

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Saturday, 24 August 2019 3:56 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#1]

1. Your details: Diane Joyce

Name: *

Postal 
Address: * 305 Lovedale Rd St Leonards
Hastings 4120
New Zealand

Email: * joycecommunications@outlook.com

Phone Number: 021612270

2. The specific parts of Variation 7 that my submission relates to are:. *

3. My submission is that: *

I support allowing development of housing for RSE workers on the properties on which they are going to work; I see at as a natural extension of allowing development of plains land where it directly relates to the management of activities on that land.

I believe landowners will logically choose the least useful land for such development, given their interest is in extracting as higher a return as possible from the land.

The plan will also positively impact on the district's housing situation by taking pressure off the rental market.

My concerns with this would be somehow ensuring the pastoral care of these people; I would not want to see an 'out of sight, out of mind' attitude develop. There have been examples of workers staying in unsuitable accommodation, and/or unable to travel easily into the city for provisions or for help should they require it.

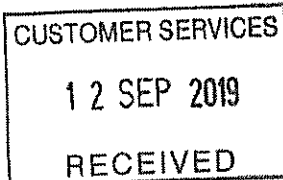
The dwellings would need to be removable so that should the employer cease to be RSE-accredited, they could be shifted. Would this be a requirement? It would be unfortunate to have a situation where the dwellings were used for alternative accommodation unrelated to the original purpose.

4. I/We seek the following decision: * That the provision of on-site accommodation for RSE workers be approved on RSE accredited properties, with, if possible, conditions around removal should the employer cease to be accredited and/or conditions on pastoral care provisions (transport etc).

5. Please indicate whether you wish to be heard in support of your submission: * I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case: * If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity to provide feedback? Social media



10.12am
m.s

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



HASTINGS
DISTRICT COUNCIL

Submissions can be:

Posted to:

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:

Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: **GEORGE BRUCE STEPHENSON and JOHN LAURENCE ARMSTRONG** as trustees of the
BRUCE STEPHENSON FAMILY TRUST and STEPHENSON TRANSPORT LIMITED

Postal Address:

41 – 43 RUATANIWHA STREET, WAIPAWA 4210

Email: hugo@stephensontransport.co.nz

Phone: 027 569 2225

2. The specific parts of Variation 7 that my submission relates to are: *(Give Details)*

The Explanation for Policy IZP17B and Rule 14.1.6A.10

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

See attached. We support in part and oppose in part.

1. Change "0.04 litres per second per hectare of site" in Rule 14.1.6A.10 to "0.12 litres per second per hectare of site" which would allow 51 persons per hectare or say 259 persons per 5 hectares.

Note: If engineering advice states that it is impossible for the existing system to accept 0.12 L/sec per hectare then it is imperative that the Council facilitates discussions between landowners and council staff in order to find the way to allow for this increased limit.

2. Change the wording of the Explanation for Policy IZP17B so that it reads as follows:

Explanation

The infrastructure capacity of the Irongate Industrial Zone is not designed for activities which produce large volumes of wastewater. However, there is sufficient capacity for other uses, including large scale (200 to 300 persons per site) seasonal workers accommodation and this is applied as a performance standard within the zone. This might mean that the ability to fully develop the site may need to be sacrificed if seasonal workers accommodation is to be constructed.

5. Please indicate whether you wish to be heard in support of your submission:

☒ YES

I wish to speak at the Hearing in support of my submission;

☐

I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☐

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

10/9/19 2019

Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☒

Yes, I have attached extra sheets

☐

No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

SUBMISSIONS ON VARIATION 7

Introduction

1. Stephenson Transport and the Stephenson Family Trust support the proposal to allow large scale seasonal workers accommodation in the General Industrial Zones and we agree with Council that the Irongate General Industrial Zone is ideal for this type of accommodation due to its central location and the availability of land.
2. **However, these proposals are not likely to work in Irongate because of the wastewater limits imposed by Rule 14.1.6A.10.**
3. The following submissions relate to Policy IZP17B, the Section 32 Evaluation and the need to re-word Rule 14.1.6A.10.

Policy IZP17B

4. For the reasons stated below, this Explanation for this policy needs to be reviewed.
5. As there is no definition for the term "dry industry" it should be deleted.
6. The current lack of capacity is due to an engineering decision which is now unfairly restricting landowner who wishes to take up the opportunity to establish seasonal workers accommodation at Irongate.
7. Assuming the "formula" refers to the restrictions imposed by Rule 14.1.6A.10, no attempt seems to have been made to ensure that the objective of allowing camp style seasonal workers accommodation at Irongate can be met and if not, whether this "formula" needs to be amended.

Section 32 Evaluation

8. The statements in paragraph 7.2.5 and consideration of the options in Table 5 of the Evaluation do not seem to have taken the limit of 0.04L/sec per hectare into account.
9. The Evaluation should have pointed out that this limit would result in a minimal number of seasonal worker applications at Irongate.

Rule 14.1.6A.10

10. Assuming an average of 200 litres of wastewater is produced per person per day, the limit of 0.04 L/sec per hectare per day will only allow a maximum of 17 persons per hectare.
11. This means that it is highly unlikely that of the large scale seasonal workers "camp" type accommodation envisaged by the Council will ever be built in Irongate unless Rule 14.1.6A.10 is amended.

Can the Limit be Changed?

12. The figure of 0.04L/sec first appeared in the Irongate Pressure Sewer Advisory Note dated 31 March 2017. The limit is a result of the decision by the engineers to choose this type of reticulation system over the traditional gravity system but no reasons were given as to why this was the type that was needed.
13. There is nothing to suggest that a pressurised system was chosen in order to address any adverse effects or that it was selected because it met Council's Objectives and Policies for the General Industrial Zone.
14. Instead, Council seems to have selected the type of reticulation system first and then imposed restrictions on the type of activities permitted in the zone. From an RMA perspective, that seems the wrong way around.
15. The solution lies in revising the current limit of 0.04L/sec and to lift it at least to the level that would permit camp style RSE accommodation for up to 300 persons, subject to a successful Restricted Discretionary application.
16. The design engineers will probably argue that there is no ability to change the limit of 0.04L/sec but the details shown in the Advisory Note indicate that there is spare capacity. For example, no allowance has been made for discharges to occur at night and there are a number of properties that will never use the system.

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 24 September 2019 9:01 AM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#2]

1. Your Jan Sutherland
details:

Name: *

Postal 
Address: * 174 Twyford Road Hastings
Hastings 4175
New Zealand

Email: * jan.sutherland3@gmail.com

Phone +64 27 3742865
Number:

2. The POLICY PPP5
specific Seasonal worker RSE accommodation should NOT be allowed to be located on primary production
parts of land.
Variation 7 A principal dwelling plus a limited floor area supplementary residential building should be the only
that my allowed buildings on primary production land.
submission
relates to
are:. *

3. My submission is that: *

Seasonal worker RSE accommodation should only be allowed on Industrial Land where there is the appropriate infrastructure to handle this intensive housing.

The environmental affects of RSE and intensive housing is not sustainable on Primary land.

As identified during the Havelock North water crisis the Hawke's Bay ground water is closely connected to the surface water. a large proportion of the rural communities (especially in the Twyford district) rely on private wells for their drinking and house water and are not connected to sterilization plants.

Intensive housing of 10, 20 – 80+ people is going to create a substantial amount of sewerage and unless

connected to town supplies will require large septic tanks generating grey water and will rely on them working correctly.

The minute these do not work correctly; power cut, and when the ground is at saturation point with no where for the grey water to go to there will be a another water crisis, not to the scale of the Havelock North crisis but it will feel as bad to the local residents who's drinking water is no longer safe to drink and not able to be connected to a public sterilization plant.

There is also the rubbish that will be generated from this intensive housing that need to be considered and the impact on the rural roads from the increased traffic.

4. I/We seek the following decision: *

I seek that Seasonal Worker (RSE) housing is limited to industrial land that has the appropriate services to handle the environmental impact that these facilities will create.

Roading, Sewerage and waste.

Existing local rural communities need their interests and health protected.

primary production land needs to be protected.

5. Please indicate whether you wish to be heard in support of your submission:

I do not wish to speak at the Hearing in support of my submission.

*

6. Please indicate if you wish to make a joint case: *

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity

Word of mouth

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 26 September 2019 8:53 AM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#3]

1. Your John Roil
details:

Name: *

Postal



Address: * P O Box 2543 Stortford Lodge
HASTINGS 4153
New Zealand

Email: * john@pmhb.nz

Phone 0274491526
Number:

2. The RSE seasonal workers
specific Within Industrial zones
parts of In Plains zone.
Variation 7 6.2
that my 7.5
submission 14.1
relates to 331.1
are:. *

3. My submission is that: *

The RSE workers provide a vital labour force to support the Horticultural Industry of Hawkes Bay. HDC has recognized the importance of this by providing the opportunity for the Public to submit on the Variation to the current District Plan, under the proposed variation No 7.

The following factors need to be considered;

Plains Production Zone

1. Sites less than 12ha should be considered suitable for RSE accommodation.
2. There is the opportunity that some Plains Zone sites that are adjacent to Industrial sites with Council reticulated services could provide a suitable site, even though the sites will be a split zone. These sites will be very suitable for

larger scale facilities, i.e greater than 80 without taking up valuable industrial sites.

3. Purpose built facilities for RSE accommodation should/ could be accommodated within Plains zone.

4. The quality of soil in the assessment criteria should be taken into consideration when considering RSE accommodation.

5. Provision should be made available for a boundary adjustment to enable poor quality land to be linked to an industrial site, but retaining the Plains Zone status. The benefit to this is that valuable industrial land is not used for RSE accommodation, however the connection to Council reticulated services could be made available along with access through existing roading networks of the industrial zone.

Irongate Industrial Zone

1. Some land at Irongate could be providing RSE accommodation however the Council should be upgrading their wastewater infrastructure to support this growth whilst not reducing the facility.

General;

The area of 10m2 for outdoor area is in excess of what is required. A major outdoor activity is volleyball which is not included with appropriate activities.

4. I/We seek the following decision: *
To allow Plains Zone land to be used for RSE accommodation linked to Industrial sites (and services) forming a split zone, by utilising poor quality land.

5. Please indicate whether you wish to be heard in support of your submission:
I wish to speak at the Hearing in support of my submission; or
*

6. Please indicate if you wish to make a joint case: *
If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity
stakeholder

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Submissions can be:

Posted to:

Variation 7

Environmental Policy Manager

Hastings District Council

Private Bag 9002

Hastings 4156

Delivered to:

Civic Administration Building

Hastings District Council

Lyndon Road East

Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name:

Turners & Growers New Zealand Limited (a subsidiary of T&G Global Limited) hereafter referred to as "T&G"

Postal Address: PO Box 279, Hastings 4156

Email: rebecca.blunden@tandg.global

Phone: (06) 871 5600

2. The specific parts of Variation 7 that my submission relates to are: *(Give Details).*

See attached pages

3. My submission is that:

*(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).*

See attached pages

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

See attached pages

5. Please indicate whether you wish to be heard in support of your submission:

☒

I wish to speak at the Hearing in support of my submission; or

☐

I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☒

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission:

(A signature is not required if you make your submission by electronic means).



Bruce Beaton
Authorised Signatory, Turners & Growers New Zealand Limited
Date: 26.9.19

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☒ Yes, I have attached extra sheets

☐ No, I have not attached extra sheets

sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

The specific parts of Variation 7 that Turners & Growers New Zealand Limited's submission relates to are:

- All of it. Turners & Growers New Zealand Limited supports the initiative to provide for seasonal workers accommodation in a range of zones throughout the district.
- However, it seeks specific changes to some of the provisions proposed in the Variation (as set out below).

Turners & Growers New Zealand Limited's submission is that:

- It supports the intent of the proposed variation but seeks further changes to some of the proposed provisions (as set out in the next section).
- Turners & Growers New Zealand Limited is a subsidiary of T&G Global Limited ("T&G") and is a Recognised Seasonal Employer. For the 2019/2020 apple season¹ T&G intends to employ 448 seasonal workers in Hawke's Bay from the Philippines, Fiji, Papua New Guinea, Solomon Islands, Samoa, Tonga and Vanuatu². These workers are intended to be accommodated in 19 different accommodation venues.
- In recent years, T&G Global Limited has invested significantly in orchard development (and continues to do so) primarily planting its flagship apple brands Envy™ and Jazz™. As those orchards reach full production T&G will be required to increase the number of seasonal (RSE) workers that it employs.³
- Those seasonal workers require accommodation and that accommodation is in short supply. Under the Proposed District Plan, seasonal workers accommodation is a permitted activity within the Plains Production Zone and then only if the maximum floor area is less than 125m², the building is at least 15 metres from the boundary and any new buildings are relocatable. It is not specifically provided for in the Industrial Zone and is a non-complying activity.
- Variation 7 proposes to amend Chapter 6.2 (Plains Production Zone) to provide for seasonal workers accommodation in that zone with a maximum of 80 persons as a restricted discretionary activity. Accommodation for more than 80 persons would be a non-complying activity.
- The Variation proposes to make seasonal workers accommodation in the Omahu and Irongate General Industrial zones a restricted discretionary activity, with no limits as to floor area or numbers of persons.
- Finally, seasonal workers accommodation in the Residential zones will be permitted provided that the accommodation is for a maximum of 8 persons per site.

¹ Which will commence in November 2019.

² Subject to receiving approval from the Labour Inspectorate for these RSE's, which is an increase from the 2018/2019 apple season.

³ Turners & Growers New Zealand Limited has applied for increases each year.

Turners & Growers New Zealand Limited seeks the following decision:

- That the definition of 'residential activity' be amended to allow seasonal workers accommodation for a maximum of 10 or 12 persons per site. (The maximum proposed in Variation 7 is 8 persons per site). This would allow T&G to accommodate a team of seasonal workers on one site (RSE's are usually divided into teams of 10 or 12). The site would need to meet MBIE and the Labour Inspectorate's requirements around site suitability and size. Ten or twelve seasonal workers would seem to be more practical and efficient from an operational point of view than eight.
- That the activity status for seasonal workers accommodation in the Omahu and Irongate General Industrial Zones be permitted or controlled (rather than restricted discretionary, as Variation 7 proposes).
- That Variation 7 be extended to include the Whakatu Industrial Zone for the following reasons:
 - That the Irongate and Omahu Road zones are limited. The addition of Whakatu provides greater land area and options for Employers, and
 - Several large Recognised Seasonal Employers are located in Whakatu and have existing land holdings. It would be practical to allow RSE accommodation on these sites.

Turners & Growers New Zealand Limited wishes to be heard in support of its submission.

Submission to Hastings District Council Regarding Changes to the District Plan for RSE Housing – Variation 7

This submission does not support the proposed changes in the Hastings District Plan as provided for in Variation 7 **UNLESS** specific provision is also made for “social support” for the RSE workers.

We wish to make a verbal presentation to support this submission.

Summary

1. The technical and legal approach to allowing additional housing in orchards, vineyards and industrial areas is not being commented on.
2. Our prime concern is that unless the social support of RSE workers is put in place then there will be negative ramifications on the Hastings District.
3. The HDC acknowledges the necessity of having social/pastoral support plans in place through the proposal to have Management Plans for sites with more than 300 people resident. The issue with this is that:
 - a. This threshold is too high and should be set at 6 people;
 - b. The objectives of these management plans are not clear;
 - c. There is no mechanism for checking that the management plans are in place, of sufficient quality or consistently implemented
 - d. Nor is there the opportunity to enforce management plans
4. Special rates and developer levies should be applied to buildings permitted under these District Plan changes. That this should initially be struck at \$5 per person (who uses the accommodation) per week. Funds gathered should be ring-fenced for the provision of social support (by the HDC or contracted third parties.)
5. The purpose of the special rate is to diminish the impact that current RSE worker numbers, and the anticipated large increase of RSE worker number has on the Hastings District.
6. That RSE social support, funded by the special rates should include the appointment of community/social worker/s specific to RSE workers, independent of the horticulture sector, to ensure RSEs workers:

- a. Are included and consulted on issues that affect them
- b. Have an advocate for consideration of their needs across a range of services and agencies
- c. Are aware of and have access to community services, places and events

Have an advocate for their inclusion in the wider community. This role would also be well placed to assist with liaison and coordination between services and agencies that interact with the RSE workforce

- 7. We note that RSE employers are still required to provide pastoral care under provisions of being a RSE employer. Any special rates and HDC activities are not intended to diminish that obligation.
- 8. The voice of RSE workers is difficult to find in the processes, and the evaluation of changes to the District Plan. This is a failing in the stakeholder engagement process.

Background

- 9. The HDC is to be congratulated on its role in seeking to improve the amount of residential accommodation available for RSE workers. The impact of large numbers of RSE workers coming to the Hawkes Bay impacts on the availability of rental housing available for all other people requiring rental accommodation by increasing scarcity, increasing rental prices and increasing the insecurity of renters who are in accommodation that could be used for RSE workers.
- 10. There are many RSE employers who do a great job looking after their RSE employees. However, there are others who do not. Stories have been shared with us of what has occurred, and some of the stories appear to be against the RSE employer obligations and may be illegal.
- 11. Local commentary on the RSE programme anticipates that the number of RSE workers for horticultural and viticultural purposes will climb from 4,000 to 8,000. Additional RSE workers are also being sought by the meat processing plant in Flaxmere. This increase will have a noticeable effect on the Hastings District. We anticipate that some of those effects will create social and criminal problems. We ask the Council to recognise these issues and introduce methods of avoiding, reducing and managing such problems.
- 12. RSE employers are still required to provide pastoral care under provisions of being a RSE employer. Employers are required to ensure workers have an induction programme and suitable accommodation, transport to work, access to health insurance and banking and opportunity for recreation and religious observance.
- 13. However, there is limited monitoring of by central government of the RSE programme. Workers are regularly required to work on Sundays, which many would normally observe as the Sabbath and a day of rest. They are often not able to attend church services, due to

working and/or a lack of transport. Both factors can have a serious impact on workers spiritual and social well-being.

14. They work very long hours and some employers restrict their access to evening education programmes as they consider they will be too tired to attend. Last year there was one Labour Inspector from MBIE to cover the entire area for all RSE Employers and RSE Workers.
15. The HDC acknowledges the necessity of having social/pastoral care plans in place through the proposal to have Management Plans for sites with more than 300 people resident. The issue with this is that:
 - a. This threshold is too high and should be set at 6 people;
 - b. The objectives of these management plans are not clear;
 - c. There is no mechanism for checking that the management plans are in place, of sufficient quality or consistently implemented
 - d. Nor is there the opportunity to enforce management plansThe deficiencies in the management plan concept need to be addressed as part of the proposed plan change.
16. RSE workers are typically in a submissive power relationship with employers. The RSE workers are in a foreign country, removed from their cultural support, have spent a considerable amount of money to get to New Zealand, and need the revenue gained from working here. What's more, if the employment is terminated, then the RSE worker is required to leave New Zealand within two days; and termination can be for a wide variety of reasons. All in all, this makes them a compliant workforce.
17. A compliant work force means that the RSE workers often do not voice issues that they face. Given the absence of information or comments from RSE workers on the proposals (as opposed to potential developers, orchardists, packhouses and viticulturalists) it appears that the HDC has not included them in the development of the proposed plan changes. I am predicting that this stakeholder will make no submissions on the plan change even though it will intimately affect them every day for years. In the absence of RSE worker engagement as a key stakeholder, the HDC is creating a substantially deficient process.
18. The issues that are raised by locating RSE workers on orchards already includes:
 - a. **Isolation** of workers from sources of food, banking, social interaction, training and church worship. Some of these issues can be overcome by employers supplying vehicles though there are reports of different employers offering quite different access to vehicles. Access varies from:
 - i. some employers allow personal use of work vehicles (for uses like going shopping for food, attendance at church.)
 - ii. others require workers to pay for mileage costs when vehicles are not used for work purposes,
 - iii. still others will withdraw vehicles from workers and require them to walk from the country into town on their day off: there instances of RSE workers having to walk 8km to go to church.
 - iv. At time vehicles or drivers are not available, meaning for logistical reasons workers do not have access to transport. Limited numbers of licensed drivers mean they are under a lot of pressure to drive others.

- b. **Isolation** of workers will hide issues where dangerous or illegal activity occurs. Human trafficking and slavery occurred here in the Hawkes Bay, with a conviction earlier this year. This is not an isolated incident and is highly likely to be under-reported.

Human Trafficking in New Zealand

'There was a perception that trafficking doesn't happen in New Zealand. The 2009 Trafficking Plan of Action says that "there are no incidences of trafficking in New Zealand". More recently, we've turned over the stone and realised that, of course there is trafficking happening here in New Zealand. But we're still at an awareness-raising stage,' says Rebecca.

In December 2016, the first conviction in New Zealand for trafficking was a painfully typical example of modern-day slavery. Raroz Ali, a Fijian national with New Zealand residency, set himself up as a family business and ran an advert in Fiji selling a dream: working in God's Own Country and earning seven times what they could at home.

'They paid a lot of money upfront for food and accommodation, but once they arrived in New Zealand they were put to work [in Ali's construction business and picking fruit in the Bay of Plenty] for little or nothing at all. They were forced to sleep in one room with no bedding—men and women together,' says Rebecca.

'It wasn't until they were given the opportunity to go to church that it came to the surface.' A church member struck up a conversation with one of the Fijian workers, and the story started to unfold. Sensing that something was amiss, the member had the tenacity to contact their MP, who then reached out to Immigration New Zealand.

It took two years and around 6000 hours to build the case against Ali, who was convicted of 15 counts of human trafficking and sentenced to nine years, six months in jail.

Source - Salvation Army - <https://www.salvationarmy.org.nz/our-community/faith-in-life/soul-food/slavery-in-NZ>

- c. **Sickness and Injury.** Coming from the tropics, and working long hours in cold climate, working long hours racing to fill quotas, sees illness and injury occur. Living on site means getting access to medical support is difficult.
 - d. **Personal Safety.** With large numbers living in rural and industrial areas, they may be prone to being targeted by thieves, drug dealers and sex workers. RSE women may be more vulnerable to mistreatment by RSE men – this is perhaps a sensitive issue to raise, and women could be considered to be vulnerable anywhere, but misogyny is a more commonly accepted attitude in some pacific areas and women are often vulnerable.
 - e. **Stress.** Diminished ability of RSE workers to de-stress: your work mates are also your house mates. Keeping people in small groups will produce tensions in the group, and these may have dangerous consequences.
19. **The future.** The buildings all have to be removable or able to be re-purposed, but there is a risk down the track that these accommodation sites will be used as general housing stock for marginalised people, as has happened in Europe with temporary housing built on the outskirts of towns after WW2, to house migrant workers to help rebuild, now slum areas.
20. The problem the Hastings District faces is that the social impacts are local, while the RSE policy and management of the RSE policy is undertaken by central government. We believe that MBIE and MFAT fail to dedicate sufficient resource to the Hawkes Bay to adequately support the existing 4,000 RSE workers, and they are unlikely to provide suitable support for an increased number of 8,000 RSE workers. This then becomes the Hastings District's problem. Waiting and lobbying central government for central government support of local

government has historically not proven that productive. The HDC has the opportunity to put in place a solution for this area, and we should not let it go by.

21. Other District Councils have taken the opportunity to dedicate special development charges for social purposes. For example, the Queenstown Lakes District Council directs a percentage of development fees for the creation of social housing. Precedence exists for Councils to put special charges against developers (parties who benefit from plan changes) to meet social objectives.
22. Provision for a special rate or development fee should be levied to diminish the impact that current RSE worker numbers, and the anticipated large increase of RSE worker number has on the Hastings District. Special rates and developer levies should be applied to buildings permitted under these District Plan changes. We suggest that this should initially be struck at \$5 per person (who uses the accommodation) per week.
23. Funds gathered should be ring-fenced for the provision of social support (by the HDC or contracted third parties.)
24. That RSE social support, funded by the special rates should include the appointment of community/social worker/s specific to RSE workers, independent of the horticulture sector, to ensure RSEs workers:
 - a. Are included and consulted on issues that affect them
 - b. Have an advocate for consideration of their needs across a range of services and agencies
 - c. Are aware of and have access to community services, places and events
 - d. Have an advocate for their inclusion in the wider community
25. This role would also be well placed to assist with liaison and coordination between services and agencies that interact with the RSE workforce. It is important that people in these roles are independent from the horticulture sector, to enable workers to have an avenue where voicing any complaints or concerns does not mean they worry they are jeopardising their future employment as an RSE worker.
26. RSE workers recreational needs should be acknowledged. While working in the hot sun during summer is tiring, there is still a need for recreation. Putting a few RSE houses onto a site in an orchard does not address recreation at all. This is an area that requires further consideration and development.

Conclusion

27. Substantial benefit will accrue to owners of accommodation built under Variation 7.
28. It is highly probable that adverse social issues will be created for RSE workers by remote or concentrated housing arrangements.
29. The social issues will not be limited to the RSE workers but will flow into the Hastings District

30. It is appropriate that that developers and owners of RSE housing be levied a special development fee, or special rate, to permit the HBC to address social issues created by the proposed plan change.
31. The opportunity exists for HDC to develop mechanisms that can address social and pastoral issues address for RSE workers before they become issues that affect the district.

Jo

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Submissions can be:

Posted to:

Variation 7

Environmental Policy Manager

Hastings District Council

Private Bag 9002

Hastings 4156

Delivered to:

Civic Administration Building

Hastings District Council

Lyndon Road East

Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: _____ Johanna Croskery

Postal Address: _____ 352 Twyford Road .Hastings

Email: jocroskery@gmail.com _____

Phone: 0273581371 _____

2. The specific parts of Variation 7 that my submission relates to are: (Give Details).

Proposed RSE accommodation on Twyford Road, property ref: 54917, and the loss of prime versatile soil.

3. My submission is that:

(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

I oppose the building of RSE accommodation in Twyford Road.

The loss of versatile land is of serious concern.

We are losing more and more of our unique Twyford soil, that will never be regained due to intensive housing. I would propose the use of light industrial land, where there is infrastructure to support the large numbers of RSE workers, that are indeed needed to support our horticultural industry.

Intensive housing of 75 people will have a substantial impact on our local environment.

The wastewater treatment systems will need to be massive to deal with this number of people in such a small space, also the fresh water supply. We need to be mindful of our Aquifer, we don't want another Havelock North when these systems fail.

Rubbish/waste, how will this be managed? We already have a rubbish problem in our area, will this be made worse?

What impact of more traffic on our rural roads?

What impact on our property values?

The noise from 75 people living in close quarters.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

I would like to see this housing kept to light industrial areas, not on prime horticultural land.

5. Please indicate whether you wish to be heard in support of your submission:

☐

☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☐

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

Date:

25/09 / 2019

If you have used extra sheets for this submission, please attach them to this form and indicate t

☐

No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 26 September 2019 5:38 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#5]

1. Your details: Dianne Vesty

Name: *

Postal



Address: * Hawkes Bay Fruitgrowers Association Inc p o bOX 689
hASTINGS 4156
New Zealand

Email: * office@hbfruitgrowers.co.nz

2. The specific parts of Variation 7 that my submission relates to are: *

3. My submission is that: *

The Hawkes Bay Fruitgrowers Association supports Variation 7 to the Hastings District Plan, including changes made to:

14.1 Industrial

331.1 Definitions

6.2 PPZ

7.5 LIZ

We agree with the officers summary and conclusions in the Section 32 Evaluation: to Amend the provisions of the Proposed District Plan to provide for seasonal workers accommodation at a scale that meets the demands of stakeholders is required to ensure the sustainable management of the horticulture industry within the district. It

has the added benefit of providing for the social wellbeing of the wider community through reducing the pressure on the existing rental housing resource.

The Fruitgrowers' Association thanks council for their recognition of the importance of Recognised Seasonal Employee labour force to the Horticulture industry.

4. I/We We seek that the variation be accepted in full.
seek the
following
decision: *

5. Please I wish to speak at the Hearing in support of my submission; or
indicate
whether
you wish to
be heard in
support of
your
submission:
*

6. Please If others make a similar submission please tick this box if you would consider presenting a joint case
indicate if with them at the Hearing.
you wish to
make a
joint case: *

How did Council Staff
you hear
about this
opportunity
to provide
feedback?

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Submissions can be:

Posted to:

Variation 7

Environmental Policy Manager

Hastings District Council

Private Bag 9002

Hastings 4156

Delivered to:

Civic Administration Building

Hastings District Council

Lyndon Road East

Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: John O'Sullivan and Ben Hamelink representing Navilluso Holdings Limited & Longlands Properties Limited

Postal Address: PO Box 2308, Stortford Lodge, Hastings 4153

Email: john.osullivan@tumu.co.nz; ben.hamelink@tumu.co.nz

Phone: 027 247 3664

2. The specific parts of Variation 7 that my submission relates to are: *(Give Details).*

Section 14.1 General Industrial Zone

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

We support seasonal workers accommodation becoming a Restricted Discretionary Activity in the Irongate General Industrial Zone however we would prefer that tighter performance standards are put in

place in relation to the year-round utilisation of the seasonal workers accommodation, the quality of buildings and screening of the accommodation.

As existing landowners, we feel it is important for the quality of accommodation being established in Irongate to be of a high standard to continue to attract high quality dry industrial land users to the area. It is vital that any residential activity in the industrial zone does not restrict adjoining industrial activities in their ability to undertake their day to day activities. Provisions should be put in place over the land associated with the seasonal workers accommodation to ensure there are no future restrictions to industrial activity. The potential conflict between industrial and residential activities needs to be well managed.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

We seek an amendment be made to the Specific Performance Standards and Terms 14.1.7.9

Seasonal Workers Accommodation in the Omahu & Irongate Industrial Zones, with the addition of *(in italics)*:

(C) All buildings which are part of the seasonal workers accommodation shall be newly constructed relocatable buildings or new buildings with the ability to be reconfigured to an industrial purpose.

(d) Seasonal workers accommodation shall not be used for emergency housing or any other accommodation other than for the seasonal workforce which specifically serves the primary production industry.

(e) Appropriate screening shall be constructed within the boundaries of seasonal workers accommodation to limit reverse sensitivity effects and ensure that the ability of adjoining industrial activities to continue their day to day activities is not compromised.

5. Please indicate whether you wish to be heard in support of your submission:

☒ I wish to speak at the Hearing in support of my submission; or

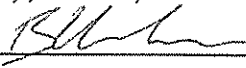
I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☒ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

27/9/19 

Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

Yes, I have attached extra sheets

☒ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

27 September 2019

Hastings District Council
Private Bag 9002
HASTINGS 4156

Attn: Rowan Wallis

Via email to policyteam@hdc.govt.nz

Dear Mr Wallis

Submission on Proposed District Plan Variation 7 by Hastings District – Seasonal Workers
Accommodation

Thank you for the opportunity to make a submission on proposed Variation 7 to the Hastings District Plan. HBRC generally supports Variation 7 (V7) but wish to make the following comments.

Heretaunga Plains Urban Development Strategy

As you are aware, Hastings District Council, Napier City Council and the Regional Council are partners to the Heretaunga Plains Urban Development Strategy (HPUDS). We support V7 insofar as it will enable provision of different forms of housing and living environments to meet some of the demands for residential accommodation in the wider Hastings/Napier area.

The Regional Council also supports the inclusion of provisions intended to stop unnecessary urban development encroachment on versatile soils of the Heretaunga Plains in accordance with provisions of the Regional Policy Statement (RPS), namely POL UD1.

Stormwater and wastewater provisions

The Heretaunga Plain Unconfined Aquifer and the Hastings drinking water Source Protection Zone overlay with areas of the Plains Production Zone and Industrial Zones which fall within the scope of V7 (utilising the HBRC Heretaunga Plains Groundwater numerical model which is proposed within the TANK Plan Change (PC9)). Although provision is given for connection to existing stormwater and wastewater infrastructure, we believe that deeper acknowledgement and consideration of potential risks to the unconfined aquifer and the Hastings drinking water source protection zone is required. HBRC also wish to ensure that there is capacity within the current District Council network for such developments and that the District Council is able to consider the cumulative impact of developments.

Industrial areas of Omaha Road and Irongate - we understand that both wastewater and stormwater can be provided for by the District Council network at Omaha Road. Meanwhile at Irongate, albeit maximum wastewater discharge volume is limited as per 14.1.6A.10, it too can be provided for by the District Council's network. However stormwater must be provided

for on-site. For ease of use by potential applicants, we request that this is made more explicit through appropriate performance standards and terms, assessment criteria or advice notes.

We note that there is reference within this section of the District Plan to contamination risk from industrial uses and development (Policies IPZ7, IPZ18) but note that there is nothing within Variation 7 about contamination arising from the RSE accommodation. It is considered that there is opportunity to consider contamination risk and appropriate management in more detail. The potential contamination issues are not just limited to the built form in terms of ground floor area and impervious surfaces, but also from the density of people proposed to reside within the accommodation and the impacts from their activities, such as car parking, car washing, waste collection and disposal etc. As well as the increased areas of impervious surfaces resulting in increased stormwater runoff and potential overflows from wastewater networks into stormwater if capacity becomes an issue.

Ideally, we would like to see Hastings District Council extend reticulated systems to service RSE developments to remove the need to discharge into these sensitive receiving environments. For the purposes of V7, we request that Hastings District Council include Advice Notes highlighting the need for applicants to seek resource consents from the Regional Council in regards to wastewater and stormwater discharges.

We also note that wastewater discharges from RSE facilities can be relatively large, and that if consent is to be granted for these, a high standard of wastewater treatment is likely to be required where these discharges occur over the unconfined aquifer or within SPZ's. HBRC is also cognisant that there will be cumulative effects from discharges of this nature, and that consent may be granted where the discharge will have, or contribute to adverse environmental effects.

OUTCOME: Applicants have a clear understanding of stormwater and wastewater requirements and groundwater and drinking water quality is protected.

On 25 September 2019, the Hawke's Bay Regional Council agreed to publically notify Plan Change 9 (commonly referred to as the "TANK" Plan Change, encompassing the Tūtaekurī, Ahuriri, Ngaruroro and Karamu catchments). We believe it would be opportune for Hastings District Council to ensure that any changes made through this Variation align with the proposed TANK Plan Change, insofar as is practicable given the Plan Change is not yet notified. There is opportunity to provide wording in 14.1.8.4 similar to that within TANK Policy 6 b):

- b) regulating activities within the unconfined aquifer that may actually or potentially affect the quality of the source water or present a risk to the supply of safe drinking water because of;*
 - (i) direct or indirect discharge of a contaminant to the source water including by overland flow or percolation to groundwater;*
 - (ii) an increased risk to the safety of the water supply as a result of a non-routine event*
 - (iii) potentially impacting on the level or type of treatment required to maintain the safety of the water supply;*

- (iv) shortening or quickening the connection between contaminants and the source water, including damage to a confining layer;*
- (v) in the case of groundwater abstraction, the rate or volume of abstractions causing a change in groundwater flow direction or speed and/ or a change in hydrostatic pressure that is more than minor*

OUTCOME: Regional and District plan provisions are aligned.

Provision of drinking water

We recognise that the residents of these types of development will require provision of drinking water. It is uncertain whether Seasonal Workers Accommodation developments are to be accommodated by municipal supply or on-site provision. As you will be aware, the Heretaunga Aquifer is currently over-allocated and, in accordance with RPS OBJ LW1 2B¹, over-allocation is being phased out through the TANK Plan Change.

If it is not possible for RSE developments to join the municipal supply, we request that Hastings District Council include an Advice Note highlighting that applicants may need to transfer an existing permit or provide drinking water within existing consented allocations. Furthermore it would be advisable to note to applicants that the provision of drinking water will need to meet the requirements of the NZ Drinking Water Standards and Health Act.

OUTCOME: RSE accommodation is appropriately serviced and groundwater quantity is maintained.

The Regional Council wishes to be heard in support of this submission and does not wish to present a joint submission.

The Regional Council's address for service in relation to this submission is:

Hawke's Bay Regional Council
159 Dalton Street
Private Bag 6006
Napier 4110
Attn: Ellen Humphries
Phone: 06 835 9200 extn. 9379
Email: ellen.humphries@hbrc.govt.nz

Should you have any queries with regards to the content of this submission please do not hesitate to contact Ellen Humphries, as above.

¹ Integrated management of fresh water and land use and development Fresh water and the effects of land use and development are managed in an integrated and sustainable manner which includes... establishing where over-allocation exists, avoiding any further over-allocation of freshwater and phasing out existing over-allocation.

Yours sincerely

A handwritten signature in black ink, reading "Ceri Edmonds". The script is cursive and fluid, with the first name "Ceri" and last name "Edmonds" clearly distinguishable.

Ceri Edmonds
Manager Policy & Planning
Strategic Planning Group

Phone (06) 835 2952
Email: ceri.edmonds@hbrc.govt.nz

Form 5
Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

To Hastings District Council

Posted to:

Variation 7

Environmental Policy Manager

Hastings District Council

Private Bag 9002

Hastings 4156

Delivered-to:

Civic Administration Building

Hastings District Council

Lyndon Road East

Hastings

policyteam@hdc.govt.nz

Name of submitter: A & J Maurenbrecher & Others

This is a submission on the Hastings District Council proposed plan change **Variation 7 Seasonal Workers Accommodation** to the Hastings District Plan (the **proposal**):

Background information – The documents available to the submitter at the time of Notification on the Councils Website and as downloaded are:

- a) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 14.1 Industrial (PDF | 1.5 MB)*
- b) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 331.1 Definitions (PDF | 61 KB)*
- c) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 6.2 PPZ (PDF | 1.4 MB)*
- d) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 7.5 LIZ (PDF | 262 KB)*
- e) *Discussion Document (PDF | 4.1 MB)*
- f) *Public Notice - Hawke's Bay Today (24.8.2019) (PDF | 241 KB)*
- g) *Section 32 Evaluation Report Variation 7 Seasonal Worker Accommodation (PDF | 1.4 MB)*

The specific provisions of the proposal that my submission relates to are:

The submitter supports the provision of Seasonal Workers Accommodation in the Hastings District but **opposes** the changes to specific provisions of the District Plan as they are currently worded for the parts notified (listed above) and opposes any consequential change resulting to the plan as a result of Variation 7 text amendments.

My submission is:

The submitter is directly affected by the **Proposal** and has a concern that the **Proposal** is not an appropriate method of achieving the purpose of the RMA. While the s 32 assesses the District Plan Objectives and Policies for each section in a manner that claims to demonstrate consistency with Part 2 and Section 32 of the current planning provisions, it does not address whether the Plan

Objectives and Policies themselves continue to give effect to the RPS. The assessment should reflect the underlying land in terms of the appropriateness of the Alternative Assessment.

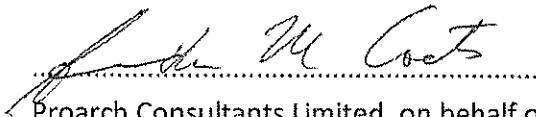
I seek the following decision and relief from the local authority:

That the **Proposal** is declined in its entirety.

Failing the **Proposal** being declined in its entirety, the submitter request that the proposed text be amended inclusive of consequential changes and definitions to enable existing undersized PPZ lots of inferior soils to be utilised for Seasonal Workers accommodation and for other accommodation purposes in the offseason, subject to existing Building Act 2004 provisions. The submitter maintains that the use of inferior soils inadvertently captured by zoning that is contrary to the properties of the land itself under the RPS is a valid alternative and has not been considered under the s32 analysis.

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



Proarch Consultants Limited, on behalf of the Maurenbrechers & Others
(person authorised to sign on behalf of submitter)

Date: 27 September 2019

(A signature is not required if you make your submission by electronic means.)

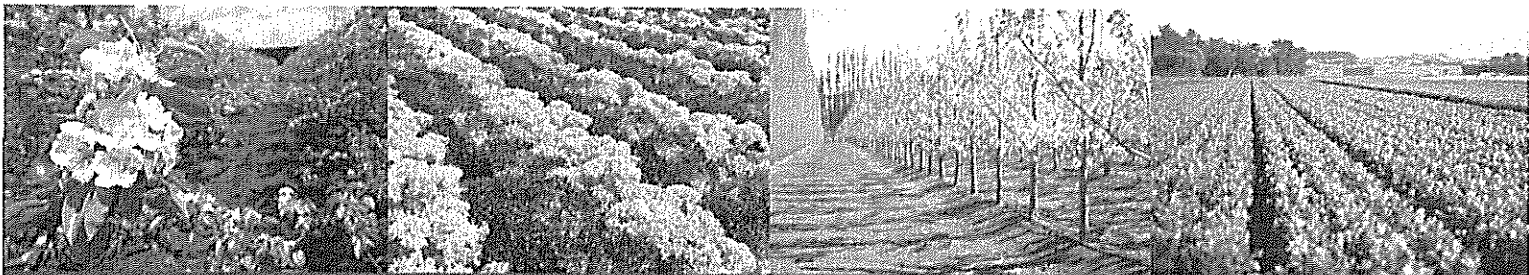
Address for service of submitter:	Proarch Consultants Limited
Telephone:	021517955
Fax/email:	amanda@proarch.co.nz
Contact person:	Amanda Coats, Planning Consultant

SUBMISSION ON Hastings District Council Variation 7

September 2019

TO: Hastings District Council

NAME OF SUBMITTER: Horticulture New Zealand



CONTACT FOR SERVICE:

Charlotte Drury
Consultant Planner on behalf of Horticulture NZ
View Consultants Ltd
PO Box 239 NAPIER 4140
Ph: 027 3225595
Email: charlotte@viewconsult.co.nz

Introduction

Horticulture New Zealand (HortNZ) thanks Hastings District Council for the opportunity to submit on Variation 7 and welcomes any opportunity to work with Hastings District Council and to discuss our submission.

HortNZ could not gain an advantage in trade competition through this submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking from Council are set out below.

Background to HortNZ

HortNZ was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

HortNZ represents the interests of 5000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers. Land under horticultural crop cultivation in New Zealand is calculated to be approximately 120,000 hectares.

The horticulture industry value almost \$5.7 billion and is broken down as follows:

Industry value	\$5.68bn
Fruit exports	\$2.82bn
Vegetable exports	\$0.62bn
Total exports	\$3.44bn
Fruit domestic	\$0.97bn
Vegetable domestic	\$1.27bn
Total domestic	\$2.24bn

For the first time New Zealand's total horticultural produce exports in 2017

exceeded \$3.44bn Free On Board value, 83% higher than a decade before.

It should also be acknowledged that it is not just the economic benefits associated with horticultural production that are important. The rural economy supports rural communities and rural production defines much of the rural landscape. Food production values provide a platform for long term sustainability of communities, through the provision of food security.

HortNZ's mission is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand to achieve the industry goal (a \$10 billion industry by 2020).

HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ also works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

The principles that HortNZ considers in assessing the implementation of the RMA include:

- The effects based purpose of the RMA;
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and sustainable economic production sense.

The current state

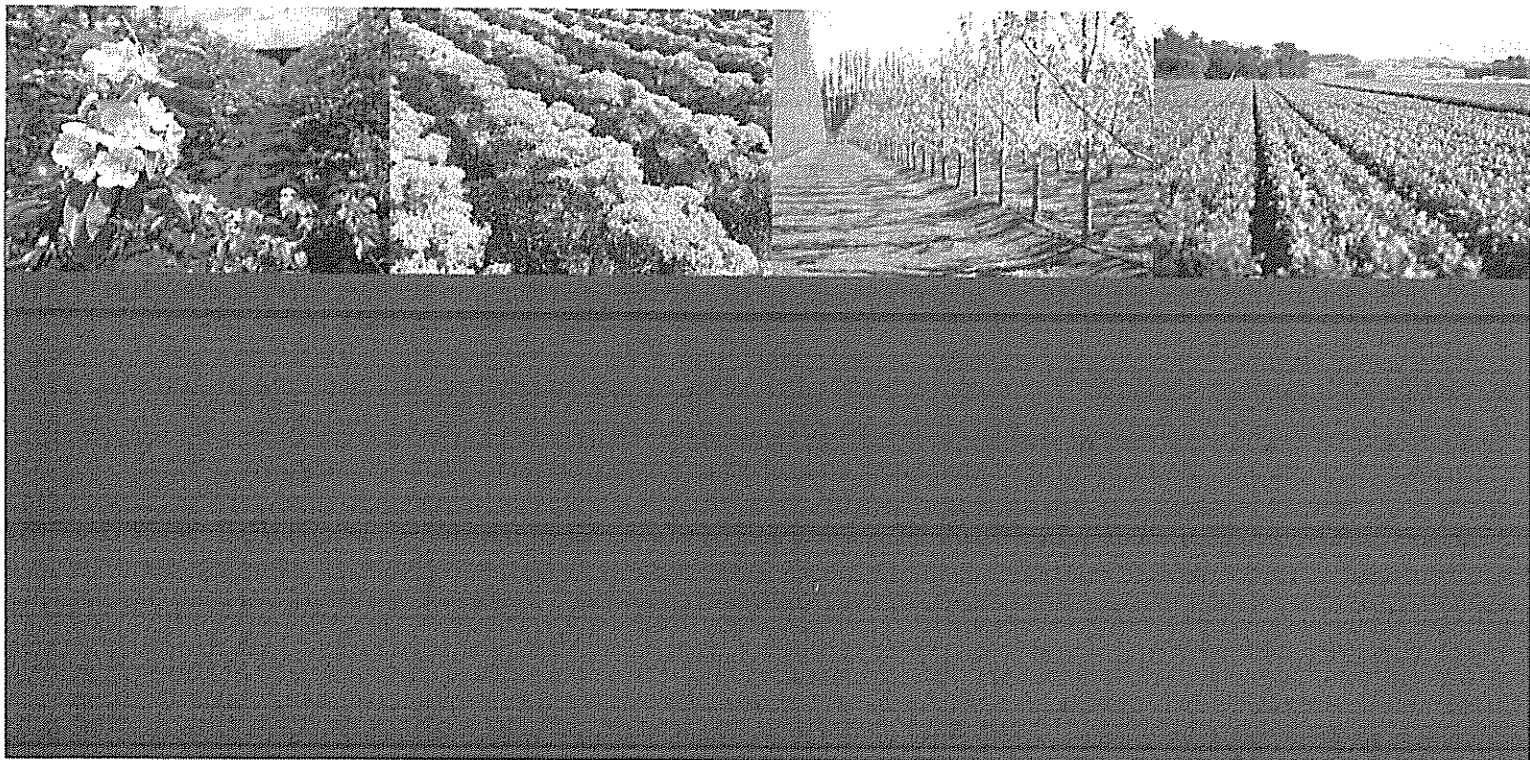
Horticulture is hugely important to the Hawke's Bay region. Around 16,800 ha of commercial fruit and vegetable production is undertaken on the Heretaunga Plains. HortNZ represents around 250 horticultural growers that live within the Hastings District.

Seventy percent (70%) of all apples produced in New Zealand are grown in the Hawke's Bay, with the vast majority of those orchards located within the Plains Production Zone of the Hastings District. Summerfruit, green beans, sweetcorn, squash and onions are other significant crops for the region, with large areas of summerfruit in particular being grown within the Hastings District.

Specialised post-harvest pack houses add significant value after the farm gate and many growing organisations are now integrated into the post-harvest chain. There are two significant international fruit and vegetable processing facilities located in Hastings (Heinz Wattie's and McCain's), and those post-harvest processing facilities alone employ over 1800 people.

Hawke's Bay produces significant quantities of food for domestic supply, which is important for the health and well-being of all New Zealanders. Hawke's Bay's contribution to the domestic food supply is particularly important because of the warmer climate which means that it can provide fresh produce when other regions are not able to provide fruit and vegetables into the supply chain.

There is also extensive export production within the region, which provides employment opportunities for many people. The Heretaunga Plains are a nationally significant source of highly productive land and significant protection of this land has been regulated within district and regional planning tools due to pressures from urbanisation. Food and fibre production are recognised as a significant value within the Regional Policy Statement and as 'primary values and uses' for the Greater Heretaunga/Ahuriri.



HortNZ's Submission on Hastings District Plan Variation 7

Given the critical importance of the RSE (Recognised Seasonal Employer) Scheme providing labour for the horticultural sector, HortNZ is generally very supportive of the proposed plan variation, and thank Hastings District Council for taking the time to address an issue which is so critically important to the horticultural sector, in the more integrated manner that a plan variation enables, rather than trying to develop an approach and then apply that approach through decisions on individual resource consents. The promulgation of a plan variation provides the opportunity for the public to provide their views on the proposal and those views taken into account in Council's final decision on the plan variation.

It is relevant to note that Horticulture New Zealand was instrumental in working with Central Government to help establish the RSE scheme, and continues to work with government to review the scheme and ensure it is fit for purpose. As stated in the Section 32 report for Variation 7, industry has sought an increase in the number of RSE workers who can work in New Zealand each season. The current government has also adopted a number of approaches in an effort to try and address the current stresses on the country's housing stock, and are actively trying to make more homes available, particularly for those in need. These factors, being an increase in the number of RSE workers who need to be accommodated within Hawke's Bay, and a desire to reduce the number of RSE workers who are housed in existing rental stock within residential zones, have aligned to make what was already a pressing issue, an even greater priority for the Hastings District.

One of the main challenges for this plan variation, from a HortNZ perspective, is that it strikes an appropriate balance between providing additional options for sites that can be utilised for seasonal worker accommodation (SWA) that meet the needs of both growers and seasonal workers; and also ensuring that unnecessary expansion of buildings on to highly productive land¹ is avoided. These matters are discussed in some further detail below:

SWA that meets the needs of seasonal workers and growers

Seasonal workers come from many nations in the Pacific, and the opportunity to be part of New Zealand's RSE scheme is considered to be life changing opportunity for those people that satisfy the strict acceptance criteria and are selected to come to New Zealand. The RSE scheme has been running since 2006, and over the 13 years it has been operating, the scheme has been tweaked and developed as those involved have developed a greater understanding of the culture of the workers who come, the way that they live, and what is most important to them. For example, it is recognised that bringing larger groups of people who already know each other, perhaps because they are all from the same village, or church; and housing them together is the best approach, rather than randomly selecting individuals to live together, who are all the same age for example. This is because there can be tension between people from different villages/islands. Housing groups of workers together who have established relationships also means that they can support each other living away from home, the leaders within those groups can assume their established leadership role, and for those who are here for the first time, people that they already know can help them learn about and adapt to living in a very different environment to which they are used to. The culture shock that coming to New Zealand presents is one of the reasons that providing seasonal worker

¹ It is noted that the Hastings District Plan refers to 'versatile soils' however given the timing of this submission period falling after the notification of the Proposed National Policy Statement for Highly Productive Land, HortNZ supports the use of the term utilized in that document, which is 'highly productive land' rather than versatile land.

accommodation options outside of the residential zones is good – the physical separation of SWA in the Plains Production Zone in particular can mean it is easier for workers to avoid the temptations that town locations can make easier to access, and workers also tend to feel safer, as particularly in the early days of the scheme, some workers unfortunately were subject to racial abuse.

RSE workers are accustomed to a more communal manner of living than what many New Zealanders are used to, and the provision of smaller sleeping areas, and larger communal spaces such as kitchens etc are important to them. For these reasons, housing seasonal workers in existing residences (within residential zones) is not a great long term option, and enabling the establishment of bigger, purpose built facilities, will help ensure that the pastoral care needs of workers are met. Larger SWA sites are also more likely to have other facilities such as well set up recreational areas such as volleyball courts, and also classrooms. MFAT² funds training courses for seasonal workers in subjects such as English literacy, numeracy and financial literacy, and the availability of classroom space at their accommodation location increases the likelihood that workers will be able to undertake this additional training. The ability to complete such training has positive social benefits for workers, and means that they return to their homes not only with new skills learnt on the job in New Zealand, but other skills that they can use to assist the development of their villages. Additional vehicle movements that would be necessary to transport workers to a classroom location if one is not available are also avoided with larger accommodation complexes.

The construction of new, purpose built facilities to provide seasonal worker accommodation also means that they are generally of a higher standard, and in particular are warmer, which is important for workers who all come from significantly warmer climates.

Ensuring unnecessary expansion of buildings onto highly productive land

As the national organisation representing horticultural interests, HortNZ is very mindful of the need to avoid the unnecessary spread of additional buildings across the highly productive land of the Heretaunga Plains. Enabling the establishment of seasonal worker accommodation within the Plains Production Zone is supported, as seasonal workers are an essential component of the success of the horticultural industry, however, limits do need to be placed on the extent to which this is allowed. However, there also needs to be some flexibility to enable land that is perhaps not as suitable for primary production for some reason to be used for seasonal worker accommodation given the very high demand for it.

Matters of clarification

There are several matters within the suite of documents available on the HDC Variation 7 web page that require some clarification, and these are listed below, with further explanation provided where necessary.

- The Discussion Document (Section 7 summary) talks about seasonal worker accommodation within the Plains and Rural Zones being a restricted discretionary activity up to 80 persons, and also less than 2500m²GFA, however the amended plan provisions available on the website only relate to the Plains Production Zone. Are changes to the Rural Zone rules still being proposed or not?

It is HortNZ's submission that increasing the number of options available for locating seasonal worker accommodation (within certain criteria as proposed through the restricted discretionary activity status) is a positive change, and should help ensure

² MFAT – Ministry of Foreign Affairs and Trade

that it is as appropriately located as possible. Increasing the number of zones in which seasonal worker accommodation can be more easily established will also assist with the vacation of residential accommodation, freeing it up for other users, which is one of the key outcomes sought by this plan variation, therefore we seek that amendments to the Rural Zone are included, if that is still within the scope of this plan variation.

- Section 7 of the Discussion Document also indicates that if seasonal worker accommodation cannot comply with all of the relevant performance standards then it falls to be considered as a discretionary activity, however Option 3 (which is selected as the favoured option) of Section 7.2.5.3 of the Section 32 Evaluation indicates that activities that exceed 80 people in the PPZ would assume a non-complying activity status. Table 6.2.4 of the amended plan provisions for the Plains Production Zone also does not make explicitly clear what the activity status becomes.

HortNZ submits that falling to a discretionary activity status would be more appropriate, as this still gives Council the ability to exercise their discretion in deciding whether or not to grant a consent application, and over what it imposes as conditions. HortNZ believes that the establishment of seasonal worker accommodation within the PPZ for over 80 workers would not be contrary to the policies of the plan, and therefore any analysis would focus on the effects of a particular proposal which could be fully considered within the ambit of a discretionary activity status in the same manner as they could be for a non-complying activity. We suggest that defaulting to a non-complying activity status would also act as a disincentive for people to apply for resource consent for such activities when it may be appropriate in a particular location. In any event, the activity status of seasonal worker accommodation for over 80 workers and/or over 2500m² GFA needs to be clarified.

- In Section 7 of the Discussion Document seasonal worker accommodation for up to 300 people within Industrial Zones is proposed to be classified as a restricted discretionary activity, however the Amended Industrial Zone provisions nor the Amended Light Industrial Zone provisions make reference to the 300 person limit, therefore it is unclear whether or not this is still being proposed. This needs to be clarified. The Discussion Document indicates that non-compliance with the 300 worker limit would result in consideration as a discretionary activity, however the amended plan provisions seem to indicate that such activities would fall to be considered as a non-complying activity.

It is understood that the 300 person limit came about as a result of discussions with industry. HortNZ believes that a limit is appropriate, and we suggest that the 300 person limit is added to the activity description for a restricted discretionary activity.

HortNZ has no specific comment on the activity status to which a SWA within the industrial zone falls in the event that it does not meet the Restricted Discretionary Activity standards, provided it is not prohibited.

In the case of the Light Industrial Zones however, given the more limited range of activities that can establish within Light Industrial Zones, making them more appropriate for residential type activities, we believe that in this instance a default activity status for activities that cannot comply with the restricted discretionary performance standards should be assessed as discretionary activities.

- The current limit of the GFA of permitted seasonal worker accommodation within the Plains Production Zone is 125m². At least 4.5m² floor area must be provided for sleeping for each worker, therefore this limit means that permitted seasonal worker accommodation is unlikely to exceed twenty-odd workers once space is allowed for communal kitchen, laundry and bathroom facilities. The justification for this 125m² limit is not clear in the documentation that supports this plan variation, and therefore HortNZ suggests that an additional option that could be considered as part of this plan variation is also an increase in the gross floor area of SWA permitted within the Plain Production Zone (in addition to the other changes already considered and explored in the Section 32 report). Such an increase would provide for slightly bigger numbers of seasonal workers to be accommodated within the Plains Production Zone as a permitted activity, which again goes some way to addressing the capacity problem that the district currently faces.
- The reason for the minimum site area of under 12ha within the Plains Production Zone is not clear from the documentation accompanying this plan variation and HortNZ questions whether this is necessary and/or appropriate. Given that it does not apply to SWA at or below the 125m² size threshold, the activity would be subject to assessment through a resource consent process during which the effects of the SWA would be considered. An alternative to the minimum site area could be the inclusion of an additional matter of discretion that specifically considers the area of the site that will be removed from primary production, relative to the total area of the site, however we suggest that matters of discretion (a), (b), (d) and (h) allow this to be considered in any event.

In summary, HortNZ is supportive of Variation 7 as it addresses a matter that is critically important to the ongoing prosperity of the horticultural industry within the Hastings District, and the wider Hawke's Bay Region. A plan variation approach that considers the provision of seasonal worker accommodation across a range of zones is a constructive approach, and we believe will lead to better outcomes than the consideration of seasonal worker accommodation provisions within single zones, as has been done by other districts throughout New Zealand.

For the sake of clarity, we clearly outline in the following table the specific decisions that we seek in relation to seasonal worker accommodation within each relevant zone of the Hastings District Plan:

Zone	Support/oppose	Decision sought	Reason
Residential	Support	Definition of residential activity is amended to state that a maximum of 8 seasonal workers can be accommodated at a site.	A limit clarifies what is permitted, and 8 workers is considered to be an appropriate limit that could be reasonably accommodated within a 4 bedroom home.

Rural	<u>Propose amendments as per Plains Production Zone</u>	As per decisions sought for Plains Production Zone	Enabling SWA to be established in a range of zones will help ensure that it is constructed in a range of appropriate locations.
Plains Production Zone	Support in part	<ul style="list-style-type: none"> • <u>GFA threshold</u> for a permitted activity is <u>increased</u> from 125m². • <u>Minimum size of 12ha is deleted.</u> • Activity status if performance standards for restricted discretionary activity cannot be complied with becomes <u>discretionary</u> (not non-complying). 	As discussed above, HortNZ's proposed amendments would better enable the establishment of SWA on appropriate sites within PPZ.
Light Industrial Zone	Support in part	<u>SWA for up to 300 workers</u> is allowed as a restricted discretionary activity. If the performance standards cannot be complied with, the activity falls to a <u>discretionary activity</u> status.	Believe use of zone is appropriate, but limits should be specified.
Industrial Zone	Support in part	SWA is allowed as a restricted discretionary activity but <u>limited to a maximum of 300 workers.</u>	As above, believe some use of zone is appropriate, but limits should be specified.

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Submissions can be:

Posted to:

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:

Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name:

Robert Douglas Griffiths

Postal Address:

5 Evans Road, RD5 Hastings, 4175

Email: r.griffiths@airnet.net.nz Phone: 0212499771

2. The specific parts of Variation 7 that my submission relates to are: *(Give Details)*.

I oppose RSE accommodations on rural horticultural land.

3. My submission is that:

*(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).*

R.S.E accommodation is typically built for large numbers of staff and if permitted to proceed on good horticultural land there are many issues to consider.

1. The waste of good productive horticultural land is like urban sprawl and should be directed to other areas.

2. High density accommodation requires massive septic tanks to deal with sewage and grey water that then leaches into the land and the aquifer. Hastings has already many problems with a clean water supply and these developments will add to that problem.
3. R.S.E workers are from Pacific Islands and discipline is not as we know it and as they will throw rubbish out of vehicles and like loud thumping music.
4. Large groups like RSE create a great deal of noise problems as they like to party and play loud music and should not be housed on orchards and near lifestyle communities.
5. These types of developments if situated in rural developments must not be permitted for other commercial use.
6. Large concentration of R.S.E staff cause security issues and crime rates increase.
7. Although I agree with the wish to remove the bulk of the workers out of city housing zones should be created in and near industrial areas so that developments can be connected to city infrastructure and noise then is not an issue and our precious horticulture land will be saved for future production.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

That large accommodation developments are not a permitted activity on rural land and that these developments be redirected to industrial or similar zones so that issues with RSE accommodation can be controlled in an easier environment and that services can be connected to city infrastructure.

5. Please indicate whether you wish to be heard in support of your submission:

☐ I wish to speak at the Hearing in support of my submission; or

☒ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

Robert Griffiths **Date:** **27 /09/ 19**

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☐ Yes, I have attached extra sheets

☒ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

27th September 2019

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
HASTINGS 4156

Via email: policyteam@hdc.govt.nz

Dear Sir / Madam,

Submission to Variation 7 – Seasonal Workers Accommodation

Surveying the Bay have been involved in the preparation of a large number of applications for Resource Consent to establish RSE facilities in both Plains and Industrial areas of Hastings District as well as a smaller number in Napier City. We support the aim of Variation 7 and agree there is a need to provide a greater range of RSE accommodation options throughout the District.

In general we have found Council to be proactive in their processing of these applications, often in the absence of an appropriately developed rule framework. We therefore support this drive for clarity.

It is worth stressing that Council's concerns around loss of versatile soils are shared by many RSE providers. All facilities we have been involved with have been carefully designed to minimize the impact on the productive potential of the orchard lands. For this reason many small camps have been established in and around existing dwellings or buildings and only infrequently have involved the removal of trees and. Up until recently these camps would generally sleep around 20 RSE employees within the 125 m² floor area limit. Recent Department of Labour changes to the per employee sleeping area requirements have meant on orchard camps consented and constructed to accommodate around 20 employees could only accommodate around two thirds of that number.

The 20 worker accommodation model appears to have worked well and is of sufficient scale to justify the infrastructure required (eg on site services), can generally be located within existing dwellings or curtilages and normally without the loss of land to production.

We request that the 125 m² gross floor area limit (PP9) be increased to 200 m² to provide for the 20 worker on orchard model as a Permitted Activity in the Plains zone. This would offset the capacity "lost" to the new per employee sleeping area requirements but not to the extent that the camps would encroach significantly onto productive land.

We support the introduction of PP23 allowing for up to 80 workers as a Restricted Discretionary Activity but feel an anomaly has (inadvertently) arisen. For example an RSE accommodation facility of (say) 250 m² floor area on a 9 hectare site would exceed the footprint limits of PP9 but also not meet the 12 hectare requirement of 6.2.6K. Therefore such an application would be classed as Non-Complying, which we believe is inconsistent with the overall purpose of Variation 7.

Napier

11 Oasian St PO Box 12253 Ahuriri Napier 4144
P: 06 835 5721 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

Hastings

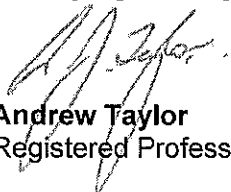
311 Eastbourne Street West PO Box 611, Hastings 4156
P: 06 870 4048 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

www.surveyingthebay.co.nz

We therefore request that an additional Restricted Discretionary Activity category be provided for allowing for RSE accommodation for up to 40 Workers on a site between 6 and 12 hectares.

We would like the opportunity to speak at Council's hearing in support of this submission

Yours faithfully
Surveying the Bay Ltd



Andrew Taylor
Registered Professional Surveyor

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, 27 September 2019 9:18 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#6]

1. Your details: Victor Saywell

Name: *

Postal 
Address: * 31 Stock Road RD5
Hastings 4175
New Zealand

Email: * saywellvandh@gmail.com

Phone 021 2668691

Number:

2. The specific parts of Variation 7 that my submission relates to are: *

I have not had time to go through all the papers thoroughly. However, my concerns are that whatever rules are put in place they not only relate to initial plans and facilities, but principles and rules to:

- prevent exploitation of seasonal workers
- prevent undermining of responsible employers and seasonal accommodation providers by other poor operators who flout rules or manage poorly
- ensure regular monitoring of standards, purpose and rules to see they are being complied with
- ensure adverse impacts do not occur for neighbours and nearby activities

3. My submission is that: *

Appropriate seasonal accommodation needs to be available in sensible locations. However it is important that it is well planned, managed, maintained, used for purpose, meet reasonable needs of workers and be monitored. It should become permanent, tourism or other accommodation through unintended changes in use, lack of monitoring, etc.

Only suitable people should be allowed to be involved in managing and owning such seasonal accommodation. Failure to comply on significant matters, or on more than infrequent non-compliance should be grounds to close down operations.

The seasonal accommodation should be fit for purpose and provide for the reasonable needs of workers with respect to sleeping, cooking and living, including accessibility to recreation, shopping and community activities and facilities. This may be via a combination of location and transport.

The cost of rent, food, transport, internet, power and other necessities for seasonal workers should be subject to limits, perhaps in relation to wages to prevent exploitation.

Regular inspection and unannounced visits, together with wellness checking of seasonal workers, needs to occur over the year.

For plains areas, seasonal accommodation should not take total gfa over 2,500 sqm in total when combined with other buildings on site and both the activities and labour on site should relate primary industries on that site and nearby (say 5 –8 kms, not 20 or more kms)

4. I/We seek the following decision: * That decisions made support appropriate wellness for seasonal workers, activities of well managed operations that comply with rules and are in line with the purpose for which they are approved.
Equally poor operators are brought into line promptly or lose the ability to operate.

5. Please indicate whether you wish to be heard in support of your submission:
* I wish to speak at the Hearing in support of my submission; or

6. Please indicate if you wish to make a joint case: * If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity to provide feedback? Talking to a town planning consultant about issues with an existing seasonal worker accommodation provider

Yvonne Moorcock

From: Rowan Wallis <rowanw@hdc.govt.nz>
Sent: Monday, 30 September 2019 7:50 AM
To: 'Greg Honnor'
Subject: RE: Seasonal Worker Variation 7

Hi Greg

Apologies for not getting back to you on Friday. I understand that you have not had much time to consider the effects of the proposed variation and prepare a submission. As I said to Ben, legally if you submit beyond the closing date for the submissions your submission will be classed as a late submission. There is a clause within the Resource Management Act that allows the consideration of late submissions and this will be up to the Hearing Commissioners to consider at the start of the Hearing. The normal criteria is if the content of the submission and the extent of lateness will have an adverse impact on any party. In the case of a variation there is a further submission process which would allow for your submission to be supported or opposed. I would be happy to answer any queries you might have.

Kind regards

Rowan

-----Original Message-----

From: Greg Honnor [mailto:greg.primeproperty@gmail.com]
Sent: Friday, 27 September 2019 4:36 PM
To: Rowan Wallis <rowanw@hdc.govt.nz>
Subject: Seasonal Worker Variation 7

Hello Rowan,

I have been liaising with Ben at Tumu Timbers re the RSE submission, Variation 7 notice.

As you know I have been out of the country for 5 weeks & as a result we only had notification last Tuesday morning.

Ben & I met on Tuesday to discuss options & timing.

As you will be aware we (Ben on our behalf as well) requested an extension for submissions.

Ben has subsequently been able to submit, but I am awaiting my representative to finish off our submission.

We will submit by next Wednesday.

Trust this is still Ok with you.

Kind Regards,
Greg Honnor.