

SUBMISSION ON WAITOMO DISTRICT COUNCIL PROPOSED DISTRICT PLAN

TO: Waitomo District Council
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BY EMAIL: districtplan@waitomo.govt.nz

SUBMISSION TO: Waitomo District Council Proposed District Plan

NAME OF SUBMITTER: Ballance Agri-Nutrients Limited

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This is a submission by Ballance Agri-Nutrients Limited¹ on the Proposed District Plan.

Ballance cannot gain a trade competition advantage through this submission.

This submission is divided into two parts as follows:

Part A: Introduces Ballance, its activities and shareholders; and

Part B: Sets out the specific submissions and relief sought by Ballance.

Ballance seeks the relief set out in this submission, including such other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.

Ballance wishes to be heard in support of this submission.

Signed for and on behalf of Ballance by



Dominic Adams

Environmental Manager

21st December 2022

¹ Hereafter referred to as 'Ballance'

Part A: Ballance Agri-Nutrients Limited

Ballance Agri-Nutrients Limited is a farmer-owned co-operative with over 19,000 shareholders and approximately 800 staff throughout New Zealand. We own and operate super-phosphate manufacturing plants located in Tauranga and Invercargill, as well as New Zealand's only ammonia-urea manufacturing plant located at Kapuni, South Taranaki.

In addition to manufacturing and sales Ballance provides farm sustainability services including nutrient management advice. We place a strong emphasis on delivering value to our shareholders and on the use of the best science to inform sustainable nutrient management.

Reinforcing this, Ballance has extensive interest in the development of tools to manage nutrient losses on farms. Ballance, with Ag Research, has undertaken extensive research into 'MitAgator' which is a GIS-based water quality decision support tool that links with OVERSEER® to refine the latter models output. The use of management tools such as MitAgator, provides greater insight into the spatial variability of nutrient (as well as sediment and microbial) loss within a farm landscape and allows users to identify critical source areas (or 'hot spots') for nitrogen, phosphorus, sediment and microbial loss across their own farm. Targeted application of mitigation and management strategies to these critical source areas help to provide more cost-effective environmental management solutions for farmers, while ensuring that effective water quality outcomes can be achieved in timeframes that recognise the socio-economic impacts of changing farm management practices.

The Company also owns and operates 'SealesWinslow' (a high-performance compound feed manufacturer) and the agricultural aviation company 'Super Air'.

The majority of our concerns in relation to the proposed District Plan relate to our Super Air operation. Super Air is the largest topdressing company in New Zealand and runs state of the art aircraft utilising the SpreadSmart system which uses geospatial referencing and computer controlled hydraulics to deliver market leading product placement. Super Air has a growing clientele in the Waitomo area.

Ballance supports the intent of the proposed District Plan which has an overall aim to manage natural and physical resources that are important in the district and to ensure that environmental qualities and values are safeguarded for future generations to enjoy. Ballance recognises that safeguarding the environment and ensuring our interactions will enable a resilient economy that can thrive. This is a priority for New Zealand and we also recognize that farmers support this - with a large number of them, whom we are involved with, already implementing measures and planning further mitigations to reduce negative environmental impacts from their farms.

Our main points of concern are to ensure that the proposed District Plan does not lead to any unintended negative impacts on the area's environment, and economic and social aspirations. In particular we recommend clarifying the ability of agricultural aviation (including helicopters and fixed-wing aircraft) to continue to support the district's primary production without undue restriction. In our submission we have noted some of the positive aspects of the plan that we support as well as highlight some suggested changes. We hope our specialist knowledge of agricultural aviation will be helpful in the finalization of the District Plan.

With our expertise in aerial spreading, we have detailed below the areas of the proposed District Plan which have the potential to have significant detrimental effects on agricultural production within the district. We support the proposed plan's recognition of the need to protect primary production and associated activities in rural zones. Primary production is central to the social, economic and cultural well-being of the Waitomo District. Food production systems need to be optimised and supported by suitable regional and district policies to help establish a resilient primary sector which will form an integral part of the success of all regions in New Zealand.

Part B of this submission addresses the parts of the proposed District Plan that are relevant to the interests of Ballance.

Part B: Reasons for Submission and Decisions Sought by Ballance Agri-Nutrients Limited

Chapter / Sub-part	Specific provision / matter	Position	Reason for submission	Decision requested / relief sought
Definitions	agricultural, pastoral and horticultural activities	Amend	Ballance seeks to have agricultural aviation activities included in the plan as these activities are vital for supporting primary production.	Revise as below: means the use of land and/or buildings where the primary purpose is to produce livestock, crops and other agricultural produce that relies on the productive capacity of land and maintains the groundcover, including: ... <u>(g) Agricultural aviation activities accessing rural-Farm airstrips and farm helipads-helicopter landing areas.</u>
Definitions	New definition: Agricultural Aviation	N/A	Ballance seeks to have agricultural aviation activities defined in the plan.	Add new definition: <u>Agricultural aviation activities; means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u>
Definitions	New definition: Lawfully established activities	N/A	The term 'lawfully established activities' is referenced on various occasions within the plan. In order to avoid confusion and misinterpretation, this term needs clear definition.	Add new definition: <u>means activities provided for by one of the following:</u> 1. <u>permitted through a rule in a plan, or</u> 2. <u>a resource consent, or</u> 3. <u>a national environmental standard; or</u> 4. <u>by an existing use right (as provided for in Section 10 of the RMA)</u>
Definitions	Farm airstrips and helipads	Amend	Ballance seeks to have a clear definition of rural airstrip included in the plan. The current definition included with helipads is confusing and restrictive. Farm airstrips are used for mobile refuelling of aircraft during agricultural aviation activities. Helicopter landing areas should have a separate definition.	Replace the existing definition with a new definition: <u>Rural airstrip; means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>
District-wide matters, Strategic direction	New strategic objective	N/A	The strategic objectives cover a good range of points, however, there is no specific objective relating to providing for primary production. Primary production represents a significant part of the district's economy and Ballance suggests that a specific objective is included to ensure the ongoing support and	Add new strategic objective as below: <u>SD-OX</u> <u>Primary production activities can operate efficiently and effectively and the contribution that they make to the economic and social well-being and prosperity of the district is recognised and provided for.</u>
Subdivision	SUB-O11	Support	Ballance supports the protection of rural production areas from reverse sensitivities.	Retain the objective.

Subdivision	SUB-P3	Support	Ballance supports protecting established activities from being constrained by reverse sensitivity effects.	Revise the policy as below: Discourage subdivision that would: 4. Result in reverse sensitivity effects on adjacent sites, adjacent activities or the wider receiving environment; and/or 5. Result in reverse sensitivity effects which compromise the operation or expansion of regionally significant industries, <u>including primary production activities</u> or regionally significant mineral resources; and/or
Subdivision	SUB-P10	Support	Ballance supports protecting primary production in the rural environment from being constrained by reverse sensitivity effects.	Retain the policy
General district-wide matters, Noise	NOISE-O1	Support	Ballance supports the enabling of noisy activities which are compatible with the role, function and character of each zone.	Retain the objective.
General district-wide matters, Noise	NOISE-O3	Support	Ballance supports the protection of established noisy activities from the effects of reverse sensitivity.	Retain the objective.
General district-wide matters, Noise	NOISE-P1	Support	Ballance supports the recognition that the general rural zone working and living zone where noise from agricultural activities (including agricultural aviation) is an accepted part of the environment.	Retain the policy.
General district-wide matters, Noise	NOISE-P2	Support	Ballance supports the intent of protecting established activities from reverse sensitivity effects particularly in areas that consistently experience higher noise levels.	Retain the policy.
General district-wide matters, Noise	NOISE-P3	Support	Ballance supports the policy as it recognises the potential for some important noisy activities to exceed specified noise levels on a temporary or irregular basis. Agricultural aviation activities are seasonal and short term. While noise levels are managed to be kept to a minimum, for short / intermittent periods, higher noise levels may be generated.	Retain the policy.
Area-specific matters, General Rural Zone	EXEMPTIONS	Amend	For clarity, Ballance seeks for the use of rural airstrips and helicopter landing pads to be included in the list of exempt activities. Under the noise rules section of this plan it is currently assumed that agricultural aviation activities and the use of rural airstrips and helicopter landing pads would fall under R-1 as a permitted activity. Policy NOISE P-3 recognises that some important activities may temporarily exceed specified noise levels, however this is not reflected in any of the rules for agricultural aviation.	Add the following to the list if exempt activities: <u>x. The intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities.</u>
Area-specific matters, General Rural Zone	GRUZ-O6	Support	Ballance agrees the objective's aim to support rural-based industry (such as primary production activities).	Retain the objective
Area-specific matters, General Rural Zone	GRUZ-O10	Support	Ballance supports the intent to protect existing lawfully established activities from reverse sensitivity effects.	Retain the objective
Area-specific matters, General Rural Zone	GRUZ-O15	Support	Ballance supports the intent to avoid reverse sensitivity effects in rural areas by preventing the establishment of incompatible land uses in the rural environment.	Retain the objective

Area-specific matters, General Rural Zone	GRUZ-P3	Amend	Ballance seeks that the policy reference primary production (as is previously defined) as well as including agricultural aviation activities which generate noise.	Revise the policy as below: 5. Recognising that farming, forestry, primary production (including agricultural aviation) and quarrying activities are an established and accepted component of the rural environment and may generate noise, odour, dust and visual effects; and
Area-specific matters, General Rural Zone	GRUZ-R1	Amend	Ballance seeks that the definition of agricultural, pastoral and horticultural activities includes agricultural aviation activities to ensure that it is provided for in the rules.	Revise the definition of agricultural, pastoral and horticultural activities to include agricultural aviation activities as sought above.
Area-specific matters, Rural Production Zone	RPROZ-O1	Support	Ballance supports the objective which the economic and social benefits of rural production activities in the zone and their unique operational requirements.	Retain the objective.

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