

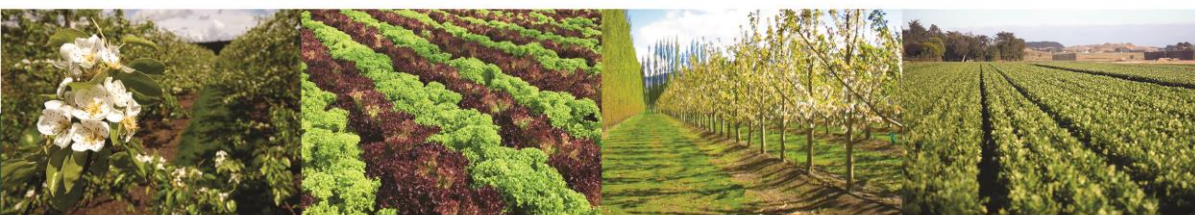


SUBMISSION ON Waikato District Plan Review Stage 2 – Natural Hazards and Climate Change

September 2020

TO: Waikato District Council

NAME OF SUBMITTER: Horticulture New Zealand



CONTACT FOR SERVICE:

Lucy Deverall
Policy Advisor – North Island
Horticulture New Zealand
PO Box 10-232 WELLINGTON
Ph: 0275826655
Email: lucy.deverall@hortnz.com

Introduction

Horticulture New Zealand (HortNZ) thanks Waikato Council for the opportunity to submit on Stage 2 of the proposed plan review and welcomes any opportunity to work with Council and to discuss our submission.

HortNZ could not gain an advantage in trade competition through this submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking from Council are set out below.

Background to HortNZ

HortNZ was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

HortNZ advocates for and represents the interests of 5000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers. Land under horticultural crop cultivation in New Zealand is calculated to be approximately 120,000 hectares.

The horticulture industry value is \$6.39 billion and is broken down as follows:

Industry value	\$6.39bn
Fruit exports	\$3.5bn
Vegetable exports	\$0.7bn
Total exports	\$4.2bn
Fruit domestic	\$0.88bn
Vegetable domestic	\$1.28bn
Total domestic	\$2.19bn

It should also be acknowledged that it is not just the economic benefits associated with horticultural production that are

important. The rural economy supports rural communities and rural production defines much of the rural landscape. Food production values provide a platform for long term sustainability of communities, through the provision of food security. The essential service that horticulture provides has been further highlighted through the Covid-19 response.

HortNZ's purpose is to create an enduring environment where growers thrive. This is done through enabling, promoting and advocating for growers in New Zealand.

HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

The principles that HortNZ considers in assessing the implementation of the RMA include:

- The effects based purpose of the RMA;
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and sustainable economic production sense.

Horticulture in Waikato District and the relevance of food security

HortNZ's submission to Stage 1 of the Proposed Waikato District Plan Review provides a detailed overview of horticulture in the district and the impact of Waikato's horticultural sector on domestic food security. Further information can also be found in the Industry Statements submitted as evidence to Hearing 3 – Strategic Objectives and Hearing 18 – Rural.

In summary, there is a wide range of fruit and vegetable cropping across the Waikato District. The most dominant products include potatoes, onions, asparagus, kiwifruit, blueberries, carrots and apples.

Waikato District's vegetable sector plays a significant role in contributing to New Zealand's domestic food supply. Key areas include Tuakau, Pokeno, Aka Aka, Te Kohanga, Onewhero and Pukewaka. There is also a prominent fruit sector presence in the southern portion of the district with significant potential for growth.

The importance of food security has been amplified by recent Covid events. The level 3 and 4 lockdowns saw an increase in demand for fresh fruit and vegetables. Supply was restrained due to reduced ability to harvest and pack produce with reduced staff numbers to meet social distancing requirements, and difficulties transporting and distributing food due to restrictions on movement between boundaries. Low supply of fruit and vegetables was further exacerbated by closure of independent retailers where nearly 60% of Auckland's fruit and vegetables are normally sold. Low supply has seen a sharp increase in prices, with fruit and vegetables rising 18.6% in the last year to July 2020¹. These limitations to supply and price increases have had significant impacts for many families.

At the same time, overseas markets continued to seek out New Zealand fruit and vegetable exports. For example, apple and kiwifruit exports grew 18% between March and June 2020². This has assisted in protecting New Zealand's economy and keeping people employed.

The industry requires a number of supporting activities and infrastructure to enable on-going operation and development. Detail is provided in the submission to Stage 1 and the planning evidence and industry statement submitted to Hearing 18 – Rural. In summary, key activities and infrastructure relevant to PWDP Stage 2 include:

- Rural ancillary earthworks
- Artificial crop protection structures
- Farm buildings such as packhouses and sheds.

The horticulture industry will play a critical part in keeping New Zealand afloat in an uncertain Covid-world. The supply of fresh fruit and vegetables for domestic markets is fundamental to ensuring the long-term physical, mental, social, cultural and economic well-being of local communities. The on-going need to plant, maintain, harvest, process, pack and distribute fresh fruit and vegetables for local and international markets will also contribute to the mental and physical well-being of individuals through employment opportunities. It will also contribute to the ongoing progression of New Zealand's economy³.

¹ Jacqueline Rowarth, *Lockdown queues and rising food prices serve to illustrate the challenges of local production*, Bay of Plenty Times, 17 September 2020 <https://news.fuseworksmmedia.com/ab1c4680-1af5-4085-9f56-826d37cd9292>

² <https://www.mpi.govt.nz/dmsdocument/40808-Economic-Update-for-the-Primary-Industries-June-2020>

³ <https://www.scoop.co.nz/stories/PA2004/S00038/nz-horticulture-sector-feeding-kiwis-and-the-world-during-covid-19.htm>

In order for the horticulture industry to be successful in this role, the right regulatory environment is necessary to support on-going operation and development. The following submission sets out recommended changes to the PWDP that would support a successful horticulture industry in the Waikato District.

Horticulture and climate change

The horticulture industry is particularly vulnerable to the impacts of climate change. The industry is reliant on the supply and quality of soil, access to quality water and a temperate climate (sunshine hours, rainfall, shelter from wind, hail and frost). It is highly susceptible to pests and disease. All of these factors impact the quality and yield of horticulture produce.

The industry is committed to practice change in order to adapt to a rapidly changing, volatile climatic world, while continuing to meet the ever-increasing demand for fruit and vegetables. HortNZ, NZGAP and the horticultural product groups are working together to support growers to improve use of fertilisers, water and soil and to reduce potential environmental effects. HortNZ is promoting the use of independently audited farm plans, through industry GAP programmes (NZGAP and Global G.A.P.) for all growers. These independently audited farm plans demonstrate the methods growers have employed to improve the efficiency of fertiliser use, with the aim of producing more food with lesser impacts on both water quality and greenhouse gas emissions.

The expansion of horticulture, in place of animal-based agriculture, has been identified as a method of reducing NZ's overall emissions. HortNZ agrees that horticulture is an efficient land use, and diversification into more horticulture should be encouraged as a method of reducing farmers and New Zealand's emissions liability.

HortNZ's Submissions on PWDP Stage 2

Sub pt	Plan provision	Support/ Oppose	Reason	Decision Sought
1	Objective 5.2.1	Support in part	<p>The purpose of the plan change is to address natural hazards and climate change. The objective should be amended to address community resilience to respond to climate change.</p> <p>As discussed above, horticulture is highly vulnerable to the effects of climate change has been identified as a land-use that supports reduced emissions. Practices such as water storage and covered cropping (including artificial crop protection structures) will be critical to enable the ongoing operation and development of the industry in the face of climate change. Water storage can include large infrastructure such as dams, but should also be encouraged in urban developments (including residential-rural development) as this helps alleviate pressures on water resources for the wider community (including primary production activities).</p>	<p>Amend:</p> <p>A resilient community:</p> <ul style="list-style-type: none"> • where the risks from natural hazards on people, property, infrastructure and the environment from subdivision, use and development of land are avoided or appropriately mitigated; and • <u>Who are able to undertake appropriate use and development in order to respond to climate change. For instance, provide water storage, or undertake different types of primary production and the practices that support primary production.</u>
2	Policy 15.2.1.9	Support	<p>Some growers will utilise vegetated buffer strips along riparian margins where it is appropriate to do so. The “where appropriate” is important as vegetated buffers need to be carefully managed on horticultural land to avoid disruption to crop roots or pest and weed incursions. Any enhancement of existing buffers on horticulture land needs to be suitable to the horticultural operation and may not be appropriate in every instance. HortNZ's Code of Practice Erosion and Sediment Controls Guidelines for Vegetable Production provides guidance on measures to manage sediment and control run-off and it is important to note that vegetated buffers are not always the most appropriate measure and should not be a requirement.</p>	Retain

Formatted: Font: (Default) GillSansMT, 10 pt

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.63 cm + Indent at: 1.27 cm

3	Policy 15.2.1.10	Support in part	<p>HortNZ is seeking changes to the definition of farm buildings in chapter 15 to exclude artificial crop protection structures. Furthermore, HortNZ has lodged submissions and evidence to Stage 1 opposing the definitions of buildings and earthworks. In summary, HortNZ has sought the following:</p> <p>Artificial crop protection structures:</p> <ul style="list-style-type: none"> • be excluded from the definition of building, or • have a suite of rules specific to artificial crop protection structures inserted into the plan, and • be excluded from controls for building coverage, setbacks and daylight angles <p>Earthworks:</p> <ul style="list-style-type: none"> • Amend the definition of earthworks to exclude ancillary rural earthworks, <p>Note the s42a reports have recommended adopting a definition of building from the National Planning Standards. HortNZ supports this approach but retains our submission point to include a suite of provisions specific to artificial crop protection structures for the reasons set out in our evidence to Hearing 18 – Rural and exclusions from the specified controls.</p> <p>Artificial crop protection structures are constructed from large supporting posts around the boundary of the crop, with netting or permeable material covering horizontal and vertical surfaces.</p> <p>These structures are unlikely to be subject to material damage. They are critical to meet market standards of quality and yield for a number of fruit types.</p>	<p>Amend the definition of farm building to exclude artificial crop protection structures.</p> <p>and</p> <p>Amend definition of earthworks to exclude ancillary rural earthworks</p> <p>and</p> <p>Insert new provisions for artificial crop protection structures and exclude artificial crop protection structures from controls for building coverage, setbacks and daylight angles.</p>
---	------------------	-----------------	---	--

4	Policy 15.2.1.12	Support	<p>HortNZ supports exclusions listed in (i) – (iii). The majority of non-habitable farm buildings are unlikely to result in material damage during a flood.</p> <p>These structures are unlikely to be subject to material damage. They are critical to meet market standards of quality and yield for a number of fruit types.</p> <p>HortNZ supports providing for minor additions and allowing larger additions where risks can be avoided, remedied or mitigated.</p>	Retain and amend the definition of farm building as sought.
5	Policy 15.2.1.15	Support	<p>HortNZ supports this policy applying to new subdivision and development only. Horticulture cropping is a land use managed through audited farm plans which applies a risk-based approach to ensuring appropriate practices to improve environmental outputs. This includes management of soil, water, waterbodies and stormwater. It is also subject to the Regional Plan and other rules within the PWDP which are effective in the management of the matters addressed in this policy.</p>	Retain
6	Policy 15.2.3.2	Support in part	<p>The role of Waikato’s horticulture industry in securing food supplies to both local and international markets is discussed above. Also discussed, is the impact of climate change on the horticultural industry.</p> <p>A rapidly change, volatile climatic world has real risks for New Zealand’s long-term food security. Changes in soil structure, temperature, wind, and to the quality and quantity of water – all impact the ability to produce high quality fruit and vegetables in a quantity sufficient to meet demand.</p> <p>Food security is fundamental to ensuring the physical, mental, social, cultural and economic wellbeing of local communities. This should be recognised in the policy.</p>	<p>Amend</p> <ul style="list-style-type: none"> (a) Increase the ability of the community to adapt to the effects of climate change when undertaking future land use planning by: <ul style="list-style-type: none"> i. ensuring the potential environmental and social costs of climate change, including effects on indigenous biodiversity (inland migration), food security, historic heritage, Maaori Sites and Areas of Significance, mahinga kai, public health and safety,

				public access to the coast and waterway margins, and the built environment are addressed.
7	Policy 15.2.3.4	Oppose in part	<p>HortNZ would oppose this policy and setbacks from applying to any artificial crop protection structures. The design of these structures is such that there is unlikely to be any implications on the listed considerations in (b) (i) – (v). As mentioned, artificial crop protection structures consist of poles and permeable netting.</p> <p>This policy should apply to development only. Cultivation of land is a necessary function of outdoor horticulture. Cultivation commonly occurs right up to boundaries in order to maximise productive capacity of high class soils and versatile land. The HortNZ Code of Practice on Guidelines for Sediment and Erosion Control for Vegetables would outline setbacks and mitigation methods appropriate to the horticulture operation. Applying significant setbacks to cultivation/land use would render productive land unproductive.</p> <p>HortNZ notes that Stage 1 of the PWDP recommends significant setbacks from waterbodies. The reasons provided in the s32a and s42a reports claim these setbacks are necessary to provide for esplanade reserves and apply yard setbacks. HortNZ strongly opposes these setbacks and believes the additional yard areas are unnecessary and surplus to Council's requirements.</p>	<p>Retain policy, and</p> <p>Insert new provisions for artificial crop protection structures and exclude artificial crop protection structures from building coverage, setbacks and daylight angle controls as sought in Appendix 3 of the evidence of Ms Wharfe.</p> <p>Amend setback from waterbodies controls as sought in Appendix 3 of the evidence of Ms Wharfe.</p>
8	Rule 15.4.1 P4	Oppose in part	<p>The s32 report does not provide any rationale for distinguishing between farm buildings with a floor and without a floor. Nor does there appear to be sufficient analysis on the difference between habitable and non-habitable buildings.</p> <p>HortNZ is uncertain of the difference in level of risk between a farm building with a floor and one without. HortNZ supports a permitted activity status for</p>	<p>Amend:</p> <p>1 Construction of an <u>non-habitable</u> accessory building without a floor;</p> <p>2 Construction of a farm building without a floor.</p>

			<p>all non-habitable farm buildings as there is significantly less risk than a habitable building located in an area of natural hazard.</p> <p>The same rationale can be applied to 15.4.1 P4(1).</p>	
9	Rule 14.4.1 P8	Support in part	HortNZ's support is conditional to the definition of earthworks being amended to exclude ancillary rural earthworks.	Amend the definition of earthworks to exclude ancillary rural earthworks.
10	Rule 15.4.2 RD1	Support in part	HortNZ's support is conditional to the definition of earthworks being amended to exclude ancillary rural earthworks.	Amend the definition of earthworks to exclude ancillary rural earthworks.
11	Rule 15.4.3 D3	Oppose	<p>HortNZ's position on hazardous facilities is set out in our submission to PWDP Stage 1 and in the evidence of Ms Wharfe to Hearing 8A Hazardous Substances/Contaminated Land.</p> <p>In summary, the proposed definition of hazardous facility would include a tractor or quad bike with a spray tank with agrichemicals and hence would make the whole farm a hazardous facility. This would be prohibitive for day-to-day on-farm practice and is considered unnecessary given existing regulations under the Health and Safety and New Organism Act 1996 and Health and Safety at Work regulations.</p>	Adopt other changes sought in HortNZ's submission to Stage 1 relating to hazardous substances and in the evidence of Ms Wharfe to Hearing 8A, including amending the definition of hazardous facility.
12	Rule 15.5.1 P2	Oppose in part	As discussed above, there is no rationale for distinguishing between a farm buildings with or without a floor. HortNZ views the risk levels as being the same. HortNZ would prefer that artificial crop protection structures be excluded from the definition of farm building. The design and materials of these structures are such that there would be minimal risk to people, property or the environment in the event of a natural hazard.	<p>Amend:</p> <p>1 Construction of an non-habitable accessory building without a floor;</p> <p>2 Construction of a farm building without a floor.</p> <p>and</p> <p>exclude artificial crop protection structures from the definition of farm building,</p> <p>and</p> <p>adopt other changes sought in HortNZ's submission to Stage 1 relating to buildings, particularly</p>

				artificial crop protection structures.
13	Rule 15.5.2 RD2	Oppose in part	Matters relating to farm buildings with floors, or none and habitable buildings versus non-habitable buildings	Amend One addition to a lawfully established habitable building existing at [<i>the date this rule becomes operative</i>], where the addition does not increase the ground floor area of the existing habitable building by more than 15m ² , unless provided for in Rule 15.5.2 RD1.
14	Rule 15.5.4 NC1	Oppose in part	Matters relating to farm buildings with or without floors and habitable buildings versus non-habitable buildings	Amend Construction of a new habitable building or additions to an existing habitable building,
15	Rule 15.6.1	Support	Support the permitted activity status on condition of adopting changes in this submission.	Retain
16	Rule 15.6.3 D1	Oppose in part	Matters relating to farm buildings with or without floors and habitable buildings versus non-habitable buildings	Amend Construction of a new habitable building or new accessory building.....
17	Rule 15.6.3 D2	Oppose in part	HortNZ's submission to Stage 1 sought the definition of earthworks being amended to exclude ancillary rural earthworks. As discussed, these practices are critical to the day-to-day operation of horticultural activities and are managed through audited farm environment plans and the Code of Practice Guidelines on Sediment and Erosion Control. A 50m setback for ancillary rural earthworks would render high class soil and highly productive land, unproductive.	Amend the definition of earthworks to exclude ancillary rural earthworks.
18	15.13.1 Information requirements for all resource consent applications addressing	Support in part	HortNZ's support is conditional to the adoption of the recommended changes in this submission.	Retain and amend the definition of earthworks and adopt changes sought elsewhere in this submission relating to farm buildings or habitable/non-habitable buildings.

	natural hazards			
19	15.13.4 Defended Areas	Support in part	Support is conditional on the adoption of the recommended changes in this submission.	Retain and amend the definition of earthworks and adopt changes sought elsewhere in this submission relating to farm buildings or habitable/non-habitable buildings.
20	Definition – farm building	Oppose in part	As set out elsewhere in this submission, the design and nature of artificial crop protection structures is such that there is very little risk to people, property or environment from the location of these structures within natural hazard areas.	Amend For the purposes of Chapter 15, means a building that supports the primary use of the site for farming. It excludes residential units and artificial crop protection structures .