scale of an activity are not restricted to post-harvest facilities, rural commercial, and rural industry activities. ‘Scale’ may be relevant to all kinds of proposal. To this end, Policy RPROZ-P4 provides clear direction ‘<i>To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area</i>’. This policy provides adequate policy direction about the effects of building ‘scale’.</p> <p>Therefore, Silver Fern Farms’ view is that ‘scale’ is best assessed on a case-by-case basis, with the context and merits of individual proposals considered in light of RPROZ-P4.</p>	

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				<p>Furthermore, Silver Fern Farms considers that the submitter’s requested relief to be incompatible with RPROZ-P1, which seeks to “<i>allow... primary production and ancillary activities, which are compatible with the primary productive purpose and predominant character and amenity of the Rural Production Zone</i>”.</p> <p>Given rural industry has an inherent nexus with primary production, Silver Fern Farms considers rural industry to be entirely compatible with the purpose and ‘working rural environment’ character of the Rural Production Zone. Therefore, limiting the activity’s scale would introduce inconsistency with RPROZ-P1.</p>	
Federated Farmers of New Zealand	S121.217	RPROZ-R3	Support	Silver Fern Farms agrees with the submitter that the requirement in RPROZ-R3 to comply with RPROZ-S14 is redundant, as the latter standard only applies to 'residential activities'.	Allow in full.
Horticulture New Zealand	S81.161	RPROZ-R8	Support	Silver Fern Farms agrees with the submitter’s view that a permitted activity pathway for visitor accommodation activities in the Rural Production	Allow in full.

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				<p>Zone is generally inappropriate and concurs that where a resource consent is sought for this activity, Assessment Matter RPROZ-AM8 should be applied to ensure that potential reverse sensitivity effects are assessed.</p>	
<p>New Zealand Pork Industry Board</p>	<p>S42.073</p>	<p>RPROZ-R9</p>	<p>Support</p>	<p>Silver Fern Farms supports the relief sought by this submitter.</p> <p>The definition of ‘<i>commercial activity</i>’ includes “<i>any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)</i>”.</p> <p>Given the breadth of this definition, a permitted activity status for ‘commercial activities’ in the RPROZ is inappropriate to manage potential reverse sensitivity effects generated by commercial activities.</p> <p>This is particularly evident given the permitted activity performance standards of this rule do not account for the robust nature of rural activities beyond a 15 m boundary setback requirement under RPROZ-S6 (Setback from Neighbours).</p>	<p>Allow in full.</p>

Submitter	Submission Point	Plan Reference	Position on submission point	Reasons for support or opposition	Decision sought from Council
				Given the foregoing, Silver Fern Farms considers a resource consent process is appropriate to assess the effects of proposals to establish commercial activities in the RPROZ.	
New Zealand Pork Industry Board	S42.074	RPROZ-R10	Support	The PDP definition of 'community facilities' includes recreational, sporting, cultural, safety, health, welfare, or worship activities.  Silver Fern Farms agrees that a permitted activity status for 'community facilities' in the RPROZ is inappropriate, given the likely sensitivity of this activity to the effects of normal rural activities.	Allow in full.
New Zealand Pork Industry Board	S42.075	RPROZ-R11	Support	Silver Fern Farms agrees that a permitted activity status for 'educational facilities' in the RPROZ is inappropriate, given the likely sensitivity of this activity to the effects of normal rural activities and the availability of the designation pathway for this activity.	Allow in full.
Ministry of Education	S73.025	RPROZ-R11	Oppose	Silver Fern Farms opposes the proposed permitted activity status for 'educational facilities' in the RPROZ. It consequently opposes the relief sought	Disallow in full.

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				by this submission point, which would increase the reverse sensitivity effects of concern.	
New Zealand Motor Caravan Association	S101.005	RPROZ-R16	Oppose	Silver Fern Farms opposes the allocation of a permitted activity status to campgrounds in the RPROZ, given the potential reverse sensitivity effects associated with the establishment of this activity in a zone focused on primary production and associated rural activities.  Silver Fern Farms does not agree that the Operative District Plan provides an appropriate framework for the management of this activity, given it does not have regard to the reverse sensitivity effects associated with the establishment of sensitive activities in rural zones where the light, noise and odour effects of rural activities can arise at all times.	Disallow in full.
New Zealand Pork Industry Board	S42.078	RPROZ-S1	Support	Silver Fern Farms agrees with the deletion of restaurants from this standard, given the potential reverse sensitivity effects on legitimate rural activities if restaurants are able to establish as a permitted activity pursuant to this standard and RPROZ-R9.	Allow in full.
Horticulture New Zealand	S81.167				

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Horticulture New Zealand	S81.177	RPROZ-AM8	Oppose	<p data-bbox="1149 341 1787 451">Silver Fern Farms disagrees with the addition of rural industry to RPROZ-AM8 given its submission points S116.039 and S116.040.</p> <p data-bbox="1149 507 1787 579">Silver Fern Farms seeks that rural industry be provided for in the RPROZ as:</p> <ul data-bbox="1149 608 1787 991" style="list-style-type: none"> <li data-bbox="1149 608 1787 807">➤ A controlled activity where specified conditions are met, with matters of control relating to the storage and use of materials that might generate odour beyond site boundaries, setbacks from significant sites and RPROZ-AM14;</li> <li data-bbox="1149 836 1787 991">➤ A restricted discretionary activity status if controlled activity conditions are not met, with assessment guided by a new assessment matter RPROZ-AM15.</li> </ul> <p data-bbox="1149 1050 1787 1331">Given the foregoing framework would provide a focused planning framework for rural industry, Silver Fern Farms opposes the consolidation of assessment matters for this use with Visitor Accommodation and Home Business activities, which are activities with fundamentally different features and effects.</p>	Disallow in full.

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Silver Fern Farms	S116.039	RPROZ-R21 (new rule)	Amend	<p>An incorrect reference to a permitted activity status appears in the text of Silver Fern Farms’ proposed new rule RPROZ-R21.</p> <p>Silver Fern Farms confirms that this should be interpreted as reference to a <b>controlled</b> activity status, as shown below with underlining and strikethrough:</p> <p><i>RPROZ-R21 Rural industry</i></p> <p><b>1. Activity Status: <u>PERCON</u></b></p> <p><i>Where the following conditions are met:</i></p> <p><b>a. <u>RPROZ-S2(1)(a) – RPROZ-S11 inclusive.</u></b></p> <p><b>b. <u>RPROZ-S13 – RPROZ-S15 inclusive.</u></b></p> <p><i>Matters over which control is reserved:</i></p> <p><b>c. <u>The method of storage and use of materials associated with the operation of the activity that may generate noxious, offensive, or objectionable odour beyond the site boundary.</u></b></p>	Allow in full

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				<p><i>d. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity.</i></p> <p><i>e. RPROZ-AM14 General.</i></p> <p><b>2.</b> <i>Activity status where compliance with condition RPROZ-R21(1) is not achieved: RDIS.</i></p>	

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