

FORM 5

**SUBMISSION ON NOTIFIED PROPOSAL FOR
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Central Hawke's Bay District Council

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Name of submitter Silver Fern Farms Limited

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I confirm that I am authorised on behalf of Silver Fern Farms Limited to make this submission.

OVERVIEW

1. This is a submission by Silver Fern Farms on the proposed Central Hawke's Bay District Plan ("**PDP**").
2. Silver Fern Farms could not gain an advantage in trade competition through this submission.
3. Silver Fern Farms' specific submission points are provided below and in **Attachment A**.

BACKGROUND TO SILVER FERN FARMS

4. Silver Fern Farms is a large meat processing and exporting company which operates 14 processing plants throughout New Zealand. On an annual basis, Silver Fern Farms processes 30% of New Zealand's lamb, beef and venison, sourced from 16,000 sheep, beef and deer farms.
5. As a partially owned co-operative company, Silver Fern Farms' profits return to the community through the farmer shareholders, with a portion retained for growth and capital upgrades, including environmental improvements. In the peak season, Silver Fern Farms employs over 7,000 people nationwide (permanent and seasonally).
6. Silver Fern Farms is interested in those PDP provisions that may adversely affect the operation, maintenance, upgrade and expansion of its Takapau Processing Plant ("**the Plant**").
7. In particular, Silver Fern Farms wishes to ensure that:
 - a. The PDP recognises, and provides appropriately for, "*rural industry*" activities as distinct from the broader category of "*industrial activities*".
 - b. Any rezoning of rural land around the Plant does not facilitate the introduction of incompatible land uses into the surroundings.
 - c. The PDP adequately addresses the potential risk and adverse effects of reverse sensitivity issues.
8. Silver Fern Farms notes that the Plant will continue to operate in accordance with resource consents issued by the Hawke's Bay Regional Council, with long-term consent expiry dates under assessment at present. As such, Silver Fern Farms considers that the PDP should adequately acknowledge and plan for the ongoing effects associated with the Plant. A failure to do so could lead to land-use conflicts, and subsequently lead to outcomes that are inconsistent with achieving the sustainable management of physical resources in the District.

SILVER FERN FARMS TAKAPAU PROCESSING PLANT

9. The Plant is approximately 3.5km east of Takapau, near the intersections of Fraser Road with Oruawhoro Road, Station Road and State Highway 2 (**Figure 1**). It is located on a site of approximately 485 hectares (**Figure 2** and **Table 1**).

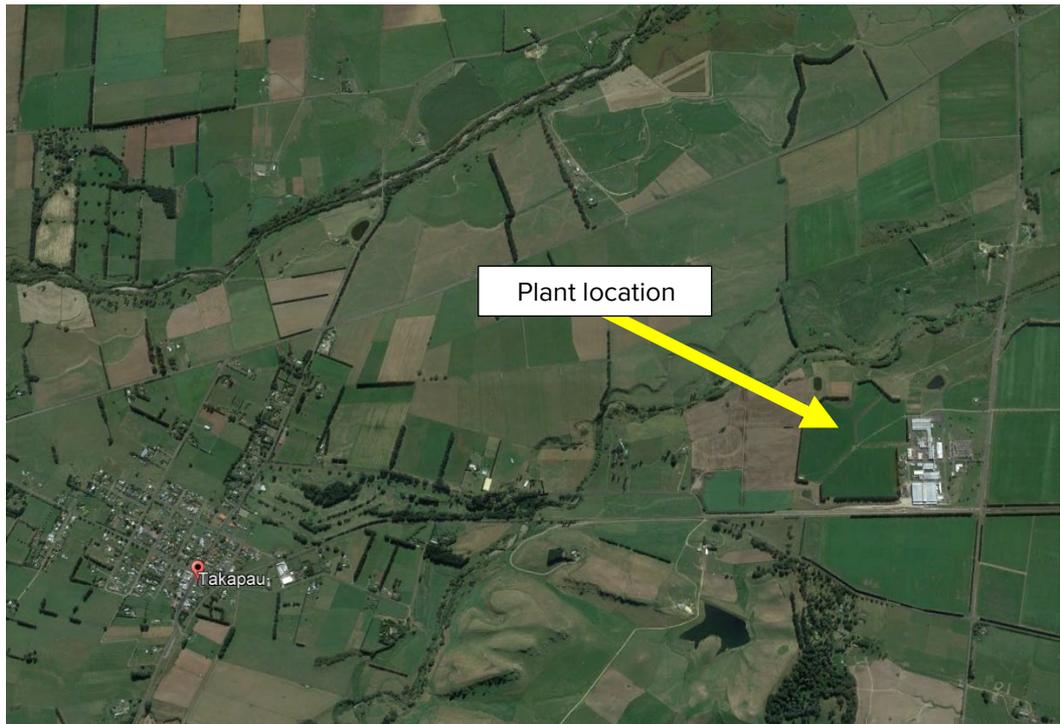


Figure 1: Silver Fern Farms Takapau Plant locality

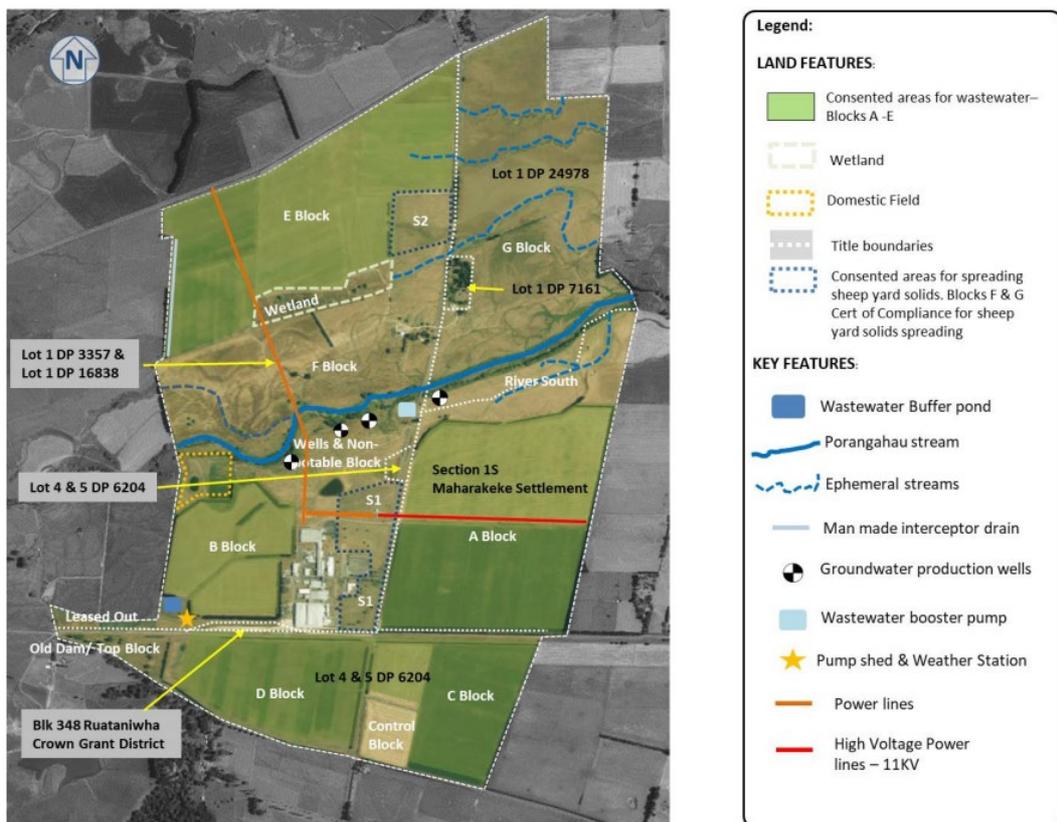


Figure 2: Silver Fern Farms Takapau Plant and site details

Table 1: Legal description of the site

Legal Description	Area (ha)
Lot 4 & Lot 5 Deposited Plan 6204	72.3
Section 12 Block IV Takapau Survey District	0.8
Lot 1 Deposited Plan 3357	225
Lot 2 Deposited Plan 16838	2.3
Lot 1 Deposited Plan 24978	90
Section 1S Marakeke Settlement	92
Lot 1 Deposited Plan 7161	2
Block 348 Ruataniwha Crown Grant District	0.3
TOTAL 485 ha	

10. The Plant was built in 1981 and operated by Richmond Limited until its acquisition by the Primary Producers Co-operative Society Limited (“**PPCS**”) in 2005. PPCS changed its trading name to Silver Fern Farms in 2008. Silver Fern Farms now employs over 800 staff at the Plant during the height of the processing season.
11. Map 35 of the Operative Central Hawke’s Bay District Plan, (“**Operative Plan**”) identifies that the Plant and surrounding land is subject to the Rural Zone. Under the Operative Plan, the Plant is classified as an “*industrial activity*”. Pursuant to Rule 4.8.2(a) of the Rural Zone, “*industrial activity*” is a Controlled activity.
12. Silver Fern Farms holds various resource consents for the activities undertaken at the Plant, including:
 - a. Discharges to land of solid organic waste, treated stormwater and treated wastewater.
 - b. Discharges to air of the products of combustion from natural gas fired boilers, and odours from meat processing, stockyards, and refrigeration.
 - c. Water takes from ground water to supply water for food processing and to provide for on-site irrigation.
13. It is relevant to note, with reference to **Figure 2**, that consented discharges to land of wastewater and solid organic waste occur around the entire site – these discharges are not restricted to the curtilage of the Plant.
14. Under the PDP, the site would be included in the Rural Production Zone (“**RPROZ**”). Land in the surroundings would mostly also be included in the RPROZ, except land to the south-

west (across Oruawhara Road) which the PDP includes in the General Rural Zone (“GRUZ”).

OVERVIEW OF SILVER FERN FARMS’ MAIN SUBMISSION POINTS

15. In short, Silver Fern Farms seeks the following relief in relation to the PDP. Please refer to **Attachment A** for more detail about the relief sought.
16. *“Rural industry” definition:* Silver Fern Farms seeks the introduction of a definition for “*rural industry*” into the PDP **and** provision for this as a Controlled activity in the RPROZ. The PDP proposes a Non-Complying activity status for “*industrial activity*” in the RPROZ. In the absence of separate recognition for “*rural industry*” that is suitable for / reliant on a rural location, Silver Fern Farms considers that the Non-Complying activity status will unduly constrain the operation, maintenance, upgrade, and expansion of the Plant. Silver Fern Farms considers that the relief it seeks will resolve this issue without compromising the Council’s intention to limit the ad-hoc spread of urban industrial activities into rural zones, and aligns with Direction 6, Standard 17 (Implementation) of the National Planning Standards (“**NatPlanStds**”).
17. *Provision for “lifestyle sites”:* Silver Fern Farms seeks amendment of the PDP provisions for subdivisions that create small “*lifestyle sites*”¹ in the RPROZ. Silver Fern Farms is comfortable with the PDP provision of a Controlled activity status (via Rule SUB-R5(5)(a)) for subdivision to create “*lifestyle sites*” around existing rural dwellings, where a 12ha site area is retained through amalgamation, and no additional vacant lots are created.
18. However, the PDP provides for the creation of small vacant “*lifestyle sites*” as a Discretionary activity. Silver Fern Farms considers that this approach may produce conflicts between residential activities introduced on newly created “*lifestyle sites*” and existing rural industry and primary production activities undertaken throughout the RPROZ.
19. This outcome would, in Silver Fern Farms’ view, be contrary to the proposed RPROZ Objectives and Policies – for example, RPROZ-O6 which requires that “*The primary productive purpose and predominant character of the Rural Production Zone are not compromised by potentially incompatible activities establishing*”. To this end, Silver Fern Farms seeks a Non-Complying activity status for “*lifestyle sites*” that cannot comply with Rule SUB-R5(5)(a).

SPECIFIC SUBMISSION POINTS

20. Silver Fern Farms seeks the following decisions in respect of all its submission points, from the Central Hawke’s Bay District Council:

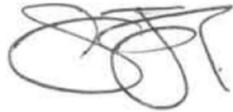
¹ Defined to Part 1 of the PDP as “*a site created and used for rural residential living in the RPROZ – Rural Production Zone and the GRUZ – General Rural Zone*”.

- a. Where specific wording has been proposed in **Attachment A**, words or provisions to similar effect.
 - b. All necessary and consequential amendments, including any amendments to the PDP provisions themselves or to other provisions linked to those provisions submitted on, and including any cross-references in other chapters.
 - c. All further relief that is considered necessary to give effect to the concerns described above and in **Attachment A**.
21. Silver Fern Farms **does** wish to be heard in support of its submission. If others make a similar submission, Silver Fern Farms will consider presenting a joint case with them at a hearing.

Signature:

SILVER FERN FARMS LIMITED

by its authorised agents Mitchell Daysh Limited



Steve Tuck

Date:

6 August 2021

ATTACHMENT A: SILVER FERN FARMS' SUBMISSIONS ON THE PROPOSED CENTRAL HAWKE'S BAY DISTRICT PLAN

Ref	Provision	Position	Reason	Relief Sought
Part 1 – Introduction and General Provisions - Definitions				
1	<p>MAJOR HAZARDOUS FACILITY</p> <p>a. any facility which involves one or more of the following activities:</p> <p>[...all clauses not shown here]</p> <p>ix. freezing works and rendering plants</p> <p>[...remainder not shown here]</p>	Oppose in part	Silver Fern Farms advises that “freezing works” is an outdated term. The term “meat processing” would be preferable, to accurately reflect contemporary sector terminology.	<p>Amend as follows:</p> <p>MAJOR HAZARDOUS FACILITY</p> <p>a. any facility which involves one or more of the following activities:</p> <p>[...all clauses not shown here]</p> <p>ix. <u>meat processing</u> freezing works and rendering plants</p> <p>[...remainder not shown here]</p>
2	<p>OFFENSIVE PROCESS means one of the following processes:</p> <p>a. processes requiring offensive trade licenses under the Health Act 1956;</p> <p>b. the manufacture and processing of chemical fertilisers;</p>	Oppose in part	<p>This definition has been carried over from the Operative Plan. The defined term “offensive process” appears in the General Industrial Zone but is not used in any other proposed zones. Therefore, while sub-clause (c) of “offensive process” encompasses meat processing activities, given the Plant is not in the General Industrial Zone it is unclear if, and how, the definition is intended to be applied in relation to Silver Fern Farms Plant in</p>	<p>Amend as follows:</p> <p>OFFENSIVE PROCESS means one of the following processes:</p> <p>a. processes requiring offensive trade licenses under the Health Act 1956;</p> <p>b. the manufacture and processing of chemical fertilisers;</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>c. meat processing or any associated processing of meat and meat by-products or co-products;</p> <p>[...remainder not shown here]</p>		<p>the RPROZ. As such, Silver Fern Farms opposes sub-clause (c) of the PDP definition.</p>	<p>c. meat processing or any associated processing of meat and meat by-products or co-products;</p> <p>[...remainder not shown here]</p>
3	<p>REVERSE SENSITIVITY: the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by an existing activity.</p>	<p>Support in part</p>	<p>Silver Fern Farms invests in the maintenance, upgrade and expansion of its facilities, with resultant environmental improvements. Reverse sensitivity issues have the potential to constrain Silver Fern Farms from undertaken such actions. As such, Silver Fern Farms seeks to ensure that this definition recognises that the adverse effects of reverse sensitivity issues extend beyond only the “operation” of activities.</p>	<p>Amend as follows:</p> <p>REVERSE SENSITIVITY: the potential for the operation, <u>maintenance, upgrade, or expansion</u> of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by an existing activity.</p>
4	<p>Definitions - new definition for “<i>rural industry</i>”.</p>	<p>Support</p>	<p>The PDP ascribes a Non-Complying activity to “<i>industrial activity</i>” in the RPROZ. As discussed in the Rural Environment Section 32 report (<i>inter alia</i> at pp. 11, 13, 14, 30, 51), this is meant to discourage the ad-hoc establishment of “<i>industrial activity</i>” in rural zones.</p> <p>Silver Fern Farms understands this intent but is concerned that there is no provision in the PDP for industrial activities that are appropriate to locate in rural zones.</p>	<p>Introduce the definition below for “rural industry”:</p> <p><u>RURAL INDUSTRY means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</u></p>

Ref	Provision	Position	Reason	Relief Sought
			<p>As stated in 2.2.3 of the notified Section 32 Overview Report, Direction 6 to Standard 17 (Implementation) of the NatPlanStds requires new Plans to use standard definitions. These include a definition of “<i>rural industry</i>” as shown in the adjoining “Relief Sought” column.</p> <p>Given the NatPlanStds require this definition to be inserted into all plans eventually, Silver Fern Farms seeks its inclusion now to ensure the PDP enables industrial activities that are appropriate in rural zones and to avoid the complexity of retrofitting the definition into the PDP later.</p> <p>A consequence of this is Silver Fern Farms submission later in this table (submission points 38 and 40) that “<i>rural industry</i>” be allocated a Controlled activity status in the RPROZ.</p>	

Part 2 – District-wide Matters				
5	RLR-O1 The productive capacity of the District's rural land resource, particularly the District's highly productive land, is maintained.	Support	Silver Fern Farms supports this objective.	Retain this objective.
6	RLR-O2 The primary production role and associated amenity of the District's rural land resource is retained, and is	Support in part	Silver Fern Farms generally supports this objective. However, it is considered that the drafting could be amended to clarify that “ <i>inappropriate</i> ” activities should be avoided.	Amend as follows: RLR-O2 The primary production role and associated amenity of the District's rural land resource is retained, and is <u>protected</u>

Ref	Provision	Position	Reason	Relief Sought
	not compromised by inappropriate subdivision, use and development.			from not compromised by inappropriate subdivision, use and development.
7	RLR-O3 The District's highly productive land is protected from further fragmentation.	Support	Silver Fern Farms supports this objective but notes that its' intent is undermined by the provision made in the PDP for " <i>lifestyle sites</i> " in the RPROZ. Silver Fern Farms submits on this issue later in this table.	Retain this objective.
8	RLR-O4 Residential living and other activities that are unrelated to primary production are directed to locations zoned for those purposes and that are not situated on highly productive land.	Support in part	" <i>Residential living</i> " is not defined in the PDP however, " <i>residential activity</i> " is defined. Silver Fern Farms suggests the defined term be used to ensure the Objective is correctly interpreted. Furthermore, given its position stated elsewhere, Silver Fern Farms considers that " <i>rural industry</i> " should also be referred to in this objective.	Amend as follows: RLR-O4 Residential activities living and other activities that are unrelated to primary production <u>or rural industry</u> are directed to locations zoned for those purposes and that are not situated on highly productive land.
9	RLR-P1 To identify the highly productive land centred in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and Otane within a specific rural zone – the Rural Production Zone.	Support	Silver Fern Farms supports this policy as a method to distinguish, and allocate specific resource management methods to, highly productive land.	Retain this policy.
10	RLR-P2 To avoid unplanned urban expansion onto the District's highly productive land where other feasible options exist.	Support in part	Silver Fern Farms supports this policy insofar as it requires unplanned urban expansion into areas of highly productive land. However, in Silver Fern Farms' view, the final clause of the draft policy is superfluous.	Amend as follows: RLR-P2 To avoid unplanned urban expansion onto the District's highly productive land <u>in the Rural Production Zone</u> where other feasible options exist.

Ref	Provision	Position	Reason	Relief Sought
			<p>Regardless of whether “other feasible options” exist or not, the conversion of highly productive land to urban uses, should in Silver Fern Farms’ opinion, be preceded by formal planning processes (e.g., structure planning and rezoning). PDP Objective UFD-03, Method UFD-M1 and Method UFD-M3 indicate that this is the case.</p>	
11	<p>RLR-P3 To limit the amount of further fragmentation of the District’s rural land resource through limiting lifestyle subdivision, particularly in the Rural Production Zone.</p>	<p>Support in part</p>	<p>Silver Fern Farms supports the general intent of this policy but considers it does not sufficiently assist the assessment of proposals for “lifestyle site” subdivisions in the RPROZ. Silver Fern Farms seeks the amendment of certain PDP provisions (e.g., Rule SUB-R5) that allow for “<i>lifestyle site</i>” subdivision in the RPROZ.</p> <p>Silver Fern Farms considers that the Discretionary status allocated to a “<i>lifestyle site</i>” subdivision that creates additional small lots is contrary to the strong direction of the PDP objectives and policies, and analysis in the Rural Environmental Section 32 report, that emphasise the “... <i>regionally (if not nationally) significant concentration of highly productive land</i>” in the District’s rural areas.</p> <p>Given Silver Fern Farms seeks a Non-Complying activity status (rather than the proposed Discretionary status) for “<i>lifestyle site</i>” subdivision that does not comply with Rule SUB-R5(5)(a), it also seeks amendment of this policy RLR-P3 to align</p>	<p>Amend as follows:</p> <p>RLR-P3 To limit the amount of further fragmentation of the District’s rural land resource by through limiting lifestyle <u>site</u> subdivision <u>in the General Rural Zone, and, particularly in the Rural Production Zone, and directing lifestyle site subdivision to locate primarily in the Rural Living Zone.</u></p>

Ref	Provision	Position	Reason	Relief Sought
			with a Non-Complying activity status for “ <i>lifestyle site</i> ” subdivision in the RPROZ.	
12	RLR-P4 To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone.	Support	Silver Fern Farms supports this policy.	Retain this policy.
13	RLR-P5 To enable primary production and related activities to operate in rural areas in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity.	Support in part	Silver Fern Farms generally supports this policy but seeks that it be improved by reference to: - “ <i>rural industry</i> ”, as an example of “ <i>related activities</i> ”. - the upgrade and expansion of rural activities. - the distinct role of the RPROZ as a repository of highly productive land.	Amend as follows: RLR-P5 To enable primary production and related activities, <u>such as rural industry</u> , to operate, <u>upgrade and expand</u> in rural areas in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity, <u>particularly in the Rural Production Zone</u> .
14	RLR-M3 Land Information Memorandum When requested, people wishing to establish in the rural area will be issued with a Land Information Memorandum advising them that they are establishing in a productive rural environment where	Support in part	Silver Fern Farms seeks that this method be amended to improve its clarity, given the quite significant differences between, and roles of, the three proposed rural zones.	Amend as follows: RLR-M3 Land Information Memorandum When requested, people wishing to establish in the rural <u>zones-area</u> will be issued with a Land Information Memorandum advising them that they are

Ref	Provision	Position	Reason	Relief Sought
	amenity standards associated with the normal conduct of farming operations in the Zone (that is, amenity standards that allow for fluctuating noise, odour and air quality levels resulting from accepted primary production management practices) will be upheld by the Council. Provided that these activities are carried out within the provisions established by the District Plan, the effects will not be considered a nuisance.			establishing in a productive rural environment where amenity standards associated with the normal conduct of farming operations <u>and related activities such as rural industry</u> , in the Zone (that is, amenity standards that allow for fluctuating noise, odour and air quality levels resulting from accepted primary production management practices <u>and rural industry activities</u>) will be upheld by the Council. Provided that these activities are carried out within the provisions established by the District Plan <u>or a resource consent(s)</u> , the effects <u>of the activities on amenity standards</u> will not be considered a nuisance.
15	<p>Principal Reasons</p> <p>The principal reasons for adopting the policies and methods:</p> <p>The traditional pastoral area of the District will continue to be an important component of the District's economy and must be safeguarded – particularly the regionally, if not nationally, significant concentration of highly productive land in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and</p>	Support in part	Silver Fern Farms seeks amendment of the Principal Reasons to align with its position regarding “ <i>lifestyle site</i> ” subdivision in the RPROZ and the need for the PDP to provide for “ <i>rural industry</i> ” as a distinct land use.	<p>Amend as follows:</p> <p>Principal Reasons</p> <p>The principal reasons for adopting the policies and methods:</p> <p>The traditional pastoral area of the District will continue to be an important component of the District's economy and must be safeguarded – particularly the regionally, if not nationally, significant concentration of highly productive land in and around the Ruataniwha and Takapau Plains and</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>Otane (in line with the proposed NPS-HPL).</p> <p>The subdivision of land will be primarily for the purpose of achieving a more efficient outcome for land based primary production around pastoral, cropping or forestry purposes. There may be the need to subdivide off a surplus residential building or provide for those property owners who may wish to subdivide their house from the farm and retire on the property, but these activities need a level of control. The Plan aims to prevent large numbers of small holdings in the rural environment.</p> <p>The rural environment provides for a range of activities and farm and associated buildings that are of a scale to meet the needs of the primary production sector. There is a limit on the scale of commercial and industrial activities in the rural environment and beyond the floor area standards outlined within the zones these types of activity should be located within the appropriate zones where the effects can be suitably accommodated.</p>			<p>surrounding Waipukurau, Waipawa and Otane (in line with the proposed NPS-HPL).</p> <p>The subdivision of land will be primarily for the purpose of achieving a more efficient outcome for land based primary production around pastoral, cropping or forestry purposes. There may be the need to subdivide off a surplus residential building or provide for those property owners who may wish to subdivide their house from the farm and retire on the property, but these activities need a level of control. The Plan aims to prevent large numbers of small holdings in the rural environment, <u>particularly on the highly productive land within the Rural Production Zone.</u></p> <p>The rural environment provides for a range of activities and farm and associated buildings that are of a scale to meet the needs of the primary production sector <u>and related activities such as rural industry.</u> There is a limit on the scale of commercial and <u>urban</u> industrial activities in the rural environment and beyond the floor area standards outlined within the zones these types of activity should be located within the appropriate zones where the effects can be suitably accommodated.</p>

Ref	Provision	Position	Reason	Relief Sought
16	UFD-O1 Provide for a sustainable supply of land to meet current and future urban development demands.	Support	Silver Fern Farms supports this objective.	Retain this objective.
17	UFD-O2 Retain and protect valuable highly productive land in the District from urban development.	Support in part	<p>Silver Fern Farms generally supports this objective. However, the term “valuable” introduces a need to undertake a potentially subjective exercise to understand what “highly productive land” is “valuable” and is therefore to be “protected”.</p> <p>This seems somewhat surplus to the existing content of the PDP and associated Section 32 reports that confirm the RPROZ applies to highly productive land across the district.</p> <p>Furthermore, and as discussed later in this table in relation to HAZS-P2 (submission point 19), the Hazardous Substances provisions of the PDP fail to adequately account for the reverse sensitivity effects of new urban development encroaching into the environs around existing Major Hazardous Facilities (such as the Plant).</p> <p>As such, Silver Fern Farms seeks amendments and reference to the RPROZ as shown in the adjoining column.</p>	<p>Amend as follows:</p> <p>UFD-O2 Retain and protect <u>valuable-land in the Rural Production Zone, other highly productive land, and existing Major Hazardous Facilities</u> in the District from urban development.</p>
18	UFD-P2 To avoid urban development onto valuable highly productive land in the District by directing it to identified General Residential, Commercial,	Support in part	While Silver Fern Farms supports the broad intent of this policy, it considers that the policy would be clarified by amendments as shown in the adjoining column. As stated in the relation to UFD-O2, the	<p>Amend as follows:</p> <p>UFD-P2 To <u>direct urban development to identified General Residential, Commercial, General Industrial and Settlement Zones</u></p>

Ref	Provision	Position	Reason	Relief Sought
	General Industrial Zones and Settlement Zones.		term “valuable” in the proposed text seems to require a potentially subjective ranking exercise to determine which “highly productive land” is also “valuable” and therefore is to be the subject of avoidance.	and avoid urban development onto valuable highly productive land in the Rural Production Zone and other highly productive land in the District by directing it to identified General Residential, Commercial, General Industrial Zones and Settlement Zones.
19	<p>HAZS-P2 To ensure Major Hazardous Facilities avoid or are adequately set back from:</p> <ol style="list-style-type: none"> 1. residential activities; 2. vulnerable activities; 3. the coast, historic heritage and scheduled features; 4. scheduled wāhi tapu, wāhi taonga and sites of significance; 5. priority waterbodies, including sources of potable water; and 6. identified natural hazard areas. 	Oppose in part	<p>The PDP definition of “Major Hazardous Facilities” includes “ix. freezing works and rendering plants”. As such, the Plant would be defined as a Major Hazardous Facility (noting submission point 1 in this table regarding the terminology used in relation to “freezing works”).</p> <p>Silver Fern Farms is concerned that Policy HAZS-P2 does not appear to contemplate the implications of setback requirements for legally established Major Hazardous Facilities, in cases where incompatible activities have been allowed to encroach into the surrounding environment.</p> <p>Silver Fern Farms considers that the PDP allowance for “lifestyle site” subdivision in the RPROZ, and the proposed RLZ zoning of land near the Plant, will give rise to encroachment into the rural environment by incompatible land uses. In that situation, this policy would burden Silver Fern</p>	<p>Silver Fern Farms seeks the relief set out in relation to the definition of “Major Hazardous Facility” and Objective UFD-02 shown earlier in this table and repeated below for ease of reference:</p> <p>Amend as follows:</p> <p>MAJOR HAZARDOUS FACILITY</p> <p>a. any facility which involves one or more of the following activities:</p> <p>[...all clauses not shown here]</p> <p>ix. <u>meat processing</u> freezing works and rendering plants</p> <p>[...remainder not shown here]</p>

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			<p>Farms with the duty to avoid adverse effects, if it seeks to upgrade or expand the Plant in the future.</p> <p>On this basis, Silver Fern Farms opposes this policy, to the extent that the PDP lacks a countervailing strategic direction to prevent the encroachment of incompatible uses into the environs around Major Hazardous Facilities. To that end, Silver Fern Farms proposes that Objective UFD-O2 be amended to recognise the need to “protect” Major Hazardous Facilities from urban encroachment.</p>	<p>UFD-O2 Retain and protect <u>valuable-land in the Rural Production Zone, other highly productive land, and existing Major Hazardous Facilities</u> in the District from urban development.</p>
20	<p>SUB-O1 Subdivision of land that is consistent with the objectives and policies of the relevant zones and district-wide matters in the District Plan, including those relating to:</p> <p>1. safeguarding the rural land resource of Central Hawke’s Bay District from inappropriate subdivision (RLR – Rural Land Resource provisions in the District Plan);</p> <p><i>[...remainder not shown here]</i></p>	Support in part	Silver Fern Farms supports this objective, subject to the amendments it seeks elsewhere in this submission in relation to subdivision within the RPROZ.	Retain this objective.
21	<p>SUB-O4 Reverse sensitivity effects of subdivision on existing lawfully established activities (including network utilities) are avoided where practicable,</p>	Support.	Silver Fern Farms supports this objective.	Retain this objective.

Ref	Provision	Position	Reason	Relief Sought
	or mitigated where avoidance is not practicable.			
22	SUB-P16 To avoid where practicable, or otherwise mitigate, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production or industrial activities and existing public works.	Support in part	Silver Fern Farms supports this objective subject to amendments to ensure “ <i>rural industry</i> ” is specifically referred to, given the significant potential for reverse sensitivity effects on that activity.	Amend as follows: SUB-P16 To avoid where practicable, or otherwise mitigate, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production, <u>rural industry</u> or industrial activities and existing public works.
23	SUB-R5(7) Activity status where compliance with conditions SUB-R5(5)(a) and/or SUB-R5(5)(c) is not achieved: DIS SUB-R5(8) Activity status where compliance with conditions SUB-R5(5)(b) and/or SUB-R5(5)(e) is not achieved: NC	Oppose in part	The PDP allocated a Discretionary activity status to subdivisions that do not comply with Rule SUB-R5(5)(a)(i) to (iii). That rule requires that “ <i>lifestyle sites</i> ” be: - Created only for existing dwellings. - Not create additional sites (amalgamation is required). - A minimum lot size of 12 ha for amalgamated sites. - No more than two dwellings on a newly amalgamated lot created under this rule. Non-compliance with this rule would indicate the following outcomes are likely:	Amend as follows: SUB-R5(7) Activity status where compliance with conditions SUB-R5(5)(a) and/or SUB-R5(5)(c) is not achieved: DIS SUB-R5(8) Activity status where compliance with conditions <u>SUB-R5(5)(a)</u> , SUB-R5(5)(b) and/or SUB-R5(5)(e) is not achieved: NC

Ref	Provision	Position	Reason	Relief Sought
			<ul style="list-style-type: none"> - Creation of vacant “<i>lifestyle sites</i>” for the future development of an additional dwelling(s). - Creation of small sites with inadequate space to mitigate reverse sensitivity effects on the surrounding rural environment. <p>Non-compliance is allocated a Discretionary activity status pursuant to Rule SUB-R5(7).</p> <p>Silver Fern Farms considers that a Non-Complying activity status for a “<i>lifestyle site</i>” subdivision that fails to comply with Rule SUB-R5(5)(a) would more appropriately align with the strategic directions set for the RPROZ (e.g., RPROZ-P8), and with the outcomes sought by Silver Fern Farms submission. This can be achieved by amending Rules SUB-R5(7) and (8).</p>	
24	<p>SUB-AM11 Sites in the Rural Lifestyle Zone, and Lifestyle Sites in the General Rural Zone and Rural Production Zone, which adjoin any site used for existing horticultural or intensive primary production activities</p> <ol style="list-style-type: none"> 1. The design of the subdivision to ensure that, as a consequence of the development it will accommodate, reverse sensitivity effects will not be created or exacerbated. In particular, in 	Support in part	Silver Fern Farms seeks the insertion of direct reference to “ <i>rural industry</i> ” in this assessment matter.	<p>Amend as follows:</p> <p>SUB-AM11 Sites in the Rural Lifestyle Zone, and Lifestyle Sites in the General Rural Zone and Rural Production Zone, which adjoin any site used for existing horticultural or intensive primary production, <u>or rural industry</u> activities</p> <ol style="list-style-type: none"> 1. The design of the subdivision to ensure that, as a consequence of the development it will accommodate, reverse sensitivity effects will not be

Ref	Provision	Position	Reason	Relief Sought
	<p>assessing the development, the following factors will be considered:</p> <ol style="list-style-type: none"> a. The scale, design, and location of the development such that the number of sites and potential house sites adjoining the above activities is minimised. b. The location of the house sites which will avoid any potential for reverse sensitivity effects. c. The ability of the development to include methods which will mitigate against reverse sensitivity effects being experienced. d. The registration of restrictive covenants and/or consent notices (where they are offered) against the certificate of title(s) for any site where reverse sensitivity effects are likely to result from activities operated in compliance with the provisions of the District Plan, which cannot otherwise be adequately avoided or mitigated by other conditions of consent, and which are necessary to achieve the 			<p>created or exacerbated. In particular, in assessing the development, the following factors will be considered:</p> <ol style="list-style-type: none"> a. The scale, design, and location of the development such that the number of sites and potential house sites adjoining the above activities is minimised. b. The location of the house sites which will avoid any potential for reverse sensitivity effects. c. The ability of the development to include methods which will mitigate against reverse sensitivity effects being <u>created or exacerbated</u> experienced. d. The registration of restrictive covenants and/or consent notices (where they are offered) against the certificate of title(s) for any site where reverse sensitivity effects are likely to result from activities operated in compliance with the provisions of the District Plan, which cannot otherwise be adequately avoided or mitigated by other conditions of consent, and which are necessary to achieve the relevant objectives, policies and

Ref	Provision	Position	Reason	Relief Sought
	relevant objectives, policies and anticipated environmental outcomes for the zone, particularly those relating to reverse sensitivity effects.			anticipated environmental outcomes for the zone, particularly those relating to reverse sensitivity effects.
25	<p>SUB-AM12 Lifestyle Sites in the Rural Production Zone</p> <p>1. Maximum area exceeded</p> <p>The Council will have regard to whether one or more of the following factors apply in deciding whether the use of an area of land greater than 4000m2 for a lifestyle site is appropriate:</p> <p>a. Enabling minimum yard requirements for Rural Production Zone lifestyle sites to be met.</p> <p>b. Position of topographical features, such as rivers, drains, hills, terraces, or roads forming physical boundaries for the lifestyle site(s).</p> <p>c. Site configuration, where due to the shape of the site before subdivision the excess land</p>	Support in part	Silver Fern Farms seeks amendments to this Assessment Matter to reference “ <i>rural industry</i> ” and to better manage potential adverse reverse sensitivity effects on lawfully established or permitted activities in the RPROZ.	<p>Amend as follows:</p> <p>SUB-AM12 Lifestyle Sites in the Rural Production Zone</p> <p>1. Maximum area exceeded</p> <p>The Council will have regard to whether one or more of the following factors apply in deciding whether the use of an area of land greater than 4000m2 for a lifestyle site is appropriate:</p> <p>a. Enabling minimum yard requirements for Rural Production Zone lifestyle sites to be met.</p> <p>b. Position of topographical features, such as rivers, drains, hills, terraces, or roads forming physical boundaries for the lifestyle site(s).</p> <p>c. Site configuration, where due to the shape of the site before subdivision the excess land incorporated within the lifestyle site(s) could not be</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>incorporated within the lifestyle site(s) could not be effectively utilised as part of the amalgamated balance.</p> <p>d. Provision of the continued utilisation of existing accessory buildings, gardens, and other facilities such as effluent fields, water supply points or accessways relating to the house.</p> <p>e. Soil quality, where the soil of the land incorporated within the lifestyle site is not identified as Class 1 or 2 (as defined in the New Zealand Land Inventory Worksheets) and is of a lesser quality than the soil of the amalgamated balance.</p> <p>f. Provision for buffer areas (greater than the minimum yard requirements) to mitigate reverse sensitivity where specific site characteristics and the nature of adjoining land uses are likely to generate the potential for complaints about</p>			<p>effectively utilised as part of the amalgamated balance.</p> <p>d. Provision of the continued utilisation of existing accessory buildings, gardens, and other facilities such as effluent fields, water supply points or accessways relating to the house.</p> <p>e. Soil quality, where the soil of the land incorporated within the lifestyle site is not identified as Class 1 or 2 (as defined in the New Zealand Land Inventory Worksheets) and is of a lesser quality than the soil of the amalgamated balance.</p> <p>f. Provision for buffer areas (greater than the minimum yard requirements) to <u>avoid or mitigate</u> reverse sensitivity where specific site characteristics and the nature of adjoining land uses are likely to generate the potential for complaints about adjoining primary production <u>or rural industry</u> activities.</p> <p>2. Balance area smaller than 12 hectares</p> <p>In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamated balance area of less than 12ha is appropriate, the Council will have</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>adjoining primary production activities.</p> <p>2. Balance area smaller than 12 hectares</p> <p>In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamated balance area of less than 12ha is appropriate, the Council will have regard to whether any of the following factors apply:</p> <p>a. The amalgamated site has a greater potential for sustained independent production in accordance with the Rural Production Zone policies than either of the sites involved in the amalgamation had prior to the subdivision.</p> <p>b. An amalgamated site of less than 6ha will not generally be considered to have any potential under (a) above unless it contains existing capital improvements for an intensive horticultural land use.</p> <p>3. Amalgamated sites not adjoining</p>			<p>regard to whether any of the following factors apply:</p> <p>a. The amalgamated site has a greater potential for sustained independent production in accordance with the Rural Production Zone policies than either of the sites involved in the amalgamation had prior to the subdivision.</p> <p>b. An amalgamated site of less than 6ha will not generally be considered to have any potential under (a) above unless it contains existing capital improvements for an intensive horticultural land use.</p> <p>3. Amalgamated sites not adjoining</p> <p>In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamation of titles not adjoining, the Council will have regard to whether any of the following factors apply:</p> <p>a. The titles are positioned in a manner that allows them to be effectively used together for sustained independent production in accordance with Rural Production Zone policy.</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamation of titles not adjoining, the Council will have regard to whether any of the following factors apply:</p> <ol style="list-style-type: none"> a. The titles are positioned in a manner that allows them to be effectively used together for sustained independent production in accordance with Rural Production Zone policy. b. The likelihood of a successful application being made to subdivide the titles in the future on the basis that they cannot effectively be used together is low. 			<ol style="list-style-type: none"> b. The likelihood of a successful application being made to subdivide the titles in the future on the basis that they cannot effectively be used together is <u>precluded by the registration of restrictive covenants and/or consent notices (where these are offered) against the certificate of title(s) for all sites being amalgamated</u> low.
26	<p>SUB-AM13 Subdivisions within the General Rural Zone and Rural Production Zone – Lifestyle Sites</p> <ol style="list-style-type: none"> 1. That the location and shape of the lifestyle site enables the balance site to be farmed efficiently and effectively. The Council will also take into account the ability to 	Support in part	<p>Silver Fern Farms seeks amendments to this Assessment Matter to:</p> <ul style="list-style-type: none"> - Reference “<i>rural industry</i>”. - Emphasise the need for consideration of the avoidance of reverse sensitivity effects. - Appropriately manage potential adverse reverse sensitivity effects from newly created “<i>lifestyle</i>” 	<p>Amend as follows:</p> <p>SUB-AM13 Subdivisions within the General Rural Zone and Rural Production Zone – Lifestyle Sites</p> <ol style="list-style-type: none"> 1. That the location and shape of the lifestyle site enables the balance site to be farmed efficiently and effectively. The Council will also take into account the

Ref	Provision	Position	Reason	Relief Sought
	<p>manage any potential reverse sensitivity effects generated from the lifestyle site, within the subject site itself, the balance area of the property and with adjoining properties.</p> <p>2. The ability to mitigate any actual or potential reverse sensitivity effects where specific site characteristics and/or the nature of surrounding or existing land uses are likely to generate the potential for complaints about lawfully established activities. The Council will take into account the following factors (but is not restricted to these):</p> <p>a. Railway lines and whether access to a lifestyle site or rural site is sought via a private level crossing (Note: this requires the formal approval of Kiwirail Holdings Ltd);</p> <p>b. Any new access, upgraded access, or additional sites accessing a state highway (Note: this requires the formal approval</p>		<p>sites” and associated residential activities on rural activities in the RPROZ.</p>	<p>ability to <u>avoid, mitigate or manage</u> any potential reverse sensitivity effects generated from the lifestyle site, within the subject site itself, the balance area of the property and with adjoining properties.</p> <p>2. The ability to <u>avoid or mitigate</u> any actual or potential reverse sensitivity effects where specific site characteristics and/or the nature of surrounding or existing land uses are likely to generate the potential for complaints about lawfully established activities. The Council will take into account the following factors (but is not restricted to these):</p> <p>a. Railway lines and whether access to a lifestyle site or rural site is sought via a private level crossing (Note: this requires the formal approval of Kiwirail Holdings Ltd);</p> <p>b. Any new access, upgraded access, or additional sites accessing a state highway (Note: this requires the formal approval of Waka Kotahi NZ Transport Agency);</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>of Waka Kotahi NZ Transport Agency);</p> <p>c. Any lifestyle site proposed within 400 metres of an existing rural production activity;</p> <p>d. Any rural airstrip; and</p> <p>e. Any other nearby lawfully established activity, which a residential use of a lifestyle site is likely to be sensitive to, or incompatible with.</p> <p>3. Methods to mitigate any potential reverse sensitivity effects. Landowner(s) associated with a lifestyle site subdivision application may offer the use of a 'No-Complaints Covenant' as a condition of consent, to help mitigate potential reverse sensitivity effects. This method is only available if the landowner(s) offers it; such covenants cannot be required by the Council.</p> <p><i>Note: 'No Complaints Covenants' of themselves will generally not be considered sufficient to deal with reverse sensitivity effects.</i></p>			<p>c. Any lifestyle site proposed within 400 metres of an existing rural <u>industry or primary</u> production activity;</p> <p>d. Any rural airstrip; and</p> <p>e. Any other nearby lawfully established activity, which a residential use of a lifestyle site is likely to be sensitive to, or incompatible with.</p> <p>3. Methods to mitigate any potential reverse sensitivity effects. Landowner(s) associated with a lifestyle site subdivision application may offer the use of a 'No-Complaints Covenant' as a condition of consent, to help mitigate potential reverse sensitivity effects. This method is only available if the landowner(s) offers it; such covenants cannot be required by the Council.</p> <p><i>Note: 'No Complaints Covenants' of themselves will generally not be considered sufficient to deal with reverse sensitivity effects.</i></p> <p>4. The location and shape of any rural site enables it to be farmed efficiently and effectively, with particular regard to boundary shape.</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>4. The location and shape of any rural site enables it to be farmed efficiently and effectively, with particular regard to boundary shape.</p> <p>5. That the subdivision does not result in any more than one lifestyle site being created from the title subject to the subdivision application.</p> <p>6. Whether the proposed lifestyle site in the General Rural Zone is being created within 3 years of any prior lifestyle sites being created from the subject title, or any previous title that has become part of the subject title. If more than one lifestyle site is created within the 3-year period, the application may be declined on this basis.</p> <p>7. Where multiple sites greater than 20 hectares are being created in one subdivision or over successive applications, site configuration, shape and timing will be given particular consideration with regard to appropriateness for primary production activities. Such subdivisions should not be undertaken with the intention of</p>			<p>5. That the subdivision does not result in any more than one lifestyle site being created from the title subject to the subdivision application.</p> <p>6. Whether the proposed lifestyle site in the General Rural Zone is being created within 3 years of any prior lifestyle sites being created from the subject title, or any previous title that has become part of the subject title. If more than one lifestyle site is created within the 3-year period, the application may be declined on this basis.</p> <p>7. Where multiple sites greater than 20 hectares are being created in one subdivision or over successive applications, site configuration, shape and timing will be given particular consideration with regard to appropriateness for primary production activities. Such subdivisions should not be undertaken with the intention of 'setting up' future lifestyle site subdivisions. If this is found to be the case, the application may be declined on this basis.</p> <p>8. Whether the design of the subdivision and the development it will</p>

Ref	Provision	Position	Reason	Relief Sought
	<p>'setting up' future lifestyle site subdivisions. If this is found to be the case, the application may be declined on this basis.</p> <p>8. Whether the design of the subdivision and the development it will accommodate, is designed to avoid, remedy, or mitigate any adverse effects on any wāhi tapu, wāhi taonga, archaeological site, or any other area of historic or cultural significance.</p>			accommodate, is designed to avoid, remedy, or mitigate any adverse effects on any wāhi tapu, wāhi taonga, archaeological site, or any other area of historic or cultural significance.
27	<p>Principal Reasons</p> <p><i>[...entire provision not shown here]</i></p> <p>Inappropriately designed or located subdivision has potential to create reverse sensitivity effects, particularly when it provides for the establishment of sensitive activities (e.g. residential and lifestyle development) close to existing primary production activities, industrial activities, public works, network utility operations and renewable electricity generation sites. Such effects can significantly affect the ability of the existing activities to continue to operate (e.g. through</p>	Support in part	<p>Silver Fern Farms seeks that the reasons reference the need to protect established “<i>rural industry</i>” activities from reverse sensitivity effects.</p> <p>Silver Fern Farms also considers (consistent with its submission on the definition of “<i>reverse sensitivity</i>”) that the reasons would benefit from reference not only to reverse sensitivity effects on ongoing operations, but also on the upgrade and expansion of primary production activities, rural industry activities, industrial activities, public works, network utility operations and renewable electricity generation.</p> <p>These activities often contribute significantly to the wellbeing of the community and as such, the PDP</p>	<p>Principal Reasons</p> <p><i>[...entire provision not shown here]</i></p> <p>Inappropriately designed or located subdivision has potential to create reverse sensitivity effects, particularly when it provides for the establishment of sensitive activities (e.g. residential and lifestyle development) close to existing primary production activities, <u>rural industry activities</u>, industrial activities, public works, network utility operations and renewable electricity generation sites. Such effects can significantly affect the ability of the existing activities to continue to operate, <u>upgrade or expand</u> (e.g. through complaints about</p>

Ref	Provision	Position	Reason	Relief Sought
	complaints about noise and odour). Therefore, recognising and avoiding reverse sensitivity effects when planning for subdivision and land use development will provide for the continued efficient and effective operation of existing activities.		should, in Silver Fern Farms' view, anticipate their upgrade and expansion over time.	noise and odour). Therefore, recognising and avoiding reverse sensitivity effects when planning for subdivision and land use development will provide for the continued efficient and effective operation of existing activities.

Part 3 – Area-specific matters

28	RPROZ-01 The Rural Production Zone is predominantly used for primary production activities and associated ancillary activities.	Support in part	Silver Fern Farms seeks amendments to recognise “ <i>rural industry</i> ” as a legitimate activity in the RPROZ.	RPROZ-01 The Rural Production Zone is predominantly used for primary production activities, <u>ancillary activities</u> and associated <u>rural activities including rural industry ancillary activities</u> .
29	RPROZ-02 The rural land resource is protected from fragmentation, and from being compromised by inappropriate building and development, including from ad hoc urban expansion.	Support	Silver Fern Farms supports this objective.	Retain this objective.
30	RPROZ-03 Activities do not reduce the potential for the highly productive land of the District to be used in a productive and sustainable manner.	Support	Silver Fern Farms supports this objective.	Retain this objective.

Ref	Provision	Position	Reason	Relief Sought
31	<p>RPROZ-O4 The predominant character of the Rural Production Zone is maintained, which includes:</p> <p>[...]</p> <p>3. sounds and smells associated with legitimate primary production activities;</p> <p>[...entire provision not shown here].</p>	Support in part	Silver Fern Farms seeks amendment of this objective to recognise the legitimate effects of “ <i>rural industry</i> ” activities.	<p>Amend as follows:</p> <p>RPROZ-O4 The predominant character of the Rural Production Zone is maintained, which includes:</p> <p>[...]</p> <p>3. sounds and smells associated with legitimate primary production <u>and rural industry</u> activities;</p> <p>[...entire provision not shown here].</p>
32	<p>RPROZ-O6 The primary productive purpose and predominant character of the Rural Production Zone are not compromised by potentially incompatible activities establishing.</p>	Support in part	Silver Fern Farms supports this objective, however, seeks that it be strengthened to require the avoidance of incompatible activities.	<p>Amend as follows:</p> <p>RPROZ-O6 The primary productive purpose and predominant character of the Rural Production Zone are <u>protected</u> not compromised by <u>preventing</u> potentially incompatible activities <u>from</u> establishing.</p>
33	<p>RPROZ-P1 To allow land-based primary production and ancillary activities, which are compatible with the primary productive purpose and predominant character and amenity of the Rural Production Zone.</p>	Support in part	Silver Fern Farms seeks amendment of this policy to recognise the legitimate presence of “ <i>rural industry</i> ” activities in the RPROZ.	<p>Amend as follows:</p> <p>RPROZ-P1 To allow land-based primary production, <u>rural industry</u>, and ancillary activities, which are compatible with the primary productive purpose and predominant character and amenity of the Rural Production Zone.</p>

Ref	Provision	Position	Reason	Relief Sought
34	RPROZ-P5 To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.	Support in part	Silver Fern Farms seeks amendment of this policy to recognise the effects of “ <i>rural industry</i> ” activities undertaken in the RPROZ.	Amend as follows: RPROZ-P5 To require sufficient separation between sensitive activities and existing primary production, and intensive primary production, <u>and rural industry</u> activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.
35	RPROZ-P7 To ensure activities do not locate in the Rural Productive Zone where the activity: 1. will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone; 2. will constrain the establishment and use of land for primary production; 3. exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto	Support in part	Silver Fern Farms seeks amendment of this policy to recognise the potential adverse reverse sensitivity effects of incompatible activities on “ <i>rural industry</i> ” activities undertaken in (and reliant on a location in) the RPROZ.	Amend as follows: RPROZ-P7 To ensure activities do not locate in the Rural Productive Zone where the activity: 1. will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone; 2. will constrain the establishment and use of land for primary production <u>or rural industry</u> ; 3. exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic

Ref	Provision	Position	Reason	Relief Sought
	<p>the highly productive land of the District; and/or</p> <p>4. will result in reverse sensitivity and/or lead to land use conflict.</p>			<p>urban activities onto the highly productive land of the District; and/or</p> <p>4. will result in reverse sensitivity and/or lead to land use conflict.</p>
36	RPROZ-P8 To avoid residential and rural lifestyle subdivision that results in fragmentation of land within the Rural Production Zone and/or which limits the use of land for primary-productive purposes.	Support in part	For clear interpretation and to align with submission points elsewhere in this table seeking a Non-Complying activity status for “ <i>lifestyle site</i> ” subdivision that is unrelated to rural activities, Silver Fern Farms seeks amendment of this policy to directly refer to reverse sensitivity effects.	RPROZ-P8 To avoid residential and rural lifestyle subdivision that results in fragmentation of land within the Rural Production Zone and/or which limits the use of land for primary productive purposes, <u>(including through the creation or exacerbation of potential adverse reverse sensitivity effects)</u> .
37	RPROZ-P9 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.	Support in part	For clear interpretation, Silver Fern Farms seeks the insertion of reference to “ <i>rural industry</i> ” in this policy, to confirm that this activity is not required to be avoided.	RPROZ-P9 To avoid <u>the</u> establishment of commercial or industrial activities (<u>excluding rural industry</u>) 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.
38	Rule Overview Table	Oppose in part	As discussed in submission points 5 and 40 of this table, Silver Fern Farms seeks the insertion of a definition for “ <i>rural industry</i> ” and provision for this activity in the RPROZ as a Controlled activity.	Amend table to insert reference to a new rule for “ <i>rural industry</i> ” as follows: Use/Activity <u>Rural industry</u>

Ref	Provision	Position	Reason	Relief Sought
				Rule Number <u>RPROZ-R21</u>
39	RPROZ-R2 Seasonal workers accommodation <i>[entire rule not shown here].</i>	Support	Silver Fern Farms considers that provision for seasonal work accommodation in the RPROZ as a Permitted activity is appropriate given the range of primary production and rural industry activities undertaken in this zone. As such Silver Fern Farms supports this rule.	Retain this rule.
40	New Rule RPROZ-R21 Rural industry	Support	Silver Fern Farms proposes that a new Controlled activity rule and associated matters of control be introduced to the PDP.	Amend rule table to introduce a Controlled activity status and performance standards for “ <i>rural industry</i> ” as follows and with further amendments to the performance standards to refer to “ <i>rural industry</i> ” as appropriate (or amendments that achieve a similar outcome): <u>RPROZ-R21 Rural industry</u> <u>1. Activity Status: PER</u> <u>Where the following conditions are met:</u> a. <u>RPROZ-S2(1)(a) – RPROZ-S11 inclusive.</u> b. <u>RPROZ-S13 – RPROZ-S15 inclusive.</u> <u>Matters over which control is reserved:</u> c. <u>The method of storage and use of materials associated with the operation of the activity that may</u>

Ref	Provision	Position	Reason	Relief Sought
				<p><u>generate noxious, offensive, or objectionable odour beyond the site boundary.</u></p> <p><u>d. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity.</u></p> <p><u>e. RPROZ-AM14 General</u></p> <p><u>2. Activity status where compliance with condition RPROZ-R21(1) is not achieved: RDIS.</u></p>
41	New Assessment Matter RPROZ-AM15 Rural industry	Support	<p>Silver Fern Farms proposes that an activity-specific assessment matter for “<i>rural industry</i>” be added to the RPROZ.</p> <p>This assessment matter would be applied to Restricted Discretionary applications arising from an application for “<i>rural industry</i>” that does comply with the matters of control specified under Silver Fern Farms’ proposed Rule RPROZ-R21(1) (see the preceding row of this table).</p>	<p>Insert Assessment Matter as follows (or amendments that achieve a similar outcome):</p> <p><u>RPROZ-AM15 Rural industry</u></p> <p><u>1. The functional and operational needs of rural industry which include:</u></p> <p><u>a. To establish and operate in rural locations where potential adverse reverse sensitivity issues can be avoided or mitigated and where primary production activities and / or other rural resources are located.</u></p> <p><u>b. To establish large buildings, structures and supporting</u></p>

Ref	Provision	Position	Reason	Relief Sought
				<p><u>infrastructure to enable large scale processing and manufacturing to occur.</u></p> <p><u>c. To emit odours, noise and light on a 24-hour 7-day basis.</u></p> <p><u>d. To use heavy vehicles and machinery to transport livestock, goods, materials and equipment to, from, and within, sites.</u></p>
