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# Post Harvest

## 22. Post Harvest

### 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 District Plan, that will be seeking to increase their throughput as kiwifruit and avocado production expands. The existing operations have been established by resource consent and those consents and conditions remain in force, including those in respect of the *transportation network*, and can only be modified to adopt new performance standards of the Zone by variation to the resource consent.

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.

## 22.1 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 movements and 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.

## 22.2 Objectives and Policies

### 22.2.1 Objectives

1. The sustainable operation, growth and management of existing identified *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 the *transportation network* and other infrastructural services and sustainable *development* of new or extended services.

### 22.2.2 Policies

1. 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.

2. Adequate *infrastructure* for *post harvest facilities* should be provided.
3. 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.
4. The co-location of *seasonal worker accommodation* and *post harvest facilities* within the Post Harvest Zone should be encouraged.

## 22.3 Activity Lists

### 22.3.1 Permitted Activities

- (a) Alterations to and/or expansions of existing *post harvest facilities*, including the erection of canopies, packhouse sheds, coolstores (including conventional and controlled atmosphere coolstores), where the throughput is not increased above levels for the consented horticultural crop(s).
- (b) *Offices* accessory to the *post harvest facility*.
- (c) *Offices* associated with more than one *post harvest facility* to a maximum of 40 staff.
- (d) *Seasonal worker accommodation* for a maximum of 75 persons associated with the post harvest and/or kiwifruit or avocado orchard operations. This rule does not apply to Lot 3 DP 392756, Te Matai Road, Lot 1 DPS 89976, Lot 2 and 4 DP 376727, Te Puna and Lots 4 and 5 DPS 18004, Kauri Point Road.
- (e) Catering facilities directly associated with the consented operation of the *post harvest facility*.
- (f) Storage facilities directly associated with the consented operation of the *post harvest facility*.
- (g) *Farming*.
- (h) One *dwelling* per *lot*.
- (i) Works and *network utilities* as provided for in Section 10.
- (j) *Buildings* (except *dwellings*) *accessory* to the foregoing.

- (k) Frost protection fans, subject to performance standards specified in 4C.1.3.6.
- (l) *Artificial Crop Protection* subject to performance standards specified in 18.4.1 (k).

### **22.3.2 Controlled Activities**

- (a) Frost protection fans, subject to performance standards specified in 4C.1.3.7.
- (b) Works and *network utilities* as provided for in Section 10.
- (c) Subdivision as provided for in 18.4.2.

### **22.3.3 Restricted Discretionary Activities**

- (a) Any increase in the throughput of the consented horticultural crop(s) beyond the consented level.
- (b) The use of existing *post harvest facilities* for the grading and storage of horticultural crops other than kiwifruit and avocados.
- (c) Any Permitted or Controlled Activity which fails to comply with one or more of the activity performance standards set out in Rule 22.4.
- (d) For Lots 4 and 5 DPS 18004, Kauri Point Road, any activity within subzone A (refer to Section 22.6 for detailed zoning plan) other than permitted Rural Zone uses or offices or administration buildings related to *post harvest facilities*.
- (e) *Buildings/structures* over 14m in *height* to a maximum of 20m in *height*.

### **22.3.4 Discretionary Activities**

- (a) *Seasonal worker accommodation* for more than 75 persons and/or where *construction* of the accommodation does not comply with the specified Code of Practice for Seasonal Worker Accommodation.
- (b) Onsite *educational facilities* directly associated with *post harvest facility* operations (as per the discretionary rules of the Rural Zone).
- (c) *Buildings/structures* over 20m in *height*.

### 22.3.5 Non-Complying Activities

- (a) *Seasonal worker accommodation* on Lot 3 DP 392756, Te Matai Road, Lot 1 DPS 89976, Lot 2 and 4 DP 376727, Te Puna, and Lot 4 and Lot 5 DPS 18004 Kauri Point Road.

## 22.4 Activity Performance Standards

### 22.4.1 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/structures

Maximum: 14m excluding frost protection fans which shall be a maximum of 15m inclusive of blades.

Except that:

For Lot 4 DP 376727 Te Puna the maximum shall be 9m.

#### (b) Daylighting

No part of any *building/structure* shall exceed a *height* equal to 2m 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/structure* may exceed the aforementioned *height* where the written approval of the owner of the immediately adjoining property to a specified greater *height* is obtained.

#### **Explanatory Note:**

For the purposes of Rule 22.4.1(b) "site" means each individual Post Harvest Zone as an entirety. The daylighting requirement is applicable in relation to each site's external boundaries with a different zone (e.g. Rural) and not applicable between lot boundaries internal to each site.

**(c) Yards**

All new *buildings/structures*:

- Minimum of 5m where a property adjoins a Residential, Rural-Residential, Future Urban or Rural Zone or road other than a State Highway or the Te Puke Highway;
- Minimum of 10m where a property adjoins a State Highway or the Te Puke Highway.

Provided that:

A *yard* may be reduced upon the receipt of the written approval from the owner(s) of the immediately adjoining land (including legal road).

**(d) Site coverage**

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

**Advice Note:**

Any expansion or intensification of Horticultural Post Harvest facilities will require *Regional Council* resource consent for onsite wastewater treatment and disposal and may also require stormwater discharge consent for an increase in impermeable surface coverage.

**(e) Seasonal worker accommodation**

*Seasonal worker accommodation* shall:

- (i) 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;
- (ii) Be located no less than 100m from any *dwelling*, lawfully established prior to 7 February 2009 and which is located on any other site not zoned Post Harvest. This may be reduced with the written consent of neighbouring property owners;
- (iii) Provide an outdoor recreation area with a minimum area of 50m<sup>2</sup> per every ten workers accommodated or part thereof;

- (iv) Provide an indoor recreation or communal area with a minimum of 25m<sup>2</sup> per every ten workers accommodated or part thereafter;
- (v) Be located no closer than 10m from any other *building* located on the site where the *seasonal worker accommodation* is a detached *building* or *buildings*;
- (vi) Operate only for *seasonal worker accommodation* associated with the *post harvest facility* and/or kiwifruit and/or avocado orchard operations associated with that facility;
- (vii) Have a current *Travel Management Plan* for the purposes of minimising unnecessary traffic movements in relation to the facility and kept at the facility office for inspection upon request.

**(f) Transportation, Access, Parking and Loading**

- (i) No new vehicle entrances on to adjoining roads are created;
- (ii) See also Section 4B.

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

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

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

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

**(k) Screening** – See Section 4C.5.

**(l) Signs** – See Section 4D.

**(m) Natural Environment** – See Section 5.

**(n) Landscape** – See Section 6.

**(o) Historic Heritage** – See Section 7.

**(p) Natural Hazards** – See Section 8.

**(q) Hazardous Substances** – See Section 9.

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



- (i) For financial contributions for activities other than 22.3.3(a) and (b) see Section 11.
- (ii) Seasonal Worker Accommodation
  - (a) *Seasonal Worker Accommodation* that complies with 22.4.1(e)(vi) shall be exempt from financial contributions.
  - (b) *Seasonal Worker Accommodation* shall be exempt from the Recreation and Leisure financial contribution.

## **22.4.2 Subdivision and Development – (see Section 18.4.2 and Section 12)**

### **22.4.3 Financial Contributions**

The following provisions apply to Restricted Discretionary Activities in Rules 22.3.3(a) and 22.3.3(b):

Rural and strategic transportation financial contributions and water supply financial contributions shall be payable for any increase in throughput and shall be calculated on the following basis:

- (a) An increase of 1 million trays is equal to 1 *household equivalent (HHE)*. Once the *HHE* is determined the value of contributions shall be calculated under Rule 11.3.3(b)(ii) for transportation and 11.3.3(c) for water supply, except that provisos (i) and (ii) in Rule 11.3.3(c) shall not apply.
- (b) The conversion of increases in tray throughput to *HHE* shall be on a direct proportionate basis with no rounding of any fractions.
- (c) The transportation financial contribution does not include any necessary upgrades to the provision of vehicle access to the subject site from a public road or to intersections of *District* roads with State Highways or the Te Puke Highway (and their immediate environs). The need for any such upgrades will be determined on a case by case basis and where required will be the subject of separate resource consent conditions.

## **22.5 Matters of Discretion**

### **22.5.1 Restricted Discretionary Activities**

- (a) With respect to 22.3.3(a) and (b) *Council's* discretion shall be restricted to the following matters:

- (i) The impact on the safe and efficient operation of the access to the site, the relevant *Council* roads, and the relevant intersection of the *Council* road to the State Highway (and their immediate environs) or the relevant access to the State Highway;

This shall require an *Integrated Transport Assessment* appropriate to the scale and effect of the proposal that addresses the following:

- The existing traffic environment;
- How the activity will impact on that environment;
- Any proposed mitigation measures.

- (ii) The payment of financial contributions.

- (b) With respect to 22.3.3(c) *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.

- (c) For the purposes of an application under either Rule 22.3.3(a) or 22.3.3(b), the following shall apply in respect of notification:

- (i) Where the prior written approval of the New Zealand Transport Agency has been obtained, neither public nor limited notification of the application shall be required.
- (ii) Where the prior written approval of the New Zealand Transport Agency has not been obtained, only limited notification of the application shall be required, such notification to be limited to the New Zealand Transport Agency.

Except that:

This rule does not apply to post harvest facilities on the following five sites:

- Collins Lane - Lots 1 and 2 DPS 40302 and Lots 1 and 2 DP 516960.
- No 1 Road - Lots 1 and 2 DPS 45890, Lot 2 DPS 71406, Part Section 11 Block VI Maketu SD, Lot 1 DPS 71406, Lot 1 DPS 8197, Part Lot 1 DPS 2815 and Part Lot 2 DPS 86822.
- Te Matai Road - Lot 1 DPS 41366, Lot 3 DPS 29565, Lots 1 and 2 DP 354272.
- Te Matai Road – Lot 3 DP 392756, Lot 1 DP 392756 and Part Lot 3 DPS 22783.
- Rangiuru Road - Lots 1 and 2 DPS 81042, Lot 2 DPS 65874, and Lots 1 and 2 DPS 70231.

- (d) With respect to 22.3.3(d) *Council* will limit its discretion to noise and amenity effects on the surrounding neighbours and any relevant objectives and policies relating to these matters.
- (e) With respect to Rule 22.3.3(e), *Council's* discretion shall be restricted to relevant objectives and policies, and to the following matters:
  - (i) Effects on the visual amenity of land located outside of the Post Harvest Zone.
  - (ii) Whether adverse visual effects can be avoided, remedied or mitigated via measures such as the colour of the building/structure, and/or vegetative or other screening.
  - (iii) Restrictions on advertising or similar publicity and/or promotional material on the walls of the building/structure to reduce the potential for adverse visual amenity effects.

## 22.5.2 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) Effects on the safe and efficient operation of the *transport network*.
- (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 District Plan rules.
- (g) *Educational facilities* shall be located a minimum of 30m from the boundary of the site not zoned Post Harvest.

## 22.6 Kauri Point Road Post Harvest Zone

