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**SUBMISSION ON TASMAN DISTRICT COUNCIL PROPOSED PLAN CHANGE 60:
Rural Land Use and Subdivision Policy Review**

TO: Tasman District Council

SUBMISSION ON: Proposed Plan Change 60: Rural Land Use and Subdivision Policy Review

NAME: Horticulture New Zealand

ADDRESS: PO Box 10 232
WELLINGTON

1. Horticulture New Zealand's submission, and the decisions sought, are detailed in the attached schedules:

- Schedule 1 Chapter 2 Meaning of Words
- Schedule 2: Chapter 7 Rural Environment Effects
- Schedule 3: Chapter 16.3 Subdivision Rules
- Schedule 4: Chapter 17 Rural Zone Rules
- Schedule 5: Chapter 19 Information required for land use or subdivision consent application
- Schedule 6: Chapter 6 Urban Environment Effects

2. Horticulture New Zealand wishes to be heard in support of this submission.

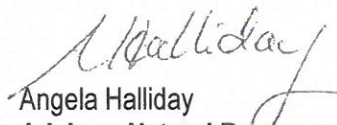
3. Background to Horticulture New Zealand and its RMA involvement:

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

3.2 On behalf of its 5,450 active grower members Horticulture New Zealand takes a detailed involvement in resource management planning processes as part of its National Environmental Policies. Horticulture New Zealand works to raise growers' awareness of the RMA to ensure effective grower involvement under the Act, whether in the planning process or through resource consent applications. The principles that Horticulture New Zealand considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:

- The effects based purpose of the Resource Management Act,
- 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 "right to farm" sense;

Thank you for the opportunity to submit on the Proposed Plan Change 60: Rural Land Use and Subdivision Policy Review.


Angela Halliday
Advisor, Natural Resources and Environment

Date: 14 March 2016

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SCHEDULE ONE: Chapter 2: Meaning of words

1.1 High productive value

The definition of high productive value sets out a range of characteristics which contribute to land being of high productive value.

There is no recognition of availability of water as an important component for land to be of high productive value. Without access and availability of water land is unlikely to be able to be used for high value production.

Decision sought:

Amend definition of high productive value by adding:

f) availability of water

①

1.2 Plant and animal production.

The term 'plant and animal production' is used throughout the plan change rather than 'soil based production'. Horticulture NZ supports the change. The definition lists a number of activities that are 'plant and animal production.' Viticulture is a separate activity from horticulture and should be specifically listed. It also needs to be clear that greenhouses are part of horticulture. There should also be provision for small scale packing of produce on site, as opposed to the transport of produce to packhouses. Workers accommodation for plant and animal production should be specifically included.

Decision sought:

Include 'packing of produce produced on site'

Include 'viticulture' as a specific activity.

Include 'including greenhouses' after horticulture.

Include 'workers accommodation' as part of plant and animal production

②

1.3 Reverse sensitivity

Horticulture NZ supports the definition of reverse sensitivity

Decision sought:

Retain the definition of reverse sensitivity

③

1.4 Rural character

The Plan Change seeks to amend the definition of rural character and include a definition for rural residential character. The concept of a making the distinction is supported however the change to the definition of rural character appears to weaken, rather than strengthen the definition by the addition of 'usually' in a number of places. That provides the opportunity for considerable discretion and so effectively weakens the definition and hence application.

The addition of recognition of crop protection structures and crop support structures is supported.

Decision sought:

Amend definition of rural character as follows:

c) built structures ~~usually~~ associated with productive rural land uses including artificial crop protection structures and crop support structures

e) Residential activity ~~usually~~ associated with a productive land use.

Add: h) a working rural production environment

(4)

1.5 Rural residential character

The inclusion of a definition for rural residential character that is linked to specific provisions for rural residential is supported. However the definition should just apply to Rural Residential Zones with the definition of 'rural character' applying outside of Rural Residential Zones as it is necessary to describe the rural area where rural production activities are undertaken.

Decision sought:

Amend definition of rural residential character:

Applies to the character of land as shown by the predominance of low density residential activity in Rural Residential Zones ~~rural areas~~ at locations that may be close to rural production activities and includes:

(5)

1.6 Rural industrial activity

The definition of 'rural industrial activity' is being amended to include reference to plant and animal production and the addition of packhouse and cold storage. While these changes are supported it needs to be clear that packing of produce produced on site is not classed as a packhouse or a rural industrial activity, but part of the plant and animal production activity.

Decision sought:

Add to the definition of Rural industrial activity: It does not include packing of produce produced on site where produced.

(6)

1.7 Shelter belt

The Plan Change seeks to amend the definition of Shelter belt and relates only to growing vegetative shelter belts. It needs to be recognised that artificial crop protection structures also provide shelter.

Decision sought:

Add to the definition of shelter belt: Crop shelter may also be provided through artificial crop protection structures.

(7)

1.8 Building

Rule 17.5.4 provides for horticultural spray and shelterbelts and includes artificial shelter.

Horticulture NZ seeks that the definition of building be amended to include an exemption for artificial shelters and crop support structures so that it is clear that these structures are not classed as buildings. These are open structures which are similar to

other structures which are exempt. A number of district councils have included an exemption for such structures from the definition of building so it is clear that they do not require building consent.

Schedule 1 of the Building Act 2004 sets out types of building work which do not require a building consent. The principle of Schedule 1 is to exempt work that is low risk and minor. Territorial authorities may grant exemptions if they consider the building work is unlikely to endanger people or any other building.

Artificial crop protection structures or shelters have advantages over live shelterbelts in that they are a fixed height and will not grow and impede on power lines. Therefore they should be encouraged over live shelters. Such crop protection structures are usually between 7 and 8 metres in height and may be vertical or horizontal. Crop support structures are used for growing crops, such as kiwifruit or apples and are generally no more than 2 metres high.

Given the nature of construction of artificial crop protection structures and that they are in an orchard location the likelihood of endangering people or other buildings is unlikely. Therefore it would be appropriate to provide an exemption for such structures from the definition of building in the Plan. This would clarify the status of such structures.

Decision sought:

Amend the definition of building by adding to the end of the definition:
But does not include crop support structures and artificial crop protection structure or artificial shelters.

8

Add a definition for artificial crop protection structures or artificial shelter as follows:
Artificial Crop Protection means structures with material used to protect crops and/or enhance growth, but does not include greenhouses.

9

1.9 Consequential amendments

Horticulture NZ seeks that consequential amendments be made as a result of changes sought in this submission.

Decision sought:

Make consequential amendments as a result of changes sought in this submission.

SCHEDULE TWO: Chapter 7: Rural Environment Effects

2.1 7.0 Introduction

The Introduction to Chapter 7 describes the rural environment. The Proposed Change seeks to add to the introduction to describe the zone framework, which is based on the productive value of the District's soil and land resources.

There should also be greater recognition of reverse sensitivity in the Introduction as it flows through into the objectives, policies and methods.

Decision sought:

Amend the 2nd Para of the Introduction by adding at the end, 'and reverse sensitivity'.

Amend Para 5 by adding at the end of the 1st sentence: 'and so create reverse sensitivity effects'.

Amend 2nd sentence in the first new paragraph as follows:

In these zones where that value is high, activities involving plant and animal production are prioritised above opportunities for rural residential housing industry or commercial activity, ~~where that value is high.~~

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2.2 7.1 Cumulative effects of land fragmentation on productive opportunities

2.2.1 7.1.2 Objectives

Horticulture NZ supports the addition of the new objectives but notes that the objectives only specifically refer to Rural Zones 1 and 2. As Chapter 7 is about the Rural Environment there should also be objectives for Rural Zone 3 and Rural Residential.

Decision sought:

Retain Objectives 7.1.2.2 and 7.1.2.3.

Add Objectives for Rural Zone 3 and Rural Residential Zones

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2.2.2 7.1.3 Policies

The Proposed Change seeks to provide greater protection for production land, including recognition of potential for reverse sensitivity, and this is supported.

Policy 7.1.3.3 seeks to avoid, remedy or mitigate effects of activities. Specific reference to reverse sensitivity effects should be included.

Policy 7.1.3.4 refers to the 'versatility of the land'. The plan refers to high productive value so versatility is not required.

Policy 7.1.3.6A seeks to avoid the potential for reverse sensitivity and this is supported. However it only applies to 'existing small allotments in the Rural 1 and 2 Zones'. The potential for reverse sensitivity can exist in all Rural Zones.

Policy 7.1.3.6B should use the defined term 'high productive value' and also provide for residential activity associated with the primary production activity.

Policy 7.1.3.6D seeks to 'discourage' commercial, industrial and rural industrial activities in the Rural 1 Zone, except where the activity is directly associated with primary production. This approach is supported however it is questioned whether a policy direction of 'discourage' is sufficient. If those activities are not wanted in the Rural 1 Zone the policy direction should be to 'avoid'.

Policy 7.1.3.6E then seeks to 'accommodate' rural living, commercial, industrial and rural activities in the Rural 1 Zone where the activity is wholly undertaken within existing buildings. This approach does not allow for an assessment of the effects on rural production activities from the new activity. It is unclear what is meant by 'rural activities' as this term is not defined in the Plan. In addition the term 'rural industrial activity' is defined and would be more appropriate to use in the policy.

Policy 7.1.3.6F seeks to enable rural living opportunities. Horticulture NZ seeks that additional matters are added to the policy to recognise rural character and reverse sensitivity effects.

Decision sought:

Amend Policy 7.1.3.3 by adding, 'Including reverse sensitivity effects'.

(16)

Amend Policy 7.1.3.4 by deleting: 'and the versatility of the land'.

(17)

Retain Policy 7.1.3.6A but ensure that potential for reverse sensitivity is avoided in all Rural Zones.

(18)

(19)

Amend Policy 7.1.3.6B: To protect land of high productive value from residential activity, except for that associated with the plant and animal production.

(20)

Amend Policy 7.1.3.6D by deleting 'discourage' and replace with 'avoid'.

(21)

Amend Policy 7.1.3.6E

- by deleting 'rural activities'
- Changing 'industrial' to 'rural industrial activity'
- Adding "and effects on plant and animal production activities are avoided".

(22)

Amend Policy 7.1.3.6F: To enable rural living opportunities in the Rural 1 and Rural 2 Zones where the actual or potential productive value of the land and rural character is retained and further subdivision and potential reverse sensitivity effects are avoided.

(23)

2.3 7.1.20 Methods of Implementation

Clauses 7.1.20.1 a) i) and ii) refer to the land with highest existing and potential productive value. High productive value is the defined term and should be used.

Decision sought:

Amend Clauses 7.1.20.1 a) i) by replacing 'the highest existing and potential productive value' with 'high productive value'.

(24)

Amend Clauses 7.1.20.1 a) ii) replacing 'the highest productive value' with 'high productive value'.

2.4 7.1.30 Principal Reasons and Explanation

Availability of water is important for rural production activities and should be included.

Decision sought:

Add to new paragraph 1: "Availability of water is also an important attribute for high productive value."

(25)

2.5 7.2 Provision for activities other than plant and animal production.

2.5.1 7.2.2 Objectives

It is unclear whether worker accommodation should be included in Objective 7.2.2.1 as a use of rural land. If it is considered part of plant and animal production, as sought in changes to the definition then it does not need to be included.

Opportunities are provided for a range of activities while avoiding the loss of land of high productive value. Activities should also avoid the potential for reverse sensitivity effects.

Provision for rural industrial locations is supported.

Decision sought:

Amend Objective 7.2.2.1 to retain 'Provision' and delete 'Retention'.
Add to Objective 7.2.2. 1: 'and potential reverse sensitivity effects'.

(26)

Include 'workers accommodation' as being provided for in Objective 7.2.2.1, unless specifically included in the definition for plant and animal production.

(27)

Retain Objective 7.2.2.3

(28)

2.5.2 7.2.3 Policies

Policy 7.2.3.1A refers to 'residential living opportunities' in rural, coastal, and peri urban areas (as a Rural residential zone) and then 'rural lifestyle living'. The policy should be clear it is about where Rural Residential Zones may be established.

Policy 7.2.3.1C sets out a number of matters to be considered for further subdivision and residential development in existing Rural Residential Zones but it does not include effects on adjacent plant and animal production activities. If the rural residential zone adjoins a rural zone then the boundary interface should be considered.

The provision for boundary setbacks in Policy 7.2.3.1E is supported.

Policy 7.2.3.1F seeks to 'discourage' residential activity on land having high productive value. It is questioned whether a policy direction of 'discourage' is sufficient. If residential activities are not wanted on high productive value land then the policy direction should be to 'avoid'.

Policy 7.2.3.2 sets out matters which will be given regard to in assessing the effects of an activity. Cross boundary effects are one such matter. It is considered that the policy direction could be clearer and specifically refer to potential reverse sensitivity

effects.

Decision sought:

Amend Policy 7.2.3.1A: To identify locations for Rural Residential Zones for rural residential opportunities in rural, coastal and peri-urban areas that are appropriate for their variety of qualities to allow for rural lifestyle living which will not adversely affect plant and animal production activities, including potential reverse sensitivity effects.

(29)

Amend Policy 7.2.3.1C b) by adding: 'and adjacent plant and animal production activities'.

(30)

Retain Policy 7.2.3.1E

(31)

Amend Policy 7.2.3.1F by deleting 'discourage' and replace with 'avoid'.

(32)

Amend Policy 7.2.3.2 to include 'workers accommodation' as being provided for unless specifically included in the definition for plant and animal production.

(33)

Amend Policy 7.2.3.2 d): cross boundary effects, including any actual and potential adverse effects and potential reverse sensitivity effects on existing activities from new or future activities.

(34)

2.6 Rural Character and Amenity Values

2.6.1 7.4.1 issues

The identification of reverse sensitivity in Issue 7.4.1.2 is supported.

Decision sought:

Retain Issue 7.4.1.2

(35)

2.6.2 7.4.2 Objective

While 7.4.1 Issues states reverse sensitivity as an issue it is not included in Objective 7.4.2.

Decision sought:

Amend 7.4.2 Objective as follows:

The adverse effects of activities on rural character, amenity values, and reverse sensitivity are avoided, remedied or mitigated.

(36)

2.6.3 7.4.3 Policies

It is unclear why Policy 7.4.3.5A only seeks to discourage 'continuing subdivision'. The policy should relate to all subdivision and effects, not just cumulative loss of rural character and amenity values.

Policy 7.4.3.5C refers to dwellings but residential development has been used in other parts of the plan. Adverse effects include cumulative effects so all potential adverse effects should be discouraged.

Decision sought:

Amend as follows:

Policy 7.4.3.5A To discourage subdivision of small allotments in the Rural 1 and Rural 2 Zones where this may contribute to the loss of rural character and amenity values and increase potential for reverse sensitivity effects.

37

Policy 7.4.3.5C To discourage residential development on existing small allotments where this may adversely affect rural character and amenity values and increase potential for reverse sensitivity effects.

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SCHEDULE THREE: Chapter 16.3: Subdivision

3.1 16.3.5 Rural 1 Zone

3.1.1 16.3.5.1 Controlled Subdivision

Rule 16.3.5.1 provides for subdivision of a minimum lot of 12 hectares as a controlled activity, unless it is an amalgamation of titles, subject to meeting conditions. The intent of the Proposed Plan Change is to make subdivision in Rural 1 more difficult.

Horticulture NZ seeks an additional condition to require that a nominated building platform be identified that has a 30 metre setback from all internal boundaries. Rule 17.5.3.2 e) seeks to have a 30 metres setback from internal boundaries for dwellings and habitable buildings. It is considered that a subdivision application should demonstrate that a suitable building platform can be identified that meets that setback.

Matter of control 7A considers reverse sensitivities. The term should be consistent with the definition in the Plan.

Decision sought:

Include an additional condition: Building platform: Identify a building platform for a residential dwelling with 30 metre setback from all internal boundaries.

39

Amend matters of control 7A: Amend 'reverse sensitivities' to reverse sensitivity

40

Retain matter of control 1A: Effects on productive potential

41

3.1.2 Schedule 16.3A Assessment Criteria for Subdivision

The following rules all require regard to the criteria in Schedule 16.3A:

16.3.5.1 Controlled Subdivision Rural 1 Zone

16.3.5.4 Discretionary Subdivision Rural 1 Zone

16.3.5.5A Non-complying Subdivision Rural 1 Zone

The schedule refers to potential effects of the subdivision on amenity values and the natural and physical character of the area but it does not explicitly consider potential for reverse sensitivity effects or rural character.

Decision sought:

Amend Schedule 16.3A to include additional assessment criteria for subdivision: Potential reverse sensitivity effects.

Amend Schedule 16.3A (2) by adding 'rural character.'

43

42

3.2. 16.3.6 Rural 2 Zone

Similar changes are sought for Rule 16.3.6.1 as for the Rural 1 Zone, such as adding a matter of control considering potential reverse sensitivity and requiring that a nominated building platform be identified that has a 30 metre setback from all internal boundaries. Rule 17.6.3.1 n) seeks to have a 30 metres setback from internal boundaries for dwellings and habitable buildings. It is considered that a subdivision application should demonstrate that a suitable building platform can be identified that meets that setback.

Decision sought:

Include an additional condition: Building platform: Identify a building platform for a residential dwelling with 30 metre setback from all internal boundaries.

44

Amend matters of control 7A: Amend 'reverse sensitivities' to reverse sensitivity

45

Retain matter of control 1A: Effects on productive potential

46

3.3 Rural Residential Zone

Rule 16.3.8.1 has a matter of control (9) Potential effects on rural character and amenity values which is supported. It is considered that there also needs to be consideration of cross boundary effects where the zone abuts a rural zone.

Decision sought:

Amend Rule 16.3.8.1 as follows:

Matter of control (9) Potential effects on rural character and amenity values and potential for reverse sensitivity effects where the subdivision abuts a rural zone.

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SCHEDULE FOUR: Chapter 17: Zone Rules

4.1 17.5 Rural 1 Zone Rules

4.1.1 17.5.2.1 Permitted Activities Noise

It would be appropriate to amend the hours for daytime to be 7 days a week as plant and animal production activities are not limited to Monday to Saturday.

Decision sought:

Amend definition of day: 7.00am – 9.00pm

Retain exemption for plant and animal production activities

(48)

(49)

4.1.2 17.5.3.1 Building Construction or Alteration or Use - Permitted Activities

Horticulture NZ supports the Proposed Plan Change to 17.5.3.1 Condition kb) where a 30 metre setback from internal boundaries is required for habitable buildings..

However Condition (ka) provides for a landowner to provide written permission for a reduced setback of 5m. It is unclear if this clause applies to habitable buildings as provide for under clause kb).

Horticulture NZ seeks that artificial crop protection structures are not included in the building coverage provisions as these are an essential part of plant and animal production.

Decision sought:

Amend 17.5.3.1 Clause ka): A building, other than a dwelling or habitable building, may be set back ...

(50)

Retain 17.5.3.1 Dwellings Condition kb)

(51)

Amend 17.5.3.1 l) Building Coverage by adding 'and artificial crop protection structures' after 'greenhouses' or amend definition of building as sought in this submission.

(52)

4.1.3 17.5.3.2 Building Construction or Alteration or Use - Controlled Activities

Horticulture NZ supports the Proposed Plan Change to 17.5.3.2 Dwellings Condition e) where a 30 metre setback from internal boundaries is required for dwellings and habitable buildings and that it is not limited to where there are horticultural plantings existing on an adjoining property.

The effects of buildings should not just be limited to where building coverage is exceeded.

Decision sought:

Retain 17.5.3.1 Condition e) i)

(53)

Amend Matter of control 5A: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production.

(54)

4.1.4 17.5.3.3 Building Construction or Alteration Restricted Discretionary Activities

Rule 17.5.3.3 relies on Matters of control in Rule 17.5.3.2. Changes are sought to matter 5A which is important for assessing a restricted discretionary activity.

Specific consideration of reduced building setbacks is appropriate.

Decision sought:

Amend Rule 17.5.3.2 Matter of control 5A: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production. (55)

Retain Rule 17.5.3.3 Matter 2) (56)

4.2 Rural 2 Zone Rules

4.2.1 Rule 17.6.2.1 Permitted Activities (Land use General)

Rule 17.6.2.1 Permitted Activities c) Noise provides for noise limits in the zone.

It would be appropriate to amend the hours for daytime to be 7 days a week as plant and animal production activities are not limited to Monday to Saturday.

Decision sought:

Amend definition of day: 7.00am – 9.00pm

Retain exemption for plant and animal production activities (57) (58)

4.2.2 17.6.3.1 Building Construction or Alteration or Use - Permitted Activities

Horticulture NZ supports the Proposed Plan Change to 17.6.3.1 Condition n) i) where a 30 metre setback from internal boundaries is required for habitable buildings. However Condition (ma) provides for a landowner to provide written permission for a reduced setback of 5m. It is unclear if this clause applies to habitable buildings as provide for under clause n).

Horticulture NZ seeks that artificial crop protection structures are not included in the building coverage provisions as these are an essential part of plant and animal production.

Decision sought:

Amend 17.6.3.1 Clause ma): A building, other than a dwelling or habitable building, may be set back (59)

Retain 17.6.3.1 Dwellings Condition n) i) (60)

Amend 17.6.3.1 p) Building Coverage by adding 'and artificial crop protection structures' after 'greenhouses' or amend definition of building as sought in this submission. (61)

4.2.3 17.6.3.2 Building Construction or Alteration or Use - Controlled Activities

The effects of buildings should not just be limited to where building coverage is exceeded.

Decision sought:

Amend Matter of control 5A as follows: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production.

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4.2.4 17.6.3.3 Building Construction or Alteration Restricted Discretionary Activities

Rule 17.6.3.3 relies on Matters of control in Rule 17.6.3.2. Changes are sought to Matter 5A which is important for assessing a restricted discretionary activity.

Specific consideration of reduced building setbacks is appropriate.

Decision sought:

Amend Rule 17.6.3.2 Matter of control 5A: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production.

Retain Rule 17.6.3.3 Matter 2)

63

4.3 Rural 3 Zone Rules

4.3.1 Rule 17.7.2.1 Permitted Activities (Land use General)

Rule 17.7.2.1 Permitted Activities c) Noise provides for noise limits in the zone.

It would be appropriate to amend the hours for daytime to be 7 days a week as plant and animal production activities are not limited to Monday to Saturday.

Decision sought:

Amend definition of day: 7.00am – 9.00pm

Retain exemption for plant and animal production activities

64

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4.3.2 17.7.3.1 Building Construction or Alteration or Use - Permitted Activities

Horticulture NZ supports the Proposed Plan Change to 17.7.3.1 Condition ga) where a 30 metre setback Rural 1 and Rural 2 Zones but it still means that a habitable buildings may be located within 5 metres of horticultural operation on an internal boundaries. This does not provide for the ability to adequately manage potential reverse sensitivity effects.

Horticulture NZ seeks that artificial crop protection structures are not included in the building coverage provisions as these are an essential part of plant and animal production.

Decision sought:

Amend 17.7.3.1 ga) by adding iv) :at least 30 metres from any internal boundary, except where the activity is an alteration to a dwelling and the setback to the boundary is thereby not reduced.

66

Amend 17.7.3.1 k) Building Coverage by adding 'and artificial crop protection structures' after 'greenhouses' or amend definition of building as sought in this submission.

(67)

4.3.3 17.7.3.2 Building Construction or Alteration or Use - Controlled Activities

The effects of buildings should be considered as part of a resource consent assessment.

Decision sought:

Add an additional Matter of control as follows: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production.

(68)

4.4 Rural Residential Zone Rules

4.4.1 Rule 17.8.3.1 – Permitted Activities Building, Construction, Alteration or Use

Rule 17.8.3.1 has condition h) which requires that dwellings and other habitable buildings are setback at least 30 metres from boundary of Rural 1, 2 or 3 zones. Horticulture NZ supports this provision

Decision sought:

Retain Rule 17.8.3.1 condition h) setbacks.

(69)

4.4.2 Rule 17.8.3.1A Controlled Activities – Building Construction, Alteration or use

Rule 17.8.3.1A is a new rule and sets out matters over which Council reserves control.

Matter 2) refers to 'productive activities'. This is taken to mean 'plant and animal production' as defined in the Plan,

The effects of all buildings should be considered as part of a resource consent assessment, not just where they exceed building coverage requirements.

Decision sought:

Amend Rule 17.8.3.1A matter 2) by deleting 'productive activities' and replacing with 'plant and animal production activities'.

(70)

Amend Matter of control (5) as follows: Effects of buildings, including dwellings, on rural character and amenity and potential for reverse sensitivity effects on plant and animal production.

4.4.3 Rule 17.8.3.2 – Restricted Discretionary Activities Building, Construction, Alteration or Use

Rule 17.8.3.2 has condition e) which requires that dwellings and other habitable buildings are setback at least 30 metres from boundary of Rural 1, 2 or 3 zones. Horticulture NZ supports this provision

Decision sought:

Retain Rule 17.8.3.2 condition e) setbacks.

(71)

SCHEDULE FIVE: 19.2 Information Required for land use or subdivision consent applications.

- 5.1 Both the Land use (19.2.1) and Subdivision (19.2.2) require a 'productive value report' as part of the consent application.

The Proposed Plan Change lists matters that must be included in a productive value report.

However the matters do not include availability of water. This is critical matter to be considered in the context of productive value.

Decision sought:

Add to 19.2.1 Land use and 19.2.2 Subdivision Productive Value Report:
g) 'Availability of water'

72 73

SCHEDULE SIX: Chapter 6 – Urban Environment Effects.

6.1 Land Effects from Urban Growth

6.1.1 6.2.3 Policies

Horticulture NZ supports limiting urban expansion onto land with high productive value through Policy 6.2.3.3 and ensuring that the urban rural interface with rural production activities is managed to avoid potential effects.

Decision sought:

Retain Policies 6.2.3.3, 6.2.3.5 and 6.2.3.8.

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6.1.2 6.2.30 Principal Reasons and Explanation

The Plan Change amends use of the term 'versatile land' to land with 'high productive value' as this is the defined term in the Plan.

However it is noted that not all changes are made.

Decision sought:

Amend 6.2.30 1st paragraph last sentence by replacing 'versatile soils' with 'land with high productive value'.

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Amend any other instances where 'versatile soils' is used.

Submission on a Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:


Manager, Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 03 543 9524 OR Email steve.markham@tasman.govt.nz

Cover Sheet

OFFICE USE

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218.2.16

Initials: 

Submitter No.

2891

Note:

This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.

Submitter Name: New Zealand Fire Service Commission
(organisation/individual)

Representative/Contact: Claire Fell (Beca Ltd)
(if different from above)

Postal Address:
85 Molesworth Street
PO Box 3942
Thorndon
Wellington

Home Phone: _____

Bus. Phone: 04 901 2381

Fax: _____

Email: claire.fell@beca.com

Date: 17-Feb-2016

Postal address for service of person making submission:
(if different from above)

Signature: _____

NOTE: A signature is not required if you make your submission by electronic means.

Total number of pages submitted (including this page): 2

IMPORTANT – Please state:

This submission relates to Change No.: 60

Change Title/Subject:
Rural Land use and Subdivision Policy Review

- I/we wish to be heard in support of my/our submission.
- I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Please attach this cover sheet to your supplementary sheet(s) outlining your submission request(s).

FORM 5

**SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION-
UNDER THE RESOURCE MANAGEMENT ACT 1991**

To: Tasman District Council

Submission on: Tasman Resource Management Plan- Plan Change 60

Name of submitter: **New Zealand Fire Service Commission (the NZFS Commission)**

Address for service: C/- Beca Ltd
PO Box 3942
WELLINGTON 6140

Attention: Claire Fell

Phone: 04 901 2381

Email: Claire.fell@beca.com

This is a submission on Plan Change 60 of the Tasman Resource Management Plan on matters concerning the New Zealand Fire Service Commission (NZFS Commission).

The specific parts of the application that the NZFS Commission's submission relates to are:

The changes to rules within the Rural 1, 2 and 3 zones as well as the Rural Residential Zone

Reason for submission:

In achieving the sustainable management of natural and physical resources under the RMA 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. The NZFS Commission has a responsibility under the Fire Service Act 1975 to provide for structural firefighting activities in a safe, effective and efficient manner. As such, the NZFS Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

The NZFS Commission would like to take the opportunity to thank Tasman District Council for their willingness to include the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (the NZFS Code) within the District Plan.

The NZFS Commission would like to show their support for the proposed minor changes to rules:

- 17.5.3.2(d)
- 17.6.3.1(r)
- 17.7.3.2(c)
- 17.8.3.1(m)

The purpose of these changes is to list home fire-sprinkler systems before onsite water supply as a means of complying with the NZFS Code. This brings sprinklers to the forefront of the mind when thinking about the best way to achieve compliance with the NZFS Code, without altering the intent of the Rules. The NZFS Commission strongly supports this alteration as sprinklers are the preferred option for compliance with the NZFS Code as they provide the most effective means of early fire suppression, particularly in isolated areas.

The NZFS Commission's submission is:

This is a submission in **support** from the NZFS Commission for the following changes:

- Amend condition 17.5.3.2(d) by swapping items (i) and (ii) so that reference to a home fire-sprinkler system is listed as the first option.
- Amend condition 17.6.3.1(r) by swapping items (i) and (ii) so that reference to a home fire-sprinkler system is listed as the first option.
- Amend condition 17.7.3.2(c) by swapping items (i) and (ii) so that reference to a home fire-sprinkler system is listed as the first option.
- Amend condition 17.8.3.1(m) by swapping items (i) and (ii) so that reference to a home fire-sprinkler system is listed as the first option

- ①
- ②
- ③
- ④

The NZFS Commission seeks the following decision from the Council:

That the above proposed changes be made to the District Plan if Plan Change 60 is approved.

The NZFS Commission does not wish to be heard in support of their submission.



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(Signature of person authorised to sign on behalf of New Zealand Fire Service Commission)

17/02/2016

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Date

