

# Your submission to Proposed National Policy Statement for Highly Productive Land

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Manawatu  
New Zealand

## Reference no: 27

### Clause

What are the values and benefits associated with existing food growing hubs and how can these be maximised?

### Notes

Putting aside food growing hubs for the moment and considering defining highly productive land: Highly productive land (high class land and versatile land) has been defined as including LUC classes 1 and 2 mainly with some areas of LUC Class 3 where the limitation is one of slope (Webb et al. 1995: Identification of High Class Land: NZ Association of Resource Management Broadsheet November 1995). This amounts to around 5% of NZ's land area. The areas of "Highly Productive Land in the Manawatu and shown in Fig 3 include areas LUC Class 3s land that contain winter-wet, summer-dry loessial soils and are not High Class Land. The present area of High Class Land in NZ is nearer 5% rather than 4%. An example of High Class LUC Class 3e land is the land at Pukekohe which is sloping and has a limitation of erosion. Otherwise it is eminently suitable for a wide range of crops being freely drained with a resilient soil structure with an good climate. There is a danger of using size of area of land or availability of water to define "highly producing land". Obviously farm production needs an adequate water supply but the actual soil and land attributes are more or less static, whereas a shortage of water can be rectified. Similarly if an area of elite land is small then it might not be useful for some productive uses but useful for others. It's definition should not depend on its size. The soil is elite or otherwise irrespective of its size. Furthermore, land/soil quality doesn't change depending on whether there is labour available for harvesting crops. Infrastructure changes over time. Roads can be built. Elite soils cannot. Land/soil quality definition must be decoupled from infrastructure.

### Clause

What are the values and benefits associated with highly productive land?

### Notes

These are obvious: Highly productive land in NZ allows the production of food crops including root crops such as potatoes that depend on well-drained soils, as well as leafy vegetables. Preservation of high class land in regions allows the supply of food crops to the regions without needing long-distance transport. Countries or regions that abandon their highly productive land to urban uses end up importing food at a higher cost than locally produced crops and have little say in how the production is managed.

### Clause

Does the RMA framework provide sufficient clarity and direction on how highly productive land should be managed? Why/why not?

### Notes

In my view it doesn't. The RMA and the Environment Court are too permissive in allowing the loss of highly productive land to urban and peri-urban uses. For example the loss of highly productive land in the Auckland area, Hawkes Bay and Canterbury regions. There has been significant losses of Class 1 and 2 land in the Horowhenua district, particularly to the so-called "lifestyle blocks". In fact, Landcare Research published data on peri-urban expansion onto rural land from the growth of lifestyle blocks to a greater extent but also to urban expansion to a lesser extent (Andrew R, & Dymond JR. (2013). Expansion of lifestyle blocks and urban areas onto high-class land: An update for planning and policy. Journal of the Royal Society of New Zealand, 43(3), 128-140 - pg 25 of discussion document). The discussion document itself reports (from Our Land 2018) 175 000 lifestyle blocks occupying on average 5 ha each with 40% or 70 000 of these (occupying 350 000 ha) being established in the last 20 years. This has been particularly bad for the environment because, apart from the general loss of productive land (few lifestyle blocks are established on Class 5 and Class 6 land) the constant travel of families into the city for work, school and after school activities leads to more motor car travel and more greenhouse gas emission - all factors that MfE who oversee compliance of the RMA should be aware of.

### Clause

Does the RMA framework provide sufficient clarity on how highly productive land should be considered alongside competing uses? Why/why not?

### Notes

No it doesn't in my view. When the old Town and Country Planning Act was abandoned and the RMA came into being in the early 1990s, the "Matter of National Importance" in the T&C Planning Act i.e. "the preservation of land of "high actual or potential value for the production of food where practicable" disappeared. Instead, Regional Councils were expected to protect the environment which includes highly productive land but invariably did not do so. Witness the fragmentation of rural land, much of it high class, into lifestyle blocks in many regions and the loss of highly productive land in the Pukekohe district to urban housing development. In Auckland there are large areas of medium and low productive land north of the city for example at Millwater, about 35 km from the harbour bridge where housing development is taking place. This is a positive move regarding non-proliferation of urban development onto highly productive land such as at Dairy Flat and Pukekohe. However, more often than not considerations of infrastructure (roading, water supply and sewage) trumps preservation of highly productive land.

**Clause**

How are values and wider benefits of highly productive land being considered in planning and consenting processes?

**Notes**

I don't think that the values and benefits of highly productive land has been adequately considered during the planning process. Both the RMA and the Environment Court seem to be rather permissive when considering rezoning high class land from rural uses to urban uses, favouring other factors. Where zoning of rural land to urban is necessary to provide housing and Class 3 to Class 6 land is available (excluding Class 3e land) it is important that highly productive land (LUC Classes 1 and 2 land) is preserved for rural uses. There is not an endless supply of Class 1 and 2 land - only about 5% of NZ's land area as detailed in the discussion document.

**Clause**

How is highly productive land currently considered when providing urban expansion? Can you provide examples?

**Notes**

In many instances I don't think it is considered. For example, from 2002 to 2016, New Zealand's area of land previously used for vegetable growing decreased 29 percent, from nearly 100,000 hectares to about 70,000 (reference given p 24 of discussion document). This is scandalous really. Just an urban onslaught against highly productive land. At this rate NZ will be importing vegetables from around the world while we live in a large house on a 5 ha rural block with few sheep, a horse and a swimming pool. Urban encroachment in the Pukekohe district has been the easy answer to Auckland's housing shortage and clearly preserving highly productive land has been trumped by methods of transport into the city (train, bus and car) whereas there are only two transport choices (bus and car) from areas the same distance north of the city (50 km). I guess building at Pukekohe is the easy option although the long-term effects of a future lack of productive land to provide vegetables to Auckland and elsewhere have not been considered. Palmerston north is another example. DSIR and Ministry of Agriculture during the early 1970s together with the Palmerston North City Planner produced maps showing land quality in and around the city and rated potential value of the different land classes for both primary production and urban expansion. To its credit the Palmerston North City Council has directed urban expansion out to the east onto loessial Class 3 land, unsuitable for horticulture, and to the south onto the same land class, largely keeping urban expansion away from the highly productive land in the Te Matawai Road area southeast of the city. Unfortunately, the council has allowed a ribbon development of urban dwellings to the east along Napier Rd on the lower terrace, and have in the last district scheme review rezoned highly productive land west of the city between the city and Longburn for urban uses. It seems that these transgressions from the Urban Growth Strategy are a planning response to lobbying from land developers and some owners anxious to make some money. There is still an adequate supply of Class 3s land north-east of the city for urban expansion.

**Clause**

How should highly productive land be considered when planning for future urban expansion?

**Notes**

Revert back to the old Town and Country Planning Act "Matters of National Importance" which was given its own section in the Act to the effect that "wherever practicable preservation of land of high actual or potential value for food production is a matter of national importance". What this meant was that if a town or city needed land for housing or commercial/industrial uses, and Class 3 land (excluding Class 3e horticultural land) was available then urban expansion should only be permitted on the poorer-quality land. If the town was surrounded only by highly productive land then the land would need rezoning from rural to urban use. Palmerston North and Christchurch are examples of the former with Christchurch having stony soils occurring out to the west at West Melton and Rolleston and Palmerston North having the Class 3 land of the higher terraces surrounding the city to the north and south. Lincoln township in Canterbury, I believe, is an example of the latter, being surrounded by highly productive land.

**Clause**

How is highly productive land currently considered when providing for rural-lifestyle development? Can you provide examples?

**Notes**

I don't believe land quality is considered much when a landowner wishes to subdivide into 5 ha blocks for sale for rural-lifestyle development. Even is the minimum standard area in the district plan is 10 ha and a rezoning is necessary. Witness the proliferation of life-style blocks during the past 20 years (discussion document p 24-25: 70 000 lifestyle blocks established between 1998 -2018 each occupying 5 ha on average, and lifestyle blocks occupying 35% of high producing land in the Auckland Region (Deloitte (2018) (p 25 of the discussion document). Also lifestyle blocks occupy 10% of Classes 1 and 2 land in NZ (Andrew & Dymond, 2013) quoted on p 25 of the discussion document.

**Clause**

How should highly productive land be considered when providing for rural-lifestyle development?

**Notes**

When highly productive land is subdivided into life-style blocks production is reduced particularly on smaller blocks (p 25 of the discussion document), although in a few situations on larger small blocks used for intensive horticulture or farm-forestry production is relatively high. However, casual observation reveals most lifestyle blocks support buildings, concrete, a small garden area but mostly grass with maybe a few animals. As a consequence, fragmentation of highly productive land generally results in the permanent loss of that land for primary production and an overall loss of production. In my view the remedy is to treat applications to rezone highly productive land for rural-urban uses, or for a specified departure to the district plan to establish a rural life-style block, in the same way as for considering highly productive land for urban expansion (see earlier note). This is, local authorities need to revert back to the former Town and Country Planning Act "Matters of National Importance" restrictive philosophy and disallow fragmentation of highly productive land for life-style subdivisions. The discussion document states (p 25) "Measuring the impact of rural lifestyle development on primary production is difficult as very little information is available". No doubt this is true although there will be some forgotten reports buried in some department. The problem here is that given the high rate of fragmentation of productive land into lifestyle

blocks (Andrew and Dymond, 2013) there's not enough time to gather this information scientifically and prove the obvious before another 10% of Classes 1 and 2 land are lost from production to life-style blocks. How long did it take the marine industry to force ship owners to provide enough lifeboats for their passengers and crew after the Titanic disaster. I doubt

#### **Clause**

How should the tensions between primary production activities and potentially incompatible activities best be managed?

#### **Notes**

The short answer is to prevent the fragmentation of rural land into lifestyle blocks. Towns for people, countryside for farming! It's a no-brainer! The potentially incompatible activities to primary production activities is codespeak for urban and peri-urban dwellers moving to the countryside and complaining about noise (helicopter frost protection, tractors cultivating, and in a celebrated overseas case cockerals crowing, smells which affect pig, poultry and mushroom production, alleged poisoning of neighbours by herbicides and pesticides, and dust resulting from cultivation in dry conditions. If townspeople wish to live in the country then they need to put up with the noise, smells, spraying and dust. Some years ago a Northland mushroom farm was closed because the new neighbours from town on their life-style block didn't like the smell. Ridiculous! There is extensive case law on reverse sensitivity (p 26 of discussion document). This apparently puts the onus on the primary producer to cease the "nuisance". Apart from the negative impacts on the environment of the life-stylers travelling into town several times a day, the primary producer will probably need to change his management or even land use. This is unfair! There needs to be an overarching clause in the RMA that gives immunity to primary producers from complaining townspeople neighbours providing that the primary producer is using standard procedures during his operations and puts the responsibility back on the invariably new neighbour. After all, New Zealand is a country that depends on its agricultural production.

#### **Clause**

How can reverse sensitivity issues at the rural-urban interface best be managed?

#### **Notes**

Prevent them happening in the first place by restricting the growth of life-style blocks and fragmentation of rural land. Towns for people, countryside for farming!

#### **Clause**

Do you agree that there is a problem? Has it been accurately reflected in this document?

#### **Notes**

Yes, there's definitely a problem. It's been briefly covered in the discussion document. In a parallel situation in Auckland people have built houses near Whenuapai airfield and then complained about the aircraft noise. Stupid!. In Palmerston North residents built near to the local gun club and then complained about the noise of gunfire. Doh! Fortunately the judge found in favour of the existing zoned and permitted land use. This should be what happens when primary producers face similar complaints. The original permitted land user should not bear all the responsibility for the alleged 'nuisance'.

#### **Clause**

Are you aware of other problems facing highly productive land?

#### **Notes**

There have been problems in Pukekohe on Class 3e land where during severe rainstorms soil has washed off the market gardens onto the roads below causing problems for commuters. Remedies such as intercept barriers and drains I believe have been put in place. Unfortunately these highly-producing soils with a stable soil structure are susceptible to erosion.

#### **Clause**

Which option do you think would be the most effective to address the problems identified in Chapter Three? Why?

#### **Notes**

Option 1: NPS. There needs to be a strong national direction for highly productive land to provide clear instructions to councils that urban development should be avoided on highly productive land where other feasible options exist. This is what the old Town and Country Planning Act provided with the "Matters of National Importance". It was designed to enable councils to better manage the highly productive land resource which is of national significance ensuring its availability for primary production now and for future generations. As reported by Curran-Courmane et al. 2018, along with the evidence supporting the need for a national direction on highly productive land presented in "Our Land" 2018.

#### **Clause**

Are there other pros and cons of a National Policy Statement that should be considered?

#### **Notes**

There will always be pros and cons relating to national policy statements and acts of Parliament. However, in this case, if we are to protect highly productive land for current and future production then we need to stop the reverse sensitivity effects that compromise certain primary production operations in productive rural environments (complaints about the farming operation relating to noise, pesticide and fertiliser spraying, dust and smells leading to complaints and subsequent constraints on these established operations. This should take the form of the original established farming operation being the permitted use in the rural zone with urban and peri-urban uses deemed incompatible with primary production and needing a specified departure prescribing what actions disgruntled neighbours could take against the primary producer. Existing rural uses should predominate in the rural zone with urban and peri-urban uses a far second.

**Clause**

Should the focus of the National Policy Statement be on versatile soils or highly productive land more broadly? Why/why not?

**Notes**

I think the NPS should focus on "versatile soils" or "versatile land" (to include considerations of weather) rather than "highly productive land" because the former is better defined (Webb et al. 1995 NZ Association of Resource Management Broadsheet) as well as many other authors. Versatile land (high class land) is capable of supporting a wide range of root, leafy vegetable and tree crops on slopes up to 10 degrees. "Versatile" means "turning easily from one subject or occupation (or use) to another" (Concise Oxford Dictionary 6th edition). This means that versatile land will grow potatoes whereas less versatile poorly drained land (LUC Class 3s) won't successfully grow potatoes without extensive drainage works. Unfortunately, "highly productive land" can include LUC Classes 3 to 6 depending on the land use. A forestry block on Class 4 and 5 land may be "highly productive" to a forester but not to a market gardener. Similarly, imperfectly draining Class 4 land may support a highly producing dairy farm but not a potato farm. Moreover on p 65 of the discussion document states an idea that "Councils may exclude some LUC Class 1, 2 or 3 land when identifying highly productive land. Equally, councils may identify highly productive land that does not have an LUC Class 1, 2 or 3 rating". This is far too elastic. How on earth in any situation can part of a parcel of land identified as LUC Class 3 and excluding Classes 1 and 2 from it be considered as highly productive? No. Avoid the problem. Allow no elastic definitions. The definitions must be concrete and backed by science and have a real practical and consistent meaning. Keep to terminology that can be defined.

**Clause**

Should the focus of the National Policy Statement be on primary production generally or on certain types of food production activities? Why/why not?

**Notes**

I think the focus should be on certain types of food production activities because vegetable and some fruit production to be successfully grown require versatile soils. Dairy farming doesn't have the same soil requirements as does market gardening, although farming any heavy animals on poorly draining soils causes pugging under wet conditions. Sheep and beef farming is successful on a greater range of land classes with probably Classes 2 to 5 being the most appropriate, with some Class 6 land suitable for sheep meat and wool production but not for the heavy animals. Timber crops likewise tolerate a range of land classes although the excessively steep or poorly drained soils are unsuitable. Unfortunately some scientists consider Class 3s land as highly productive because even though it may be imperfectly drained, or stony, precluding its use for market gardening and sensitive tree crops, it can be mounded up in a ridge and furrow system and support tree and vine crops at a cost. For example the uplifted stony Ngaruroro River gravels in the Fernhill - Roys Hill - Ngatarawa district west of Hastings support high-producing vineyards but these soils are not versatile because they are stony, require remediation and irrigation, and are limited to vine and tree crops.

**Clause**

Do you support the scope of the proposal to focus on land use planning issues affecting highly productive land? Why/why not?

**Notes**

Yes, as long as the definition of "highly productive land" is tied down. "Highly productive land" should be restricted to versatile soils as well as having good climate (10 deg. C or more and, say, 500 mm to 1800 mm annual rainfall) and up to 10 degrees slope. Apart from the Class 3e volcanic soils currently used for market gardening at Pukekohe and maybe one or two other locations (e.g. Oamaru) LUC Class 3 land should be excluded from "highly productive land".

**Clause**

What matters, if any, should be added to or excluded from the scope of the National Policy Statement? Why?

**Notes**

As well as preserving high quality soils from urbanisation and rural-residential use the National Policy Statement should, in general, address the issue of sporadic urban and rural-residential development in the rural zone even on the poorer quality soils, to preserve the rural appearance. At present one cannot drive from Palmerston North to Wellington for long before coming across scattered housing and small hamlets and billboards and service stations etc the whole journey. This contrasts markedly with Europe where town boundaries are usually well defined and the countryside devoid of many hamlets and isolated buildings. Another matter affecting some food producers relates to nitrogen leaching. This is high from dairy farms and some market gardens. In the Horowhenua-Manawatu different nitrogen leachate quotas have been allocated to land users by the regional council. Apparently nitrate leaching quotas from market gardens are more restrictive compared to dairy farms and this has concerned growers. This issue needs addressing so that, within specified limits, market gardeners can continue their production without undue penalty; Maybe the National Policy Statement could address this issue to provide guidance to regional councils.

**Clause**

Should future urban zones and future urban areas be excluded from the scope of the National Policy Statement? What are the potential benefits and costs?

**Notes**

No. All land needs to be included. There is demand for housing. Councils need to provide land for housing. However, not at the expense of versatile land where alternatives of lesser versatile land exists. Also matters of providing infrastructure should not override protection of versatile land because in the long term the expense of importing vegetables from overseas will exceed the short-term cost of providing infrastructure should we build on our relatively small national area of Class 1 and 2 land.

**Clause**

Should the National Policy Statement apply nationally or target areas where the pressures on highly productive land are greater?

**Notes**

Should apply nationally and not only where there are current pressures on highly productive land eg Auckland. If other areas are excluded because of little or no current urban or peri-urban pressure on rural land there, as restrictions on fragmentation of rural land begin to bite, for example in the Auckland region, the problem of loss of productive land will shift to the unrestricted areas and the NPS will need to change.

**Clause**

What would an ideal outcome be for the management of highly productive land for current and future generations?

**Notes**

1. Protection of versatile land for food production where there are alternatives for urban expansion to overcome NZ's housing shortage. 2. Putting a stop to unnecessary rural fragmentation by actively restricting rural-residential subdivisions. Too much land, including versatile land, is lost to rural-residential land life-style blocks with a corresponding loss of present and potential production. Subdivision and sale of rural land should not be viewed as a superannuation scheme for landowners. 3. For future generations there are remaining areas of versatile soils for growing healthy vegetable and fruit crops and the countryside is not littered by sporadic buildings.

**Clause**

If highly productive land is to be identified, how should this be done and by whom?

**Notes**

Highly productive land is already identified in many parts of New Zealand. Studies into soil properties, soil quality, the distribution of different soils in the landscape as well as the capability of the land to support different land uses has been carried out in New Zealand since the 1930s by the former Soil Bureau of the Department of Scientific and Industrial Research (DSIR) until the department was restructured and the various component parts of it and of other departments (Ministry of Works & Development (MWD), Ministry of Agriculture and the Forest Service) forming the Crown Research Institutes (CRIs) in 1992. Landcare Research is the CRI that houses the remnants of the old DSIR Soil Bureau, Water & Soil Division of the old Ministry of Works and part of the old Forest Service, and holds all the Soil Bureau and Water & Soil Division maps and records. Landcare Research has also carried out scientific work on soils and soil quality, erosion and landforms since 1992. In any particular area of NZ if there is no published information about soil and land quality, and the local authority has no information, then Landcare Research and some private organisations are well equipped to provide soils data from field examination. However, the Landcare S-map project addresses these issues in parts of NZ, building on the earlier DSIR and MWD work.

**Clause**

Are the proposed criteria all relevant and important considerations for identifying highly productive land? Why/why not?

**Notes**

The criteria in Proposed Policy 1 are adequate headings to work under. Whether a land parcel is of high capability and versatility depends on its physical properties and these, if not already known and documented by Landcare Research or its predecessors, or by other soil scientists, need to be determined by scientific examination. Some local authorities have commissioned soil assessments in their areas eg Tasman District Council and some regional councils. Likewise for climate. There are climate records available for many districts. Mean annual rainfall, rainfall distribution and temperature are obviously important and a number of institutes and firms offer soil moisture balances throughout the year for many regions. Whether the size and cohesiveness of land allows it to be considered highly productive depends on the intended use. Some small blocks are high producing. Options should be kept open. There needs to be provision to amalgamate small blocks to a useful size instead of writing them off as being too small. What this does is to provide an incentive to partially subdivide a property into a few small blocks then consider the remainder as too fragmented to be classed as high producing. This is the negative result of the recent proliferation of small rural holdings or life-style blocks as well as the loss of production of the small holdings. There is also a danger in using factors such as distance from railheads or lack of transport routes or labour markets etc for classifying land as highly productive or not, as these factors can change over time whereas the physical characteristics of soils do not, apart from effects of artificial drainage. Options need to be kept open for versatile land.

**Clause**

What are the pros and cons associated with prioritising highly productive land for primary production?

**Notes**

All what is stated in Proposed Policy 2 is essential if high producing land/versatile soils are to be protected for primary production, particularly food production. This is what the old, abandoned T & C Planning Act attempted to do, with success in many instances. Of course some will think the policies are too restrictive but NZ cannot afford open slather regarding land subdivision. The capability for the production of food for present and future generations must be preserved.

**Clause**

Do you think there are potential areas of tension or confusion between this proposed National Policy Statement and other national direction (either proposed or existing)?

**Notes**

Yes, there will be huge tension. Developers will be critical. Certainly, providing housing for NZ's population is essential. However, it should not be at the expense of high quality soils. Where there are alternatives of lower-producing land, eg. Auckland, urban development should be on this rather than on the elite soils. Even if infrastructure such as roads, water and sewage needs to be installed. This is part of the cost of housing. Once the small national area of Class 1 and 2 land is built on NZ will be a net importer of food at the expense of the economy and the health of its population. NZ must now be relentless and uncompromising in its efforts to preserve what small area of elite soils and land that we still have. Too much has gone. Much during the last 20 years.

**Clause**

How can the proposed National Policy Statement for Highly Productive Land and the proposed National Policy Statement on Urban Development best work alongside each other to achieve housing objectives and better management of the highly productive land resource?

**Notes**

Although the Government's Urban Growth Agenda work programme aims to remove barriers to the supply of land and infrastructure and make room for cities to grow out and up this must not be at the expense of high quality land, particularly where there is land of lesser productive capacity in the area. Because the remaining area of LUC Classes 1 and 2 land are so small, these need to be protected, so land quality should dictate where housing is to be built. Cities should not expand in any direction. Let the soil quality dictate where the towns and cities should expand. Most regions have alternatives to building on the best land. If more roads and sewers need to be built then so be it. It's part of the cost of housing, providing infrastructure.

**Clause**

How should highly productive land be considered when identifying areas for urban expansion?

**Notes**

As above. Where there is land in the region other than highly productive land, even if it necessitates formation of a satellite housing area such as Rolleston in Canterbury or Flaxmere in Hastings, the highly productive land should be conserved for primary production. It should be preserved and arguments from the City Engineer who wants expansion in a certain direction depending on roads and sewers etc should be second to land quality. Regions should have an urban growth strategy and keep to it. Palmerston North has had one since the early 1970s and it has largely worked but with some hitches.

**Clause**

How should the National Policy Statement direct the management of rural subdivision and fragmentation on highly productive land?

**Notes**

The National Policy Statement should be written so that rural subdivision is managed in such a way as to prevent further fragmentation of highly productive land. Land quality needs to be elevated above other considerations if we are to stop further urban and peri-urban encroachment on to highly productive land. There will be opposition, e.g. from the Act Party and their ilk who have already protested about the National Policy Statement.

**Clause**

How should the National Policy Statement direct the management of reverse sensitivity effects on and adjacent to highly productive land?

**Notes**

See notes relation to Section 3.4 (p 26). The farming activities associated with highly productive land must take precedence over the inevitable complaints about agricultural noise and smells etc from neighbours, particularly those on rural-residential properties. Farming operations should override other considerations so long as the primary producers are carrying out standard and safe accepted farming methods. Shutting down primary producers because country "life-stylers" don't like the smell of pig or poultry effluent is unforgivable, as happened in Northland some years ago.

**Clause**

How should the National Policy Statement guide decision-making on private plan changes to rezone highly productive land for urban or rural lifestyle use?

**Notes**

There should be a prohibition of the application by individuals to have highly productive land rezoned for urban or rural lifestyle living as this causes fragmentation of rural land and its loss from current or future production. The NPS should strongly direct local authorities to not allow sporadic urban development in the rural zones. Another problem is "land banking" on city outskirts by developers, on highly productive land in some cases and the local authority needs to be strict in preventing urban sprawl into the farmlands. However if there is a demonstrated shortage of housing in a town or city and there is no alternative lower quality land in the region then the rural local authority will need to consider making a plan change to accommodate continuation of the adjacent urban area. However, individuals should not be able to request plan changes for the rural zone because they would like to live in the country. Towns for people, country for farming and forestry. Like much of Europe, except England.

**Clause**

How should the National Policy Statement guide decision-making on resource consent applications for subdivision and urban expansion on highly productive land?

**Notes**

Yes. Not only guide but also be prescriptive and enforceable on councils.

**Clause**

What guidance would be useful to support the implementation of the National Policy Statement?

**Notes**

Guidance to reduce the loss of highly productive land to urban and peri-urban uses, emphasising the importance of directing urban areas on to nearby poorer quality land where this is possible. Prescriptive instructions/guidance to drastically reduce the current

fragmentation of rural land into 'life-style' blocks.

**Clause**

How should the National Policy Statement best influence plan preparation and decision-making on resource consents and private plan changes?

**Notes**

All of Table 2 p 35 is highly relevant and needs to be carried out. The National Policy Statement needs to be prescriptive and there should compel local authorities to comply, and not leave it up to councils to decide whether to follow the NPS. This has not worked in the past. Regional councils have not paid due attention to environmental protection in respect of preserving versatile soils from urban and peri-urban development. Similarly, some councils have not prevented over allocation of water resources with subsequent nitrogen leaching into waterways and aquifers.

**Clause**

Should the National Policy Statement include policies that must be inserted into policy statements and plans without going through the Schedule 1 process? What are the potential benefits and risks?

**Notes**

Difficult for me to answer this question. I cannot recall what the Schedule 1 process is. However, the NPS policies need to be inserted into policy statements and plans that directly instruct councils to act.

**Clause**

What areas of land, if any, should be excluded from the scope of the proposed National Policy Statement? Why?

**Notes**

All rural land should be included. Even low-quality land away from towns and cities to preserve the rural environment. Low-producing land on the outskirts of towns and cities is valuable for future urban expansion and the NPS should therefore include these.

**Clause**

What level of direction versus flexibility should the objectives provide to maintain the availability of highly productive land for primary production?

**Notes**

It should be mandatory for councils to follow the NPS to maintain the availability of highly productive land for primary production. Where there is a demonstrated demand for urban expansion of towns and cities and there is land nearby that is not versatile, containing Classes 1 and 2 land, then departure from the NPS needs to be sought. It is unreasonable to deny housing land if there are not alternatives. What should be protected are the elite soils (LJC Classes 1 and 2 and Class 3e volcanic soils) but not the majority of Class 3 land that is suitable for urban expansion, particularly in the Manawatu. MPI should read the Palmerston North Urban Use Strategy document produced by Cowie and Osborne in the 1970s and held by Landcare Research. This is a good example of forward-looking preparation for urban planning.

**Clause**

Should the objectives provide more or less guidance on what is "inappropriate subdivision, use and development" on highly productive land? Why/why not?

**Notes**

Yes. It's obvious. Councils, whose decision makers are generally lay people regarding planning and land evaluation need detailed guidance on how to make the best decisions, and without influence by those with vested interests in the outcome. There needs to be mandatory to follow the rules, and council decisions also need to be overseen by some body, similar to how the Ministry of Transport (ideally) inspects and oversees mechanics issuing vehicle warrants of fitness.

**Clause**

What are the pros and cons of requiring highly productive land to be spatially identified?

**Notes**

There is an obvious advantage in knowing where areas of highly productive and other classes of land occur, particularly in relation to towns and cities where future urban expansion can be planned for. Palmerston North has had this since the early 1970s. The downside may be the cost of obtaining large-scale map in those areas where there is little published soil and land distribution at a useful scale. LJC Classes 1 to 6 are all mapped at a nominal scale of 1:50 000 with the data held by Landcare Research and available on the internet. More detailed soil maps in a number of regions show the distribution and properties of soils and are useful for showing the spatial distribution of various classes of soils and land. These (S-map) are also held by Landcare Research. In addition a number of local authorities have commissioned farm-scale soil mapping which shows the distribution of highly productive land. There are a number of soil maps published by the former Soil Bureau, DSIR, at varying scales that can be interpreted to show the spatial distribution of highly productive land/versatile soils. Some of these are at a large scale eg. Gisborne district (1:15 840).

**Clause**

Is the identification of highly productive land best done at the regional or district level? Why?

**Notes**

District level as it is more detailed (larger scale) for planning purposes although regional scale mapping can be useful for planning overseeing. There is a series of regional soil maps published years ago that can be adapted or interpreted to show highly

productive land.

**Clause**

What are the likely costs and effort involved in identifying highly productive land in your region?

**Notes**

Obviously this depends on what work has already been done. There is a wealth of soils and land data in GIS databases that is available for planning purposes and held by Landcare Research and some other agencies. There is little point in "reinventing the wheel". Use first what is available.

**Clause**

What guidance and technical assistance do you think will be beneficial to help councils identify highly productive land?

**Notes**

Talk to experts. Land and soil quality has been studied in New Zealand since the 1930s and all funded by the taxpayer.

**Clause**

Should there be a default definition of highly productive land based on the LUC until councils identify this? Why/why not?

**Notes**

It should not be up to councils to actually define highly productive land. The attributes of highly productive land are well known. What council planners are able to do is to identify where intensive production can take place in their districts using existing maps and reports. Let's not carry out another regional land quality/soil quality survey, one of which was carried out in the 1960-70s (the Regional Resource Survey). Build on what is already known.

**Clause**

What are the key considerations to consider when identifying highly productive land? What factors should be mandatory or optional to consider?

**Notes**

The physical, chemical properties of the soils and the climatic conditions of the land (area). These define whether a parcel of land can be highly producing. Other factors such as labour availability, roading, distance from transport hubs etc, all dictate the extent to which land can produce food and fibre and the likely costs of doing so. These factors should form a second tier of "definition" and not be mixed up with the intrinsic properties of the land. The latter can change with time and maybe within a generation, e.g. a new road is built. Soil properties and climate may take several lifetimes to significantly change, if at all. Other changes may take a generation or two.

**Clause**

What are the benefits and risks associated with allowing councils to consider the current and future availability of water when identifying highly productive land? How should this be aligned with the Essential Freshwater Programme?

**Notes**

There is a risk allowing councils to consider the current and future availability of water because they allocate the resource and have a conflict of interest. Consider the Canterbury Regional Councils of over allocating water resources in Canterbury as a result of ramping dairy conversions in relatively dry climates. Current and future availability of water needs to be overseen by a national body. Likewise allocation of water resources. Consider the problem of nitrate pollution of some water supplies along the South Island east coast.

**Clause**

Should there be a tiered approach to identify and protect highly productive land based on the LUC class (e.g. higher levels of protection to LUC 1 and 2 land compared to LUC 3 land)? Why/why not?

**Notes**

If what is meant by a "tiered approach" is to stratify highly productive land then yes. Highly productive land should be rigorously defined as comprising LUC Classes 1 and 2 but including Class 3e land containing volcanic soils (versatile soils/land). Soil properties need to be included in the definition and identification of highly productive land. Land comprising winter wet, summer dry loessial soils should be excluded from the highly producing land category. Rather, it should be considered as a moderately productive land category.

**Clause**

How can this policy best encourage proactive and transparent consideration of highly productive land when identifying areas for new urban development and growth?

**Notes**

Policy 3b needs to be restricted to areas where there is demand for urban expansion but no alternative areas of poorer-quality land nearby. Where there are alternatives for urban expansion it would be too easy for a council to avoid preserving Classes 1 and 2 land to satisfy vested interests, by obtaining a cost benefit analysis to support their case. Problem is, nobody really knows the cost to NZ of having no Class 1 and 2 land leading to the importation of food. Wherever possible urban expansion should only take place onto poorer quality land. Lifestyle blocks should be discouraged in the rural zone. b. it is demonstrated that this is the most appropriate option based on a consideration of: • a cost-benefit analysis that explicitly considers the long-term costs associated with the irreversible loss of highly productive land for primary production; • whether the benefits (environmental, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary



production; and • the feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas.

#### **Clause**

How can the proposed National Policy Statement for Highly Productive Land best align and complement the requirements of the proposed National Policy Statement on Urban Development?

#### **Notes**

Use the idea that wherever practicable, highly productive land meaning LUC Classes 1 and 2, and those areas of Class 3e land that are currently used for horticulture are preserved for horticultural use now and in the future. This means that highly productive land is preserved in those regions where Class 3 land (excluding Class 3e land) and Class 4 land is available for urban use.

#### **Clause**

Should the National Policy Statement provide greater direction on how to manage subdivision on highly productive land (e.g. setting minimum lot size standards for subdivisions)? If so, how can this best be done?

#### **Notes**

This has been tried before and works for a while but inevitably fails. Waitotara County Council (immediately north of Wanganui) in early 1970s raised the minimum standard area from 4 ha to 20 ha (10 up to 50 ac) to prevent a local land agent from buying horticultural land and subdividing into small lots. This tactic preserved the area for horticulture for a number of years but can result in 20 ha rural-residential subdivisions rather than 4 ha lots. Interestingly this Westmere area now supports many urban and peri-urban properties. I think the 20 ha minimum area was reduced to around 5 ha some years later. Maybe the best way forward is for councils to consider each and every subdivision on its merits, restricting small lots to productive uses. This too has fishhooks. Somebody can put up a case for establishing a 10 ha commercial garden buy the land and change their mind. Very difficult. Councils need to be compelled to keep urban and particularly peri-urban development off Classes 1, 2 and 3e land.

#### **Clause**

Should the proposed National Policy Statement encourage incentives and mechanisms to increase the productive capacity of highly productive land (e.g. amalgamation of small titles)? Why/why not?

#### **Notes**

Yes. Wherever practicable, small lots should be amalgamated into larger lots. Rating schemes could be devised to incentivise land owners (or penalise them for inaction). It's a bit like climate change. If highly producing land is to be preserved then strong action needs to be carried out.

#### **Clause**

How can the National Policy Statement best manage reverse sensitivity effects within and adjacent to highly productive land?

#### **Notes**

Councils need the legislative teeth to restrict new sensitive and potentially incompatible activities, e.g. lifestyle blocks, on highly productive land to ensure these do not compromise the efficient operation of primary production activities. Yes. This was discussed earlier in this submission. To an extent developing methods to mitigate against the noise, dust, smells and spraying effects is a good idea but must not unduly interfere with the primary production. Avoid or mitigate where possible negative effects of farming. No more closing down pig, poultry or mushroom farms after complaints by new neighbours from town. One argument put up in Palmerston North by a developer was that the land to the west of the city is now unsuitable for animal farming because dogs from town attack the sheep. So the town should expand to the west across the farmland. Where would it stop? How stupid! Shoot the worrying dogs. Fence the town in. It's remarkable, some of the arguments one hears.

#### **Clause**

Should these policies be directly inserted into plans without going through the Schedule 1 process (i.e. as a transitional policy until each council gives effect to the National Policy Statement)? What are the potential benefits and risks?

#### **Notes**

No consideration should be given to applications for permission to establish lifestyle blocks, given the loss of present and potential production from these. Rezoning high producing land from rural to urban and "rural-lifestyle" should no longer be as simple and easy as it has been in the past. Councils must be empowered (compelled) to avoid the fragmentation of highly producing rural land into lifestyle blocks and other low-productive subdivisions.

#### **Clause**

How can these policies best assist decision-makers consider trade-offs, benefits, costs and alternatives when urban development and subdivision is proposed on highly productive land?

#### **Notes**

Proposed Policy 6: Consideration of requests for plan changes A request for a private plan change for urban expansion on highly productive land should only be considered for urban housing where there are no alternative areas of poorer quality land and there is a demonstrated need for housing eg. for an adjacent town or city. Applications to rezone an area of highly productive land to rural lifestyle use should not be considered and such subdivisions directed onto lesser productive land given the loss of production from lifestyle blocks. It is difficult to imagine any environmental, economic, social or cultural benefits to the community from rural lifestyle subdivisions. However, where there is a demonstrated need for urban housing on the margins of towns there are social and cultural benefits of providing housing areas. Wherever possible these should be directed on to lesser producing land.

**Clause**

Should the policies extend beyond rural lifestyle subdivision and urban development to large scale rural industries operations on highly productive land? Why/why not?

**Notes**

Again, if it's demonstrated that there is an absolute need for large-scale rural industrial operations in a rural zone, wherever possible such operations should be directed onto lesser productive land and this has happened. The new Palmerston North industrial area near the airport is on lesser productive Class 3 land comprising the winter-wet, summer-dry loessial soils. If there are not alternatives available and the industry is essential then I guess it needs to go on the high-quality land. This very thing happened near Palmerston North some years ago where a grain drier was established on Class 2 rural land against the wishes of neighbours and even some land owners. The Environment Court ruled in favour of the industry.

**Clause**

Do any of the draft definitions in the National Policy Statement need further clarification? If so, how?

**Notes**

Certainly the definition of highly producing land in the discussion document needs tidying up. I didn't find definitions in the Proposed National Policy Statement. Landcare Research have the expertise to provide definition of land classes. Some funding will be needed for this work to be done. The job would probably need some recruitment of temporary staff to carry out the work.

**Clause**

Are there other key terms in the National Policy Statement that should be defined? If so, how?

**Notes**

I think all key terms in the NPS need to be defined, say in a separate section.

**Clause**

Should there be minimum threshold for highly productive land (i.e. as a percentage of site or minimum hectares)? Why/why not?

**Notes**

No, not for the definition of "highly productive land". How it should be zoned and used will depend on its area. Even ten square metres of land can be highly producing. It will be unsafe to define "highly productive land" on the basis of size. Maybe it is better to refer to elite soils/land as an entity and have another category called "productive land parcels" or some such based on size and maintaining a separation of the actual land/soil quality from the area of what might or might not be rezoned for a different use. Obviously, if a city expands into the rural zone on, say, mainly Class 3 or Class 4 land, but contains one hectare of Class 1 land, the one hectare needs to be included in the lot. Councils need to be careful of demands for small rural-lifestyle blocks of one or two hectares on high-quality land because a number of these can fragment the land into small blocks of highly producing land that cannot be effectively farmed. "Death by a thousand cuts".

**Clause**

Do you think a planning standard is needed to support the consistent implementation of some proposals in this document?

**Notes**

Yes, there needs to be a defined standard to maintain consistent application across the country. It is also prudent to apply the NPS in the areas where demand for rural land is greatest.

**Clause**

If yes, what specific provisions do you consider are effectively delivered via a planning standard tool?

**Notes**

I don't know as I'm not a planner.

**Clause**

What is the most appropriate and workable approach for highly productive land to be identified by councils? Should this be sequenced as proposed?

**Notes**

I think the timeframes given in S5.7 are appropriate and the sequence of tasks looks sensible.

**Clause**

What is an appropriate and workable timeframe to allow councils to identify highly productive land and amend their policy statements and plans to identify that land?

**Notes**

There is a great deal of data relating to land and soil quality already accumulated and also published, and held by Landcare Research and some local authorities. Some areas are well covered, others are not. For those areas where there is data the timescale to gather data by councils will be short. For others it will take longer. The Government needs to make funds available for councils obtain published data and for CRIs to supply the data. Ratepayers cannot be expected to shoulder the load. The timeframe will be from one to five years depending on availability.