

Your submission to Proposed National Policy Statement for Highly Productive Land

Reference no: 33

Clause

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

Notes

supports the continued use of the Land Use Capability (LUC) System, as a method to identify productive land. No Comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

Are you aware of other problems facing highly productive land?

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

Are there other options not identified in this chapter that could be more effective?

Notes

No comment

Clause

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

Notes

No comment

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

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

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 comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

National guidance on what highly productive land encompasses and how it is identified, provides clarity and consistency across all parts of the country. [REDACTED] supports the identification of highly productive land through the NPS and any subsequent changes to the RMA. In addition, Regional Councils are best placed to undertake the LUC review as soil type is likely to be catchment based, which may cross district boundaries.

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

Notes

Throughout the Whakatāne District Plan, primary production land is valued and provided for. Maintaining a strong rural land base is critical to achieving continued growth in provincial areas. The proposed criteria identified in the NPS are all important. Some recognition could be given to the size of land not being a limiting factor when considering productivity value. Land productivity can be dependent on activity types and management practices.

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

Notes

The Whakatāne District Plan identifies four rural zones which are underpinned by LUC's. The proposed NPS updates (to remap soil quality to a property boundary level) will enable Council to better manage productive land. Specifically, the planning maps will be able to accurately identify productive land and LUC boundaries. Finding suitable land for future growth and other activities is challenging in a district with natural geographical boundaries. This policy lends support to the protection of rural land for rural economies.

[REDACTED] recognises that the local rural economy provides significant employment opportunities (direct and indirect). Maintaining land to accommodate large scale rural production activities is essential to the District. Similarly, where there is land which is not of high productive value, Council may be able to ease planning controls to utilise land for other opportunities.

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

[REDACTED] notes that Whakatāne is a coastal town, contained between a rock escarpment and river, beyond which it is adjoined by the fertile Rangitāiki plains. The Rangitāiki Plains are mostly in LUC 1,2,3 - highly productive land / versatile soils. The rural landscape is predominantly used for dairy and horticulture (kiwifruit and berry) activities. There exists some capacity for commercial and industrial growth. However, residential expansion is extremely challenging due to land in customary maori land title, protected natural environments, coastal and climatic hazards, as well as low lying topography. Providing for urban expansion as per the Governments' urban growth agenda and the proposed NPS-Urban Development, will be difficult. It is likely that the evidence based assessment approach to identify future growth options, will result in further urban intensification and the use of 'fringe' rural land to accommodate growth. [REDACTED] notes that the NPS-HPL recognises residential activities can occur on rural land providing land is used efficiently and all other viable alternatives have been considered. The NPS provides sufficient flexibility to enable rural land for urban activities, providing it is well justified.

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

Providing higher density development in urban areas will help to reduce pressure on productive rural land for housing. However, getting the community to accept higher density is likely to require a broader conversation about the benefits of increased density in terms of infrastructure costs, vibrant and viable town centres.

Clause

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

Notes

[REDACTED] recognises that finding land for future development is problematic, largely due to geographical

constraints. Whakatāne township is low lying and has existing flooding and future sea level issues to address. Much of the surrounding rural land is also low lying and adjoining coastal land is subject to protection. Some additional growth could be accommodated within the urban environment. However, this may require mixed use and higher rise development or the relocation of commercial / light industrial activities to industrial parks /out of centre retail sites to free up more urban land for residential development. Facilitating land use changes of existing urban land could help to reduce pressure on rural land. In the absence of other options, it is anticipated that some rural land will be needed for urban development. Prior to any rural land being used for urban uses, a robust assessment of alternatives will be carried out. The NPS is right to acknowledge that finding suitable land for future growth, could be difficult for some councils, due to a range of geographical, climatic and existing land use activities. To accommodate future growth in Whakatāne District, it is likely Council may need to consider sites around the margins of highly productive rural land. The use of rural land should be considered when other alternatives have been exhausted. Hence, productive land may be the 'best option' out of a range of poor options.

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

Notes

Within the Whakatāne District Plan subdivision section, policies exist to "maintain the productive capacity of the land and supports its use for a range of rural production activities". In addition, the minimum permitted rural lot size is 8 hectares. Rural lifestyle development is desirable by many in the community and through the 'future development strategy', Council is aiming to identify locations where lifestyle development could be best suited. Thus reducing pressure for smaller rural lots. The NPS proposed policy 4, provides sufficient overarching guidance to avoid rural land fragmentation through subdivision.

Clause

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

Notes

The Whakatāne District Plan identifies rural land use zones to manage activities. Minimum lot sizes, development restrictions, change of land use and reverse sensitivity are all considered as part of processing subdivision consents. Providing for increased development opportunities close to urban areas and existing main roads, that can be serviced by existing/enhanced social infrastructure (water, sewerage, schools, refuse collection) are also considered. The Whakatāne District Plan identifies that activities close to or adjoining rural land can be problematic. Reverse sensitivity is considered when assessing activities / subdivision close to rural land. Methods to reduce reverse sensitivity impacts include design, setbacks, screening, lot sizes, operation limits, encouragement of co-location of similar uses. The NPS-HPL requires territorial authorities to use a range of tools to manage reverse sensitivity. Enabling territorial authorities to develop local responses to manage local issues is appropriate. The NPS-HPL Reverse sensitivity policy provides a sufficient balance between requiring detail and providing flexibility for local implementation.

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

The NPS policies for the consideration of both plan changes and resource consents need to be based on an accurate LUC map and an assessment of environmental, economic, social and cultural issues. Requiring local authorities to have regard to these matters is appropriate, as local authorities are able to consider applications in the local context.

Clause

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

Notes

The NPS identifies a range of issues Councils need to have regard to when considering resource consent applications for subdivision and urban expansion. It is noted that occasionally, consent may be requested for commercial or industrial uses. The policy should be broadened to acknowledge that urban (which implies residential) use is not the only land use activity which may require rural land. For example amend the the policy to read "When considering an application for activities not provided for within a rule in a plan, subdivision or urban expansion ...".

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

Notes

No comment

Clause

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

Notes

No comment

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

No comment

Clause

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

Notes

No comment

Clause

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

Notes

No comment

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

No comment

Clause

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

Notes

CON - The cost and time frame to complete the mapping exercise. To help speed up the mapping exercise, regional councils (in liaison with district councils) could identify priority areas within a region to map first. PRO - Producing a spatial map will enable accurate spatial information to be provided as an ‘overlay’ within online district plan maps. Integration of this information within GIS should help to enhance the understanding of locally specific limiting factors.

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

Notes

LUC mapping is best done at the regional level, as land topography and soil type are likely to be linked to catchments, which are managed at the regional level.

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

Yes - a default definition of highly productive land based on the LUC, will enable consistency between councils and enable plans to be update at a time convenient to councils.

Clause

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

Notes

Key considerations for identifying highly productive land could include the underlying soil class, natural ground resources (geothermal, water aquifers), topography, hazards (historic, existing and future) and existing land use activities or proximity to existing land use activities.

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

Land use activities are linked to water use (availability and allocation). It would appear appropriate that the availability of water be included as one of the physical assessment criteria when defining highly productive land.

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

In the absence of detailed mapping identifying LUC class boundaries, it is difficult to understand the extent and impact a tiered protection system could have within the Whakatane District. In addition, the value of soils is linked to the land use, and poor quality soils can be highly productive (such as gimlet gravels for viticulture). Basing a tiered protection system on the soil class (with 1 being the best) may reduce local flexibility.

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

This policy is linked to the NPS-Urban Development. Future growth areas need to be identified to ensure growth is managed. Identifying the soil class is one of a number of natural features that need to be considered when identifying areas for new urban development and growth.

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

No comment

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

The NPS-HPL is best placed to provide overarching high level policy direction on how to manage subdivision requests on highly productive and versatile soils. Specific planning controls are best developed and applied at the local level in consultation with local communities taking into account the local context.

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

No comment

Clause

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

Notes

The Whakatāne District Plan includes zone specific objectives, policies and a definition for reverse sensitivity. The NPS provides the appropriate level of guidance on how to manage reverse sensitivity for implementation within local plans. The Whakatāne District Plan includes a definition and zone specific objectives, policies addressing reverse sensitivity and is consistent with the intention of proposed policy 5 (NPS-HPL).

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

This policy should identify what councils could consider when assessing a private plan or resource consent for urban expansion on rural land. The exact nature of objectives, policies and rules for inclusion within a territorial plan should be developed in consultation with local communities.

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

No comment

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

The policy could be broaden to apply to other types of large scale activities. Industrial parks may be best located within the rural environment. However, they could cause the loss of productive land and lead to fragmentation due to ancillary associated uses or industries.

Clause

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

Notes

No comment

Clause

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

Notes

No comment

Clause

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

Notes

High level guidance could be provided within the NPS for thresholds. However, including and minimum hectare size or percentage of site will not take into account differences between and within districts.

Clause

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

Notes

The NPS is sufficient to promote better management of highly productive land.

Clause

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

Notes

No comment

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

No comment

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

That district councils identify highly productive land in planning documents within two years of regional councils completing district wide LUC maps.

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