

My name is Simone Williams. I work for Nicklin CE. I am a Senior Planner based in Cambridge, and I am the author of the submission and further submission made on behalf of New Zealand Kiwifruit Growers Incorporated (NZKGI) and a joint author of the “hearing statement/ evidence” written on behalf of Federated Farmers and NZKGI as the submissions raised overlapping issues in relation to PC25.

My qualifications and experience are set out in sections 8 & 9 of the joint statement.

Opening and status of evidence

Firstly, I want to briefly clarify the status of my contribution to the joint statement, particularly in light of the Council reporting officer’s comments.

As Isaac has explained, his contribution presents Federated Farmers’ position as advocacy. My role is different. I am a planner, and my contribution was prepared as expert planning evidence on behalf of NZKGI.

I acknowledge that the document was described collectively as a “hearing statement”, and I accept that this may have caused some confusion, including the use of the word “we”. However, that description was not intended to suggest that the planning opinions I have provided are advocacy.

Although my evidence responds to the relief sought by NZKGI, the planning opinions I express are based on my own assessment of the proposed provisions. In particular, this applies to my opinions on the appropriateness of the recommended setbacks, the workability of the provisions, and whether a more targeted, effects-based approach would be appropriate.

Introduction

Firstly, before I move into my evidence, I want to acknowledge the work the Council has undertaken in progressing PC25.

I consider that the Council has identified a genuine issue with the current District Plan. At present, the Plan does not deal particularly well with the management of shelterbelts, artificial crop protection structures, or crop support structures within the Rural Zone.

I say that based on my own experience advising clients and preparing resource consent applications for these activities within the Waipā District.

I also acknowledge the time Council officers have spent engaging with key stakeholders through the plan change process to gather views from all perspectives on this matter.

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Before I speak to the key points in my evidence, I understand that the evidence filed on behalf of Federated Farmers and NZKGI has been taken as read?

In that case, I do not intend to read through that evidence in full. Instead, I will focus on the key points I wish to highlight for the Hearing Panel.

Setbacks

Firstly, I view the current recommended recommendations in the s42a report remain too restrictive, particularly in relation to setbacks.

My starting point is that, as I understand it, ACPS and crop support structures are functional rural production structures. They are not conventional buildings. They support the productive use of rural land and, in many cases, highly productive land.

I also acknowledge that ACPS are still a relatively new feature in the Waipā rural environment, and I understand why some submitters have raised rural amenity concerns. They can look different from more traditional rural features.

But in my opinion, that does not make them inappropriate in the Rural Zone. It is the only zone in which they can appropriately be located, and the Rural Zone provisions expressly seek to enable the continued use of land for rural productive activities. While ACPS and crop support structures are acknowledged as part of an emerging form of horticultural production in Waipā, in my opinion, the rules need to manage real rural amenity effects while also recognising that rural amenity in the Rural Zone includes productive rural activities and the infrastructure needed to support them.

The s42a report of PC25 recommends a 6m setback for ACPS and crop support structures. The issue with a blanket setback is that it has a real practical effect on how land can be used. Further, ACPS do not require maintenance and can be installed from within the site. A 6 metre setback is therefore not needed for operational reasons and simply takes productive land out of use.

That concern is consistent with the points raised in the submissions and further submissions about avoiding unnecessary constraints on horticultural production and the efficient use of productive land.

In my opinion, that is the main issue with the recommended 6 metre setback approach. It applies regardless of what is actually on the other side of the boundary. It treats a boundary adjoining a dwelling in the same way as a boundary adjoining vacant rural land, grazing land, or another working rural activity.

From a planning perspective, I do not consider that is the most targeted way to manage effects.

Consistent with the relief sought in the NZKGI submission, I consider the Waikato District Plan approach is a useful comparison.

Waikato District is an adjoining rural district. It is dealing with many of the same issues as Waipā, including the increasing presence of horticultural land use in rural areas and the need to manage ACPS in a way that recognises both productive land use and rural amenity.

Waikato District has also recently been through a district plan review process. Through that process, a more targeted set of rules for ACPS has been adopted.

In my opinion, that approach is useful because it does not rely on a blanket setback from every boundary. Instead, it focuses on the actual interface issue, being where an ACPS is located near an existing dwelling on an adjoining site.

There is value in Waipā considering a similar targeted approach, given the adjoining rural context and the similar issues being managed.

A more consistent approach between Waipā and Waikato would also improve plan usability for those who operate across district boundaries. In my opinion, that would make the rules easier to understand and apply, and would **reduce unnecessary differences between neighbouring districts managing similar rural land use issues.**

My point is that the rule should be directed at the effect being managed.

In my opinion, a targeted setback where there is an existing dwelling close to the boundary, combined with appropriate colour controls, is a more proportionate and effects-based response than a blanket 6 metre setback from all road and internal boundaries.

Having considered the Council officer's rebuttal evidence, I accept that the specific relief of deleting Rule 4.4.1.3.o was not clearly sought in the submission or further submission. On that basis, I do not pursue the deletion of that rule as standalone relief.

Overall, my view is that shelterbelts should be recognised as part of the working rural environment. They can provide important productive and mitigation benefits, but the rules need to remain clear, practical and proportionate.

Thank you, and now I will pass back to Isaac ..