

HEARING SUBMISSION

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To: Manawatu District Council Hearing Committee

Submission on: Plan Change 55

Date: 7 December 2016

Submission by: Federated Farmers of New Zealand
Manawatu-Rangitikei Province

Address for Service: **CORALEE MATENA**
REGIONAL POLICY ADVISOR
Federated Farmers of New Zealand
PO Box 945, Palmerston North 4440
P 06 353 5104
M 027 265 1648
E cmatena@fedfarm.org.nz

1. I am Coralee Matena, a Senior Policy Advisor in the Federated Farmers Regional Policy Team. I am based in Palmerston North, however as well as providing policy support to the Manawatu-Rangitikei Federated Farmers Province, I also support the Wanganui, Hawkes Bay and Wairoa Provinces, as well as the wider national membership for Central Government matters. For clarity, today when I refer to Federated Farmers, I am referring directly to the Manawatu-Rangitikei Province. Thank you for this opportunity to table this evidence to you today.
2. Manawatu-Rangitikei Federated Farmers is a strong, unified and proactive Province. The Province's Executive Team works hard to advocate on behalf of its members, taking a particular interest in regulatory processes like this one.
3. Federated Farmers welcomes the approach the Manawatu District Council takes towards its rural communities. We are grateful for the Council's effort to consistently enable our District's farmers.
4. With regard to our submission and further submission on Plan Change 55, in general we were pleased to see that a number of our recommendations were either picked up in full, or the intent of which now shapes the reviewed Plan.
5. We also appreciate that for a number of our recommendations, it was not appropriate to accept the submission points, as set out in the Hearing Report analysis. Unless discussed specifically, it

can be taken that Federated Farmers accepts the Officer's comments as found in the Hearing Report.

6. However, there are a handful of recommendations that we believe Council should consider further. The substance of this statement will therefore go to these matters.

Definition - Earthworks

7. Our submission sought an amendment to the Earthworks definition to also exclude a number of other activities which we consider are normal primary production activities. We note that the recommendation made in the Hearing Report, is that some of these additional items be included. We thank Council for picking up these activities as further exclusions, as these are consistent with general farming practices.
8. Federated Farmers has been in communication with Transpower New Zealand, to come to agreement on the text inclusion that Transpower has put forward, specifically '*unless within the National Grid Yard*'. In our Further Submission, we opposed this relief sought, as inclusion of this text is not consistent with the approach agreed recently by other Territorial Authorities.
9. After discussions with Transpower, Federated Farmers agreed that the text could be retained for the exclusion 'aggregate extraction', given the proposed definition of aggregate extraction and the nature of activities that this is likely to capture (beyond day to day farming activities). We did however, not reach an agreement on this text being included for 'fences and fence lines'.
10. The Hearing Report notes that Rule 3D.4.1 permits vertical holes for farm fences subject to specific sizes, therefore enabling the activity for which our submission was seeking. ***Federated Farmers accepts these comments, as long as fencing for farming activities are able to continue to be provided for.***

Network utilities

11. Federated Farmers made submissions and further submission that sought greater recognition of land uses and landowner rights, to ensure that they are not adversely affected by network activities. We note that the Hearing Report recommendations have predominantly rejected these submissions, noting that these matters will be considered during the Rural Zone Plan Change.
12. Federated Farmers reiterates our concerns made in our primary submission, regarding the confusion and complication of notifying and making decisions on Plan Changes when further District Plan Consultation regarding other, yet often inter-related provisions is yet to occur. It is apparent from the submitter comments, including those from Federated Farmers, that given it is currently unknown what the wider District Plan will provide, there are concerns with regard to how the provisions within Plan Change 55 may either, set precedence, or supersede any subsequent Plan Changes.
13. Given the overarching nature of this Plan Change, we therefore ***recommend that the Council does not seek to make this Chapter operative until subsequent chapters have been notified and amended as per necessary consultation.***

Earthworks

14. Federated Farmers made a submission regarding the earthwork provisions, in particular the interface with what is required in the Rural Zone. Given the ambit of the Manawatu-Rangitikei Regional Council, we submitted that earthworks in the rural zone are best captured and regulated by the Regional Council.
15. The Hearing Report states that the Regional Council One Plan does not address all earthworks matters, however it does recognise the importance of guidance notes to direct plan users to the requirements of the One Plan. ***Federated Farmers supports specific references in the Plan directing the user to overarching regulations.***
16. We also note that the Hearing Report states that earthwork volumes will be assessed for the Rural Zone as part of the Rural Zone plan change. While it is accepted that such volumes may be addressed at a later stage, in the interim the effect of the exclusion is that earthworks in the Rural Zone are not provided for.
17. In particular, the Discretionary Activity Rule 3D.4.4 states: '*Any earthworks that do not meet the Permitted activity standards, or is not specifically provided for in this Plan, shall be a discretionary activity*'. We argue that it could be taken that because the Rural Zone is not specifically provided for, it would fall under 3D.4.4. ***It needs to be clear that this is not the intent of the Plan.***

Reverse sensitivity

18. Federated Farmers made a number of further submissions regarding reverse sensitivity, supporting the submissions put forward by Horticulture NZ and the NZ Defence Force. We note that the Hearing Report substantially rejects these submissions, on the basis that a definition was introduced through the Industrial Plan Change and that the concept of reverse sensitivity is broadly understood and accepted. Federated Farmers does not support this reasoning.
19. Reverse sensitivity is an issue that is wider than industrial and the definition should have been included within a wider framework than just industrial. Federated Farmers is concerned about the extent to which the Rural Zone provisions, when consulted, will provide for reverse sensitivity. We therefore ask ***that Council include provisions that clearly identify reverse sensitivity as an issue, supported as required with the necessary policies and rules.***

Noise

20. Federated Farmers further submission, supported the relief sought by Horticulture NZ that:
 - 3C.4.2 d) iv) be amended to:
Rural production activities, including helicopter landing areas and rural airstrips are part of rural production activities, except for intensive farming
 - Guidance Notes 2) relating to noise from helicopters using separate landing areas be amended by adding: but intermittent use for rural production activities is exempt.
21. We note that the Hearing Report does not support these changes as it is considered that they are appropriately controlled by NZ Standards. Federated Farmers however understands, that neither standard is intended to apply to infrequently used airports or

landing areas. Therefore, they are not designed to be applied to operations such as rural production activities which are intermittent, as opposed to being used for regular use.

22. Helicopters and fixed wing aircraft are an important contributor to rural production and should be adequately provided for in the plan as a permitted activity. It is essential that the District Plan provides for these activities when undertaken in rural areas on an intermittent basis.

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers and members of local communities.

Federated Farmers thanks the Manawatu District Council for considering our Hearing Statement to PC55 of the Manawatu District Plan.

