

# Post Harvest Zone

## 19. Post Harvest Zone

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### Explanatory Statement

The post-harvest requirements of the District's kiwifruit and avocado industries have evolved to the extent that the post-harvest operations within modern facilities are major activities in their own right and involve a significant investment in land, buildings and plant. Historically, most of these facilities have been located on Rural Zoned land. The modern large scale facilities are now separate stand-alone entities, rather than just serving one or a few orchards and their scale is such that they are industrial in nature and have the potential to create adverse effects on rural character and the rural traffic environment. Industry requirements are constantly evolving, often requiring expansion of existing buildings and facilities. The Post-Harvest Zone has been established to provide for the ongoing expansion of what are considered to be the larger strategic operations, in existence at the time of notification of the Plan, that will be seeking to increase their throughput as kiwifruit and avocado production expands.

The accommodation of seasonal workers associated with the kiwifruit and avocado sector also has the potential to create adverse effects on the rural environment, if such activities are not carefully managed. However, the continued viability of post-harvest facilities, including associated seasonal worker accommodation is essential because they are integral components of the sub-regional economy. The post-harvest industry has developed a Code of Practice for Seasonal Worker Accommodation which allows for a departure from certain clauses in the Building Act 2004. This Code variation enables a financial contribution methodology to be tailored to these types of facilities. Due to the lower standard of services within these facilities, usage of them for non-related workers and tourists will not be allowed.

The purpose of this zone is to provide for the logical expansion of these existing facilities in a manner which ensures their long-term sustainability, while also avoiding the need for piecemeal and repeated resource consent processes.

The range of activities has been limited to those considered compatible with existing facilities whilst also ensuring the actual or potential adverse effects on offsite activities are avoided, remedied or mitigated. Special performance standards recognise the need to ensure that existing and future activities within this zone are located, developed and managed in a manner that minimises any adverse effects on the neighbouring rural environment.

This zone is expressly for existing post-harvest facilities and should any land within this zone cease to be used for such purposes, *Council* may consider a change to the District Plan to revert the land back to a rural zoning.

## 19.1 Significant Issues

1. The expansion of existing large scale post-harvest facilities in established Rural Zoned areas has the potential to conflict with adjacent rural activities, by creating adverse environmental effects relating to such matters as reverse sensitivity, spatial privacy, overshadowing, noise, traffic safety, infrastructural services, and rural landscape character.
2. The need to require separate resource consents for each individual upgrade of existing post-harvest facilities is an inefficient and potentially unsustainable practice.
3. Redundant post-harvest facilities within this zone could provide opportunities for commercial or industrial development that are more appropriately located in established Commercial and Industrial Zones.

## 19.2 Objectives and Policies

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### 19.2.1 Objectives

1. The sustainable operation, growth and management of existing strategic post-harvest facilities so as to meet the needs of future generations and the economic well-being of the kiwifruit and avocado industries within the District.
2. Protection of the amenity values of the rural environment.
3. Sustainable management of existing roading and other infrastructural services and sustainable development of new or extended services.

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### 19.2.2 Policies

1. Should any existing post-harvest facilities within this zone cease to operate, then the Western Bay of Plenty District Council shall seek a Plan Change to revert this zone back to Rural zoned land.
2. Development within the Post-Harvest Zone should avoid, remedy or mitigate the adverse effects on the rural environment, including those resulting from increased traffic generation, effluent and stormwater disposal, rubbish generation, lighting/glare, visual amenity, noise, and impact on privacy.
3. Adequate infrastructure for post-harvest facilities should be provided.
4. The safety and efficiency of the District roading network (including State Highways) should be protected from any potential adverse effects resulting from increased development of activities in the Post-Harvest Zone.
5. The co-location of seasonal worker accommodation and post-harvest facilities within the Post-Harvest Zone should be encouraged.

## 19.3 Activity Lists

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### 19.3.1 Permitted Activities

- (a) Coolstores to accommodate the storage of the consented throughput of kiwifruit and avocado of the associated on-site packhouse;
- (b) Seasonal worker accommodation for a maximum of 75 persons associated with post-harvest and/or kiwifruit or avocado orchard operations. This rule does not apply to Lot 3 DP 392756, Te Matai Road and Lot 1 DPS 89976, Lot 2 and 4 DP 376271, Te Puna;
- (c) Storage and/or catering facilities directly associated with post-harvest facility operations;
- (d) Farming;
- (e) One dwelling per lot;
- (f) Works and network utilities as provided for in Section 10;
- (g) Buildings (except dwellings) accessory to the foregoing;
- (h) Frost protection fans, subject to performance standards specified in 4C.1.3.6;
- (i) Artificial wind shelters subject to performance standards specified in 16.4.1(g);

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### 19.3.2 Controlled Activities

- (a) Alterations to and expansion of existing post-harvest facilities, including the erection of canopies, packhouse sheds, coolstores (including conventional and controlled atmosphere coolstores), and accessory office space associated with the grading, packing and storage of kiwifruit and avocados. These activities shall be treated as Permitted Activities in all other respects except for the purposes of evaluating financial contributions;
- (b) Frost protection fans, subject to performance standards specified in 4C.1.3.7;
- (c) Works and network utilities as provided for in Section 10;
- (d) Subdivision as provided for in 16.4.2.

### 19.3.3 Restricted Discretionary Activities

- (a) The use of existing post-harvest facilities for the grading and storage of horticultural products other than kiwifruit and avocados.
- (b) Any Permitted or Controlled Activity which fails to comply with one or more of the activity performance standards set out in Rule 19.4.

### 19.3.4 Discretionary Activities

- (a) Seasonal accommodation facilities for more than 75 persons and/or where construction of the facility does not comply with the specified Code of Practice for Seasonal Worker Accommodation.
- (b) Onsite Educational facilities for more than four persons directly associated with post-harvest facility operations (as per the discretionary rules of the Rural Zone)

### 19.3.5 Non-Complying Activities

- (a) Seasonal accommodation facilities on Lot 3 DP 392756, Te Matai Road and Lot 1 DPS 89976, Lot 2 and 4 DP 376271, Te Puna.

## 19.4 Activity Performance Standards

### 19.4.1 General

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for the assessment of all other activities. Any Permitted or Controlled activity that fails to comply with any of these standards will be a Restricted Discretionary Activity for the particular non-compliance.

#### (a) Height of buildings

Maximum: 12m.

#### (b) Daylighting

No part of any building shall exceed a height equal to 2.0m above ground level at all boundaries and an angle of 45° into the site from that point. Except where the site boundary is with a road in which case this rule shall not apply in respect to that boundary.

Provided that:

A building may exceed the aforementioned height where the written approval of the owner of the immediately adjoining property to a specified greater height is obtained.

#### (c) Yards

All new buildings:

- Minimum of 5.0m where a property adjoins a Residential, Rural-Residential, Future Urban or Rural Zone;
- Minimum of 10m where a property adjoins a public road or a State Highway.

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Provided that:

A yard (not adjoining a public road or a State Highway) may be reduced to less than 5.0m upon the receipt of the written approval from the owner(s) of the immediately adjoining land.

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**(d) Site coverage**

Sufficient space shall be provided within the zone for the onsite disposal of stormwater and wastewater (unless reticulated to *Council* infrastructure), parking and manoeuvring, and landscaping associated with the entire onsite activity.

**(e) Alterations and expansions of packhouses and associated coolstores**

No new vehicle entrances on to adjoining roads are created;

On-site permanent coolstore storage capacity is available to accommodate the increased packhouse throughput;

If there is insufficient on-site permanent coolstore storage capacity to accommodate the increased packhouse throughput then an assessment of the impacts of increased traffic movements on the associated intersection with the State Highway will be required;

For any increase in the foregoing activities the written approval of the New Zealand Transport Agency will be required.

Provided that:

Where these standards cannot be met the activity will be a Restricted Discretionary Activity.

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**(f) Seasonal worker accommodation**

Seasonal worker accommodation shall:

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- Be constructed in accordance with the specific Code of Practice for Seasonal Worker Accommodation. The standard of construction for these facilities shall be no lesser than the code requires;
- Be located no less than 100m from a dwelling located on any other site not zoned Post-Harvest. This may be reduced with the written consent of neighbouring property owners;
- Provide an outdoor recreation area with a minimum area of 50m<sup>2</sup> per every ten workers accommodated or part thereof;
- Provide an indoor recreation or communal area with a minimum of 25m<sup>2</sup> per every ten workers accommodated or part thereafter;
- Be located no closer than 10m from any other building located on the site where the seasonal accommodation is a detached building or buildings;

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- Operate for a single period of no more than seven continuous months.

**(g) Financial contributions**

The payment of an appropriate financial contribution as detailed in the following rules and methodology. (See also Section 11)

- (i) The payment of a financial contribution will be assessed per every 100,000 tray increase of output above the consented level as at 7 February 2009.

With respect to any increase of throughput on a post-harvest site the following additional heavy vehicle movements and water consumption are expected to result per 100,000 tray equivalent increase (average per year):

- Heavy vehicles 50;
- Water usage 30m<sup>3</sup>

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- (ii) Seasonal accommodation facilities shall be exempt from the Recreation and Leisure contribution.

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**(h) Transportation, Access, Parking and Loading** – See Section 4B;

**(i) Noise and Vibration** – See Section 4C.1;

**(j) Storage and Disposal of Solid Waste** – See Section 4C.2;

**(k) Lighting and Welding** – See Section 4C.3;

**(l) Offensive Odours, Effluent Aerosols and Spray Drift** – See Section 4C.4;

**(m) Screening** – See Section 4C.5;

**(n) Signs** – See Section 4D;

**(o) Natural Environment** – See Section 5;

**(p) Landscape** – See Section 6;

**(q) Historic Heritage** – See Section 7;

**(r) Natural Hazards** – See Section 8;

**(s) Hazardous Substances** – See Section 9;

**(t) Financial Contributions** – See Section 11.

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**19.4.2 Subdivision and Development** – See Section 16.4.2

## 19.5 Matters of Discretion

### 19.5.1 Restricted Discretionary Activities – Non Compliance with Activity Performance Standards

*Council* will limit its discretion to the effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies.

### 19.5.2 Restricted Discretionary Activity - use of Existing Post Harvest Facilities for the Grading, packing and Storage of Horticultural Products other than Kiwifruit and Avocados

In considering a Restricted Discretionary Activity *Council's* discretion shall be restricted to the following matter:

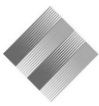
- (a) The impact on local roads and the State Highway intersection including any conditions that the New Zealand Transport Agency may request to mitigate against any actual or potential effects on the State Highway intersection, resulting from the change in use.
- (b) The payment of financial contributions.

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### 19.5.3 Discretionary and Non-Complying Activities

In considering Discretionary and Non-Complying Activities, *Council* shall have regard to the following matters:

- (a) Potential for conflict with existing and foreseeable activities in the area. This may include the ability to provide buffer areas within the Post-Harvest Zone boundaries.
- (b) Traffic generation;
  - Impact on roading;
  - Access;
  - Effect on amenity;
  - If any structured transportation system is provided.
- (c) Scale of the activity including number of people carrying out the activity and hours of operation.
- (d) Proposed signs.
- (e) Visual effect including effect on other properties in the area and the effect on the rural landscape qualities, including the use of landscaping where appropriate.



(f) The background noise level of the surrounding environment and whether the best practicable option of reducing noise emissions has been utilised by post-harvest facilities when they exceed the relevant noise limits in these Plan rules.

(g) Educational Facilities

*Educational Facilities* shall be located a minimum of 30m from the boundary of the site not zoned Post Harvest.