Plan Change 25 - Submission

B&A Urban & Environmental

16

Shelter Belts and Artificial Crop Protection Structures

New Zealand Kiwifruit Growers Inc. & Horticulture New Zealand

To: Waipa District Council

From: Simone Williams – Barker & Associates Limited

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1.0 Submission Details

1. This submission is a **joint submission** on behalf of New Zealand Kiwifruit Growers Inc. & Horticulture New Zealand.
2. NZKGI & HNZ supports Plan Change 25 in part based on the reasons outlined in this document.
3. The submission relates to Plan Change 25 in its entirety.
4. NZKGI & HNZ does not consider it can gain an advantage in trade competition through this submission.
5. NZKGI & HNZ wishes to be heard in support of its submission.

2.0 NZKGI & HNZ Submission

6. NZKGI & HNZ supports in part Plan Change 25 (PC25), provided that the potential impacts on horticultural productivity and land use are properly mitigated. Without adequate mitigation measures, NZKGI & HNZ opposes PC25.
7. NZKGI & HNZ's support for PC25 is subject to incorporating plan provisions that provide:
   (a) Clear and robust expectations for a rural working environment where ACPS are recognised as a positive contribution to maximizing the productivity of horticultural activities.
   (b) Rules that are user-friendly for growers, farmers, and neighbours, making them easy to understand and implement;
   (c) An incentivised pathway that encourages the use or planting of hedges and shelterbelts, allowing for reduced setbacks for ACPS and enabling more efficient use of highly productive land;

(d) Alignment with the objectives, policies and clauses in the National Policy Statement for Highly Productive Land (NPS – HPL); and

(e) A more flexible rule for Landscape, Viewshaft, and Natural Landscape areas that permits the use of ACPS, provided they are appropriately mitigated or screened from public view.

3.0 Reasons for Submission

8. NZKGI & HNZ is concerned about the below effects that may result from Plan Change 25 (PC25) on growers within the district if not properly addressed:

- Reverse Sensitivity
- Artificial Crop Protection Structures (ACPS)
- Shelterbelts

3.1 Reverse Sensitivity

9. The horticulture sector is facing increasing issues with reverse sensitivity as more people move into productive areas without realistic expectations about the activities involved in primary production. Additionally, innovations and more efficient growing methods, such as artificial crop protection structures (ACPS) and newer technologies, are changing the way horticulture operates and is perceived within rural environments.

10. PC25 should provide a management framework that appropriately balances amenity expectations with the operational needs of a rural working environment, where primary production activities are legitimate and anticipated. Rural land is used for productive purposes, and plan provisions should reflect that primary production activities, including the use of crop protection structures, are an expected component of the Rural Zone.

11. District plans require a clear and workable management framework that incorporates realistic setbacks and enables the use of hedges and shelterbelts as effective mitigation tools. This approach reduces the loss of productive land while improving compatibility between productive activities and surrounding properties.

12. NZKGI & HNZ seeks provisions that protect primary production activities by enabling setbacks and mitigation measures, including hedges and shelterbelts, to be used in a practical and incentivised manner. The planting of a hedge can provide effective screening in place of increased setbacks and enables more efficient use of the soil resource. This approach aligns with Policy 3.13 of the NPS-HPL, which directs that reverse sensitivity effects be managed without unduly constraining land-based primary production.

3.2 Artificial Crop Protection Structures (ACPS)

13. Horticulture continues to evolve in response to climatic variability, biosecurity risks, and market demands. Artificial crop protection structures are now a common component of modern orchard systems and are used to improve crop resilience, quality and production certainty.

14. NZKGI & HNZ supports improved plan clarity for ACPS through clear definitions and rules, to reduce uncertainty and improve understanding for growers, farmers, neighbours, and decision-makers.

15. In Waipā, it is acknowledged that 37% of the soils found within the Rural Zone are high class soils (Land Use Classes 1, 2 and 3). Noting that this percentage excludes peat soils, which have been recognised in the NPS-HPL as Class 3. These contribute to over 9% of the high-class soils nationally.

16. ACPS support the efficient use of highly productive land for primary production. Where setbacks and related standards apply, those controls should be proportionate to the effects being managed and workable in practice. The impact is proportionally greater on smaller titles. In addition, kiwifruit rows are not established to the full extent beneath the structure and require internal operational margins, resulting in further loss of productive area. The cumulative effect reduces land use efficiency, which is directly relevant to the purpose of the NPS-HPL.

17. A recent Commissioners' decision for ACPS in the Waipā District (LU/0147/22 and LU/0252/22) granted resource consent with the following conclusion:

    "13.3 Furthermore, the submitters (from a pragmatic point of view) should not expect the level of privacy and amenities that might be expected in a residential neighbourhood. The occupiers of what is a relatively small property in a rural area should expect neighbouring land to be developed and used for purposes as proposed in the applications."

18. And, Environment Court consent order (Decision [2024] NZEnvC 063) dealing with appeals on Topic 11, Subtopic 11 (General Rural Zone land use activities) of the Proposed Waikato District Plan (PDP), brought by Horticulture New Zealand and Federated Farmers against Waikato District Council, which concludes:

    "(u) The economic benefits of the use of ACP Structures outweighs the benefits of maintaining an open rural character, especially where such structures in part contribute to that character themselves; and"

19. These decisions provide relevant context for assessing rural amenity expectations. It confirms that occupiers of rural properties should reasonably expect neighbouring land to be developed and used for primary production purposes, including the use of crop protection structures.

3.3 Shelterbelts

20. Shelterbelts are important for primary production, including providing shelter from wind, spray drift and assisting with wind management.

21. Shelterbelts can also provide visual screening between productive activities (such as spray drift) and adjoining properties and can be an effective mitigation measure in appropriate locations.

22. NZKGI & HNZ notes that where large shelterbelt setbacks apply, these can contribute to a loss of productive land, particularly when combined with other yard and setback requirements.

23. NZKGI & HNZ seeks provisions that support the establishment and ongoing maintenance of shelterbelts and hedges for both their functional benefits and their role in mitigating effects, while also enabling efficient use of productive land.

4.0 Requested Amendments to Plan Change 25

24. NZKGI & HNZ seeks the following changes on Plan Change 25 as set out below:

    Additions are indicated by bolded <u>underlining</u> and deletions by ~~strikethrough~~ text.

Provision	Support/ Oppose	Reason	Decision Sought
Definitions			
Definition of "Artificial screen"	Support	This is a supplementary definition to ACPS and Crop support structures, as outlined below.	Retain this definition, with a suggested diagram clearly defining the difference between an artificial screen, ACPS, and crop support structure.
Definition of "Artificial crop protection structures"	Support		Retain this definition, with a suggested diagram clearly defining the difference between an artificial screen, ACPS, and crop support structure.
Definition of "Building"	Oppose in Part	The definition of a building should exclude ACPS (AND artificial screens as contained in that definition) and crop support structures, to remove ambiguity. If the structures are not specifically excluded from the building definition, then other standards like site coverage will apply, where they are not relevant. **We consider this to be a critical change for the Council to make for clarity and certainty when interpreting the District Plan.**	Include: "... but does not include: • ARTIFICIAL CROP PROTECTION STRUCTURES • CROP SUPPORT STRUCTURES
Definition of "Crop support structures"	Support	A new definition has been added for crop support structures, which are distinct from artificial crop protection structures, consistent with NZKGI & HNZ draft feedback.	Retain this definition, with a suggested diagram clearly defining the difference between an artificial screen, ACPS, and crop support structure.
Definition of "Farming activities"	Support	NZKGI & HNZ supports the addition of the ACPS and crop support structures to the farming activities definition.	
Definition of "Shelterbelt"	Support	NZKGI & HNZ supports that smaller hedges outside of landscape and viewshaft areas are not considered to be shelterbelts.	
Rural Zone			
Introduction 4.1.3	Support	The acknowledgement of horticulture and crop	

		production in Section 4.1.3 is appropriate.	
Introduction 4.1.12	Support in part	Amend the description of rural character to more accurately reflect the nature of the rural area. It is not accurate to describe flat to rolling terrain, which is primary production land, as being open and largely free from development. NZKGI & HNZ supports the amendments made in 4.1.12 d).	Amend 4.1.12 b): Some areas of ~~open~~ landscapes containing natural features and scenic vistas, including ~~flat to rolling terrain~~, volcanic cones, streams, lakes, peat lakes, rivers and wetlands ~~that are largely free from development~~
4.3.2.x	Suggested addition	A new policy is needed to better ensure that reverse sensitivity effects on primary production activities are acknowledged and addressed.	Include a new policy under 4.3.2: To avoid reverse sensitivity effects and ensure that primary production activities are not adversely affected by the establishment of sensitive activities in the Rural Zone.
4.4.1.1 z) Activity Status tables	Support	A new line should be added for shelterbelts, crop support structures and artificial crop protection structures, which do not have to rely on the farming definition for permitted activities. Crop support structures are akin to a fence, so they should be provided for as a permitted activity.	Add additional lines to 4.4.1.1 z) (z) Shelterbelts, crop support structures and artificial crop protection structures.
4.4.1.3 o)	Support	This activity aligns with subsequent shelterbelt rules and standards.	
Section 4.4.2.1 a) Minimum building setbacks from road boundaries	Oppose in part	A 6m setback would result in a measurable loss of productive land. A 0m road boundary yard for ACPS and crop support structures is consistent with typical orchard layouts. Operational headlands for farm vehicle manoeuvring and maintenance are provided internally within the site and do not rely on a road boundary setback. Effects on road safety and rural character can be managed through height and	Amend 4.4.2.1 c. For artificial crop protection structures, and crop support structures 6m Except no setback applies where the structure uses green or black vertical cloth or is screened by an existing shelterbelt.

		material controls rather than reliance on yard depth. A new rule for artificial crop protection structures is included as 4.4.2.88. It would be more appropriate for all provisions relating to ACPS to be located in that rule.	
4.4.2.2 Minimum setbacks from internal site boundaries	Oppose in Part	A 0m internal boundary setback is appropriate for ACPS and crop support structures because maintenance is typically undertaken from within the site. Crop support structures are akin to a fence, so a 0m boundary setback is appropriate for ACPS. An external maintenance corridor is not generally required. Effects at sensitive interfaces can be addressed through targeted controls, such as screening or limited setbacks where an established residential building is located in close proximity. A new rule for artificial crop protection structures is included as 4.4.2.88. It would be more appropriate for all provisions relating to ACPS to be located in that rule.	Amend 4.4.2.2 d. Artificial crop protection structures and crop support structures 6m when a neighbouring dwelling is located within 12m of the boundary. Except no setback shall apply where: i. No dwelling is located within 12m of the boundary. ii. Any adjoining site is held in common ownership. iii. The artificial crop protection structure or crop support structure is screened from any adjoining site (not in common ownership) by a ~~existing~~ shelterbelt. vi. The encroachment is authorised by a deemed permitted activity notice in accordance with s.87BA(2) of the Resource Management Act 1991.
4.4.2.9A Height of buildings	Oppose	Artificial crop protection structures may be over 6m in some circumstances. Other plans have a range of heights between 8-12m. 6m is not a suitable height for modern ACPS. The reasons for this requested change are discussed more in Section 5.3 of this submission.	Amend 4.4.2.9A to 9m in height.
4.4.2.57A Shelterbelts	Oppose in part	Consistency with the above setbacks, 3m is the standard width required for a farm vehicle and maintenance.	b. the minimum setback of any shelterbelt planted after [date] shall be 3m.

4.4.2.88	Oppose	Vertical cloth materials should only be limited in colour choice when in proximity to a boundary unless a shelterbelt exists to screen the cloth from the boundary. The wording "if the cloth cannot be seen from outside the site" is vague and could mean any location in which the cloth is visible. **NZKGI & HNZ seeks consolidation of all Rural Zone operational standards relating to artificial crop protection structures, including setbacks, height and materials, within Rule 4.4.2.88. This approach improves clarity, reduces duplication, and ensures the provisions are drafted specifically for horticultural structures rather than relying on general building standards.**	Amend 4.4.2.88 a) For all vertical / side surfaces Except no colour control applies if the ~~cloth cannot be seen from outside the boundaries of the site~~ cloth is screened by a shelterbelt. Add setback and height provisions as sought with respect to 4.4.2.2 and, 4.4.2.1 and 4.4.2 9A to 4.4.2.88. Add additional matter of discretion: The productive benefits of artificial crop protection structures.
Assessment Criteria (Rural Zone)			
21.1.4.6A	Oppose in Part	The phrase visual openness is vague and is open to interpretation. We consider the Council is trying to consider visual sightlines and road safety.	a. the extent to which the crop structure ~~alters the visual openness of road corridor~~ alters road visibility and sightlines.
21.1.4.13	Support in part	Consideration should be given to the positive effects of shelterbelts.	Amend 21.1.4.13 by adding: The ability of the shelterbelt to mitigate the effects of ACPS.
21.1.4.29	Oppose in part	An additional consideration should be the productive benefits.	Add to 21.1.4.29 The productive benefits of artificial crop protection structures
Landscapes & Viewshafts			
25.2.12	Support in part	It should also be acknowledged that shelterbelts can be used to mitigate effects without blocking views.	Amend 25.2.12 by adding: However, shelterbelts can also be used to mitigate impacts on medium to long-distance views and landscapes by shielding structures such as ACPS and, therefore, when used in these ways, without blocking views within these environments, can have a positive impact on views.
25.3.10.1	Oppose in part	ACPS should be able to locate in view shafts if appropriate	Amend 25.3.10.1:

		measures are taken to mitigate visual effects	Artificial crop protection structures shall not be located in viewshafts for outstanding natural features, mountains and heritage items unless the visual effects are appropriately mitigated through vegetative hedges or shelterbelts.
25.4 Rules	Oppose in part		Amend 25.4.1.1h) Add a permitted activity rule with standards and an RD where the standards are not met. Permitted activity standards Dark green or black cloth shall be used on all vertical faces Green or black cloth shall be used horizontally where the slope is over 10^0 The structures shall be set back 5m from the road boundary unless screened with natural shelter Where a continuous cover of white cloth is used horizontally, the natural shelter shall be provided to separate blocks so that the maximum continuous cover in any one block is 5 hectares.
Rule 25.4.2.11	Oppose	The rule relies on subjective interpretation and would be difficult to consistently implement and enforce. Compliance would be challenging to verify across extensive rural road networks and public viewpoints. For these reasons, the rule should be deleted.	Delete this rule in its entirety.

5.0 Further reasoning behind the proposed amendments

5.1 Setbacks: ACPS & crop protection structures

25. NZKGI & HNZ's primary concern with the proposed setbacks is the loss of productive land on highly productive soils, particularly where artificial crop protection structures (ACPS) are used to support horticultural production. The Rural Zone provisions acknowledge that Waipā District contains a significant area of high-class soils, and that maintaining this resource for rural production is of critical importance. PC25 includes provisions to provide greater clarity for ACPS and shelterbelts. NZKGI & HNZ considers the proposed setbacks are not necessary in all cases to manage effects.

26. Based on standard orchard practice, NZKGI & HNZ seeks a 0m road boundary setback for ACPS and crop support structures. This reflects operational layout requirements and aligns with national direction to enable efficient use of highly productive land. PC25 introduces other effect management tools, including colour and height controls, which reduce reliance on yard setbacks as the primary mitigation measure.

27. NZKGI & HNZ considers a reduced setback is appropriate because it reflects:

- the operational requirements for tractor access and maintenance, including workable headlands and access for ongoing management
- the direction of the National Policy Statement for Highly Productive Land to enable efficient use of highly productive land for land-based primary production, and to manage reverse sensitivity without unnecessarily constraining primary production activities
- the fact PC25 introduces other effect management measures (for example, colour controls for permeable cloth and specific height controls), reducing reliance on yard setbacks as the primary mitigation tool.

28. NZKGI & HNZ also seeks a clear and user-friendly pathway for growers. Locating ACPS provisions in a single, specific rule (rather than spread across general building yard controls) would improve certainty and implementation.

29. Overall, NZKGI & HNZ seeks setbacks that are proportionate to the effects being managed and that recognise the operational realities of horticulture, including minimising unnecessary loss of productive land.

5.2 Setbacks: Shelterbelts

30. NZKGI & HNZ supports the intent of PC25 to manage the effects of shelterbelts on neighbouring properties, road safety, and infrastructure, and acknowledges the rationale for requiring an ability to maintain shelterbelts within the subject site. NZKGI & HNZ also considers the Plan should more explicitly recognise that shelterbelts and hedges can mitigate visual and reverse sensitivity effects and can enable more efficient land use outcomes than relying on setbacks alone.

31. NZKGI & HNZ seeks a framework that provides a practical maintenance pathway and enables shelterbelts and hedges to be used as mitigation where appropriate.

32. NZKGI & HNZ seeks provisions that:

(a) provide a practical maintenance pathway (including setbacks that reflect operational needs)

(b) encourages or incentivises the use of shelterbelts and hedges as mitigation for ACPS, including where screening enables reduced setbacks for crop structures

(c) avoid unintended cumulative outcomes where combined setbacks result in an excessive unproductive margin on highly productive land.

33. NZKGI & HNZ also notes that artificial screens (as a form of permeable-cloth screening) may raise different maintenance considerations compared with planted shelterbelts and seeks a framework that recognises these differences where maintenance access is the key effect being managed.

34. Overall, NZKGI & HNZ seeks a framework that recognises shelterbelts and hedges as a positive mitigation measure and avoids unnecessary sterilisation of productive land through cumulative setback requirements.

5.3 Maximum height for shelterbelts and crop structures

35. Clear height standards for shelterbelts and artificial crop protection structures provide certainty and assist in managing landscape and amenity effects. Height limits should reflect the operational requirements of horticulture and local topographical conditions, rather than applying a uniformly restrictive standard. NZKGI & HNZ seeks height standards that reflect the operational context of horticulture and local site conditions.

36. In relation to shelterbelts, NZKGI & HNZ seeks an increased permitted height of 9m, recognising the practical need for shelterbelts to function effectively in undulating rural environments and to manage wind turbulence and extreme weather events. 8m is the standard height for kiwifruit ACPS, and an additional 1m allows for topographical changes.

37. An unduly restrictive height limit would reduce the functional effectiveness of shelterbelts and may increase reliance on setbacks to manage visual effects. This outcome would result in greater loss of productive land without necessarily improving amenity outcomes.

38. In relation to ACPS, NZKGI & HNZ considers a fixed low maximum height may not reflect the range of structures required for different crops and growing methods. Where higher structures are required, NZKGI & HNZ seeks a clear and efficient consenting pathway.

39. Overall, NZKGI & HNZ seeks practical height standards that reflect a rural working environment and support shelterbelts as an effective mitigation tool alongside setbacks.

5.4 Landscape and viewshaft provisions

40. NZKGI & HNZ supports management of landscape and viewshaft values. However, the framework should provide a clear, effects-based pathway for artificial crop protection structures where adverse visual effects can be appropriately avoided, remedied or mitigated. A blanket prohibition does not reflect the operational context of horticulture or the ability to manage visibility through screening and colour controls.

41. NZKGI & HNZ seeks a simpler, more targeted effects-based approach, including by considering comparable district plan provisions.

42. NZKGI & HNZ seeks provisions that:

- focus controls on effects relevant to landscape and viewshaft contexts, including visibility from public places, integration with landscape, and glare
- recognise shelterbelts and planting as mitigation, including where screening reduces visibility from public roads and public places
- provide clear permitted standards where effects are demonstrably mitigated, and retain a restricted discretionary pathway where standards are not met.

43. NZKGI & HNZ also seeks provisions that are clear to interpret and enforce, and that avoid reliance on subjective judgments without clear assessment parameters.

44. Overall, NZKGI & HNZ seeks provisions that protect identified values while enabling primary production activities, particularly where mitigation can address visibility and amenity effects.

6.0 Alignment with Planning Framework

6.1 Consistency with other District Plans

45. NZKGI & HNZ considers it is appropriate for Waipā District Council to test the proportionality of the proposed controls by comparing them with other district plan frameworks for similar structures. District Council's (outlined in Table 1 below) provisions appear to be a useful baseline because they are understood to be more permissive and more targeted to effects.

46. Assessment of the proportionality of the proposed controls can be informed by comparison with other district plan frameworks that regulate similar structures in horticultural areas. The comparative analysis below demonstrates how other councils have adopted effects-based standards that enable primary production while managing interface and visual effects.

47. NZKGI & HNZ also understands that sector submissions) may contain analysis of different district approaches and could be used to inform refinement of PC25 to better align with best-practice plan drafting and practical implementation.

48. Table 1 below has been prepared, showing the ACPS setbacks and height standards.

Table 1: District Plan ACPS Standard Table

Plan	Setback	Height	Other Standards
Western Bay of Plenty	18.4.1.k 0m (exempt from yard requirements)	No maximum height for ACPS.	Shall use green or black cloth when used vertically within 30m of the boundary of the property. Different colour can be used within 30m on property boundaries, other than roads, with neighbour's approval.
Ōpōtiki	8.6.5 0m (except as below) 5m when there is an existing lawfully established residential building located 5m or less from the boundary on an adjacent lot	8.6.2 9m maximum height	Shall use green or black cloth when used vertically within 30m of the boundary of the property. Different colour can be used within 30m on property boundaries with neighbour's approval. Setback from existing lawfully established residential building located 5m or less from the boundary on an adjacent lot shall apply to a 5m envelope parallel to any face of the residential building.
Whakatāne	GRUZ-R48 & RPROZ-R48 Within 0 to 5m from the side or rear boundary and 0 to 15m	GRUZ-R46 & RPROZ-R46 12m maximum height	Green or black cloth is used on any faces within required setbacks to any boundary; or where the adjoining neighbour or the road controlling authority (in the case of an adjoining road) has provided written

	from the front boundary.		approval to the reduced setbacks and a copy of the written approval has been lodged with the Council
Whangārei	RPROZ-R13 1m from all site boundaries	RPROZ-R13 10m maximum height	
Far North	8.6.5.1.4 3m	8.6.5.1.8 12m maximum height	
Waikato	GRUZ-S19 0m 5m where a lawfully established residential unit is located within 12m of an adjacent boundary.	GRUZ-S3 15m maximum height or 10m within 50m of a road	Green or black cloth shall be used on vertical faces within 30m of the site or road boundaries. 5m setback applies to portion of ACPS that is parallel to the face of the neighbouring residential unit.

49. The comparison table above demonstrates that a number of other rural districts with significant horticultural activity provide a more enabling and effects-based framework for artificial crop protection structures than that currently proposed under PC25.

50. In particular, several districts, including Western Bay of Plenty and Waikato, provide for a 0m setback from site boundaries as a permitted baseline, subject to specific controls where sensitive activities are in close proximity. Ōpōtiki and Waikato Districts adopt a targeted approach by requiring increased setbacks only where a lawfully established residential building is located close to the boundary. This approach focuses on managing actual interface effects rather than imposing a blanket setback across all rural sites, regardless of context.

51. Similarly, other districts provide maximum heights ranging between 9m and 15m. Waikato District permits heights up to 15m, or 10m within 50m of a road, while Far North and Whakatāne allow up to 12m. These provisions recognise the functional requirements of horticultural structures and manage effects through location-based controls rather than a low uniform height limit. NZKGI & HNZ's request to increase the permitted height to 9m is therefore conservative when compared with other horticulturally focused districts.

52. The colour controls adopted elsewhere are also generally effects-based. Most districts require green or black cloth on vertical faces within a defined proximity to boundaries or roads, with flexibility where neighbour approval is obtained. This approach targets visual effects in sensitive interface locations, rather than restricting material choice across entire sites irrespective of visibility or screening. NZKGI & HNZ's proposed amendment to limit colour controls to situations where vertical cloth is within 15m of a boundary, unless screened by a shelterbelt, is consistent with this established drafting approach.

53. Overall, the comparison demonstrates that other districts have recognised artificial crop protection structures as a legitimate and anticipated component of rural production landscapes. Their provisions are generally structured to:

- enable efficient use of highly productive land through minimal baseline setbacks
- apply increased controls only where sensitive receivers are directly affected
- manage visual effects through colour and screening requirements
- provide practical height allowances reflecting operational needs.

54. Against that context, the setbacks and height limits proposed under PC25 appear more restrictive than comparable districts, particularly given Waipā's high proportion of LUC 1–3 soils and the clear direction of the NPS-HPL to enable land-based primary production and manage reverse sensitivity effects.

55. The comparison supports NZKGI & HNZ's submission that:

- A 0m setback for ACPS and crop support structures is appropriate as a baseline standard
- Additional setbacks should apply only in defined interface situations, such as where an existing residential building is located close to a boundary
- A 9m permitted height is proportionate and consistent with national practice
- A colour and screening controls should be targeted to proximity to boundaries or public roads, rather than applied universally
- A consolidating ACPS provisions into a single, clear rule would align with the structured and user-friendly drafting approach evident in other district plans.

56. In NZKGI & HNZ's view, aligning PC25 more closely with these established district frameworks would better reflect a proportionate, effects-based planning response, while maintaining appropriate management of amenity and landscape effects.

6.2 Consistency with national direction

57. NZKGI & HNZ seeks provisions that align with national direction for land use planning, including enabling the efficient use of highly productive land for land-based primary production, while ensuring that plan controls are proportionate to the effects being managed in the receiving environment. In NZKGI & HNZ's view, this supports an effects-based approach to rural amenity management that recognises primary production activities as legitimate and anticipated in the Rural Zone.

58. NZKGI & HNZ also notes the Government has publicly signalled, through the proposed reform package including the Planning Bill, an intention to narrow the range of effects that are managed through the planning system. This includes identifying visual amenity as an effect proposed to be removed from scope, except where specific mapped overlays or identified values apply (for example, outstanding natural landscapes, viewshafts, or other identified special areas).[1]

59. While PC25 is being progressed under the current RMA framework, NZKGI & HNZ considers that the proposed reform direction is relevant to the proportionality of plan provisions, particularly for common and expected components of rural production landscapes such as artificial crop protection structures and shelterbelts. In NZKGI & HNZ's view, where no specific landscape or amenity overlay applies, controls should focus on managing demonstrable interface effects through targeted standards and clear assessment matters, rather than relying on blanket setbacks and broadly framed amenity provisions.

60. Overall, NZKGI & HNZ seeks amendments to PC25 that better reflect a proportionate and practical framework for the Rural Zone, including enabling primary production activities on highly productive land while retaining a clear and specific pathway to manage effects in identified landscape, viewshaft, and natural landscape areas.

7.0 Conclusion

61. NZKGI & HNZ supports Plan Change 25 (PC25) in part, but only where the provisions provide a practical and effects-based framework that recognises horticulture and artificial crop protection structures (ACPS) as a legitimate and anticipated component of the Rural Zone.

62. NZKGI & HNZ's primary concern is that the proposed setbacks, height controls, and landscape and viewshaft provisions may result in unnecessary loss of productive capacity on highly productive land, particularly through cumulative setback outcomes and reliance on blanket controls rather than targeted effect management.

63. NZKGI & HNZ seeks amendments that are clearer and more user-friendly for growers and neighbours, including consolidation of ACPS standards into a single rule, and a framework that incentivises shelterbelts and hedges as mitigation to manage interface, amenity, and reverse sensitivity effects.

64. NZKGI & HNZ considers the requested amendments are consistent with national direction, including the NPS-HPL, by enabling efficient use of highly productive land and managing reverse sensitivity without unduly constraining land-based primary production, while still providing appropriate controls in identified landscape, viewshaft, and natural landscape areas where specific values are present.

65. NZKGI & HNZ also considers that comparable district plan frameworks demonstrate a more enabling and proportionate approach is achievable, with targeted controls (including colour, height, screening, and interface-based setbacks) that manage effects while supporting productive rural land use.

66. Overall, NZKGI & HNZ seeks that PC25 be refined so that the provisions are proportionate to the effects being managed, implementable in practice, and better aligned with an efficient rural working environment, while retaining appropriate protection for identified landscape and viewshaft values.