

Your submission to Proposed National Policy Statement for Highly Productive Land

Dianne Vesty, **Hawke's Bay Vegetable Growers Assn Inc (Dianne Vesty)**

P O Box 689

Hawke's Bay

New Zealand

Reference no: 36

Clause

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

Notes

Communities where successful food production is carried out on a commercial scale work because that is what they are: communities with similar goals and aspirations. To maximise the ability to operate a food "hub" will be dependent on enabling those who are willing to take on the risks and responsibilities for food and vegetable production, to operate do inside of the rules applied to the zone you operated and in compliance with industry best practice and overseas demands without distraction and obstruction from others settling or situated within the community, but with conflicting reasons/aspirations for being there

Clause

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

Notes

Highly productive land give communities a combined focal point, it brings people together to work and to generate prosperity for the growing regions and the rest of New Zealand, provide safe, whole and fresh food, builds certainty about the availability of food resources for local communities, wider new Zealand and the world, to enjoy the fruits of the harvest, to socialise, enjoy a rural feel, celebrate food traditions, enjoy rural culture. Hawke's Bay is an important food growing hub, and the following illustrate the value and benefit to the region, and New Zealand as a whole, of that food production: • 'Food production' in Hawke's Bay accounts for 52.5% of the region's GDP . • There are about 400 growing operations in the Hawke's Bay region, comprised of orchards, fresh vegetable and process vegetable growing operations, and there are also three growers of indoor covered crops. • Hawke's Bay produces 61% of New Zealand's apple and pear crops, 70% of the country's summer fruit and 50% of the country's squash crop. • While a range of fresh fruit and vegetables are grown for domestic supply, with Hawke's Bay providing into the domestic food chain at times of the year when other regions are not able to provide fruit and vegetables, the majority of Hawke's Bay's horticultural produce is exported – either fresh, or processed by one of the several large processing firms located in Hastings. • Two of the large post-harvest facilities located within the region (Heinz Wattie's and McKains) alone employ over 1800 people. • Around 16,800 ha of commercial fruit and vegetable production are undertaken on the Heretaunga Plains. Ensuring the ability of the food growing sector to continue to grow in Hawke's Bay is critical to both the region, and the country – particularly from an economic perspective, but also from a cultural and social perspective as well.

Clause

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

Notes

The framework needs to provide enough more clarity. Land is an asset New Zealand has plenty of and a relatively low population. Land should be manged in a way which ensures food security and economic security for the future.

Clause

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

Notes

The RMA framework has had little success in slowing the urban encroachment on to the productive Heretaunga Plains. Hastings was initially established around early farms who provided housing for owners and workers. In time a railway track was built to ship goods and a commercial area established and the city grew and continues to spread across the center of a large tract of some of the most fertile, versatile and productive food production land in New Zealand. The land is mainly LUC 1,2 & 3 with smaller areas of class 4 &5 and is particularly suited to fruit and vegetable production, hence the presence of major food processors including Heinz Wattie and Mckains and many other smaller processors. There is also a large tract of LUC 6-7 land now named and protected and known as the Gimblett gravels and is famous for its quality wines. The RMA fails to recognise the value of secure locally produced food, grown to high safety standards which are driven by local, national and export standards of production. It is better to grow local than to rely on food sourced from farther afield where product may be sourced more cheaply but at what cost. Land used to produce alcoholic beverages is protected and food production land deserves the same respect and protection. New Zealand is an isolated group of islands and should be protected and insured against global food crisis. When food production land is sacrificed for other purposes a bit more of our history and knowledge is lost along with the positive impacts from the land's contribution to local culture and community.

Clause

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

Notes

The Heretaunga Plains Urban Development Strategy (HPUDS) in Hawkes Bay set out to be a plan to manage urban development out until 2045 and to limit the spread of urban development on to Plains zoned land. The HPUDS has not been as successful as we would have liked, and due to national concerns re housing shortages areas of land in the HPUD Strategy have been brought forward and released early. (Howard Street, Brookvale Road) This leaves about 3 of the sites for future housing remaining for release the strategy - out to 2045. Additionally, highlighting the areas for future development has created a bit of a frenzy among landowners in the highlighted areas and potential developers. Agreements are being drawn up and Land sales are happening well in advance of the land being released. Will this result in land banking?? Hastings will not have control over what will be provided in the way of housing going forward. All of the development decisions will be made to satisfy developers goals for \$\$ returns, not to satisfy community needs. Fruitgrowers need affordable, efficient houses for the permanent workforce, as well as accommodation for seasonal workers. There has been a little infill housing but barely any urban renewal to create more affordable and efficient housing options. HPUDS has gone only a small way to help. HPUDS Needs to be more specific about what the release of any of the land must achieve i.e. % large family homes, % smaller units for retirees, % single person household accommodation % disabled accommodation. To date the HPUD Strategy criteria has been insufficient to protect highly productive land on the perimeter of the urban areas in Hastings and Havelock North.

Clause

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

Notes

Mainly by Economic assessment When considering economic viability, it may be difficult for a current landowner to address the financial challenges in a time when what is produced on the land suffers during an economic downturn. The challenges may be significantly different in the hands of another owner or with a change to the horticultural land use. Successful economic decision making is highly dependent on thinking outside of the square and having the will to make the right decisions to earn a living from the land. Example 1 - lifestyle sites, the current owner purchased the land when they had a young family. The family has since grown up and left so the land is no longer useful to the owner and has become a burden to manage as the owner ages. The owner considers that the site is not an economic unit and should be subdivided to accommodate more homes. The purpose of the lifestyle block has not changed but the current owners' circumstances have changed. Example 2 - In a recent Hastings District Hearing considering the release of land in Howard street, the argument was put that building houses would contribute substantially to the local economy and provide work for many. Building homes is a one off and provides short term gain for those involved - whereas land provides a long term contribution to the local economy at a slower rate. When this land is built on, Hawke's Bay will lose a very long standing vegetable production business providing produce to locals through an onsite outlet. The culture of growing for direct sale to the public/buying direct from the producer is lost. One off financial gains are overriding long term steady income streams. The town loses a fruit and vegetable outlet to compete with supermarkets and provide garden fresh wholesome food for locals. There is no measure for this type of long term loss. Example 3 - Land owner with a small site (4 ha) created by rural subdivision in the heart of a growing area. The owner claimed the land was too small for commercial operation. He had not consulted to see if neighbours were willing to purchase the site and amalgamate to form a larger production site. Nearby there is a working example of small more intensive horticulture operations: Orcona Chillies operates entirely on 2 h.a. growing packing and processing chillies for distribution nationwide. There are many other options for someone with the will to make the land work for example glasshouse flowers, plants or vegetables, strawberries, raspberries, blueberries, asparagus, nursery operation, olives, herbs, organic vegetables for gate sales. These are a few examples. All of the activities could be carried out by an owner operator or through a share farming/lease agreement with another party. A neighbouring party interested in purchasing the land was not given the opportunity to do so. The decision supported the owner to further subdivide his land for more dwellings increasing pressure on the surrounding production sites and establishing a further ad hoc urban site in the heart of production land.

Clause

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

Notes

Productive land should be given the highest consideration, there needs to be a change in the way we view develop our urban centres. More people = more land = more resources including land to grow food. It is wise to be moving now to give some priority to highly productive land to provide for future generations. In 2011, Page Bloomer Associates Ltd produced a report titled "An opinion to assist the council in understanding the issues associated with defining 'versatile soils' or 'productive land' for the purposes of avoiding inappropriate use/subdivision/development. The document could be very useful in assisting with determining how to consider "Productive Land" In Chapter 4 Distinction between soil and land, versatility and productivity sections 4.2.2 Productive land and 4.2.3 Versatile Land both provide a description/definition of each land type. In both sections reference is made to section 8.3 Judge Treadwell's list of factors to assess the value. Extract: 8.3 Court rulings on Versatile Land A number of Court rulings relate to attempts to limit urban growth for the purpose of safeguarding productive land. The outcomes have been variable, but the protection of soil was not found sufficient justification to refuse sub-division. A comprehensive list of factors that require consideration was given by Environment Court Judge Treadwell in Canterbury Regional Council v Selwyn District Council [W142/96] and guides much argument and decision in this area (Appendix 2). These factors include natural resources and human infrastructure and their relationship to the land in question. Regardless of soil qualities, land may not be of high versatility given its setting. In the decision above, Judge Treadwell commented that "an extremely good soil might be disqualified for a farming use by one or several of the factors". Conversely, a relatively poor soil might exhibit high value because of proximity to other resources and services. A holistic approach should be used to first identify entire food production zones where Horticulture is the predominant activity. It should be very difficult to change the purpose of the land within this type of protected zone. An example is the Gimblett gravels wine growing region which is a protected area in the Hastings District Plan. Food Production and security should be given the same if not higher protection as the production of alcoholic beverages. A suggested holistic approach could be the following which is considered in three steps; 1. a zone based overview - i.e. does the land sit within an area/zone where the main activity is primary/food production, or is the predominant activity another land use? Does it sit within a protected zone? 2. Then by an assessment against Judge Treadwell's list

of factors is as follows: • Soil texture • Soil structure • Soil water holding capacity • Soil organic matter stability • Site's slope • Site's drainage • Temperature of the site • Aspect of the site • Storm water movements • Flood plain matters • Wind exposure • Shelter planted • Availability of irrigation water • Transport, both ease and distance • Effect of the use on neighbours • Effects of the neighbours on the use • Access from the road • Proximity to airport • Proximity to port • Supply of labour • Quality of that labour • Previous cropping history • Relevant contamination • Sunlight hours • Electricity supply • District Plan • Economic and resale factors

3. Evaluated against the Land Use Capability classification system or, better information as it becomes available. Productive land assessments should include LUC Classes outside of LUC Classes 1,2 & 3, there are many examples of crops successfully grown on LUC Class 4 & 5 Example: 17 Stock Road, Hastings which is on a mix of LUC Class 3 & 4 land. A horticulture enterprise grows Christmas trees on the class 4 land. It provides an opportunity for alternative production methods. Example 2: Gourmet Blueberries operates its blueberry growing and packing facility 50% LUC 3 and 50% LUC 4 land. Info: First Established: year 2000 Land Area: 79 hectares Production per season: Over 600 tonnes "The entire crop is enclosed with a netting structure, providing protection from birds, wind and hail. As well as this an overhead frost protection sprinkler has been installed. Use of the latest and best performing blueberry variants means improved fruit size, flavour and timing of harvest to better match market requirements. Light soils and a hot dry climate as in the Hawkes Bay, combined with innovative growing techniques makes for superior fruit. Innovations include the fertigation and irrigation systems similar to that used in a glasshouse environment. Each plant is individually fed a mixture of fertiliser and water, through a dripper system fully and determined by the production manager Gourmet Blueberries exports its products around the world."

Clause

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

Notes

In the Hastings District Plan, there are a number of protections to avoid the proliferation of Lifestyle sites including the 10 hectare minimum subdivision rule which prevents new small sites developing and encourages site amalgamation.

Clause

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

Notes

Land in the food production zone should be off the table and lifestyle sites a prohibited activity.

Clause

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

Notes

Significant buffer zones need to be established between food production zones and urban developments to create separation. A significant buffer zone would ideally be 30 metres include plantings at both zone edges. The buffer zones could provide cycle and walkways to benefit public health.

Clause

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

Notes

Separation - by providing significant buffer zones need to be established between food production zones and urban developments to create separation. This is really important and really successful overseas for areas where there is a large amount of horticulture near urban areas. A significant buffer zone would ideally be 30 metres include plantings at both zone edges. The buffer zones give the opportunity to provide cycle and walkways so that there is access to view and enjoy the rural outlook. Require all District and Regional Plans to provide a clear definition of rural/urban interface reverse sensitivity.

Clause

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

Notes

Yes, there is currently a problem. Food production land in New Zealand is a finite resource and each year a further % is lost. The document discusses most issues. Food producers face challenges everyday with risks posed by the weather, markets, diminishing returns, threats to water supplies, continually increasing compliance costs, and public perception. NZ is one of the world's finest food producers and we need to protect this ability and cultural heritage for our future generations. The document is a great first step toward protecting the land.

Clause

Are you aware of other problems facing highly productive land?

Notes

Other issues that face HPL in horticultural use include: • Grower Mental health and wellbeing issues such as depression, anxiety and stress in growers facing hostility from sensitive neighbours • Constraints on hours of work at processing & storage facilities • Work/Life balance issues for growers and employees having to work extremely early in the morning or late into the night to avoid complaints from sensitive neighbours • Increased land values that flow through to rates, when land is zoned or identified for future development, but also due to speculation around future development potential. • Cumulative effect of municipal water takes, that often have priority in plans • Urbanisation degrades water quality through increasing impervious surfaces and the discharge of contaminants and can impact on the resource required to realise the productive potential of rural land • Flood protection and land drainage often serving both urban and HPL, changes stream hydrology and reduce ecosystem health and water quality • Restrictive

rules regarding supporting structures that are an inherent part of some horticultural operations (e.g. crop protection structures) • Increasing restrictions on land use change (as land use change by many interest groups is considered to result in intensification (irrespective of the actual impact on land use intensification of a particular activity) which can make realising the value of highly productive land difficult, even in cases where land use change will potentially decrease the nutrient loss from the land • Availability of water (acknowledging that there is a need to limit new water in areas where limits appear to have been reached) however increasing restrictions on the ability to transfer water can again make realising the productive potential of highly productive land difficult

Clause

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

Notes

We support a National Policy Statement as it allows for regional variation and is a very strong way to demonstrate the importance of highly productive land.

Clause

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

Notes

For Hawkes Bay, if the NPS is done right it would provide the support needed for our District and Regional Councils to achieve the aim to protect productive land resource for future generations.

Clause

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

Notes

The focus should be highly productive land - simply because to produce food the land requires more than just good soils. See Judge Treadwell's list of factors to assess the value of productive land. See Judge Treadwell's list of factors to assess the value of productive land.

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

The focus of the NPS should be on primary production generally, but with particular emphasis on food. We do think food production should have a greater emphasis due to its importance for domestic food supply, food security and economic importance to regional economies.

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. Land use reverse sensitivity issues and pressure for increased land for housing are currently driving fruit and vegetable producers to the periphery of where 'growing is good'. This is at a time when Fruit growing is going through a large expansion and profitable phase. Alongside fruit and vegetable exports to provide income we need a safe and secure food supply produced ethically for our own people. New Zealand has the capacity to feed its whole population without reliance on imported products.

Clause

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

Notes

The NPS should apply nationally as areas that may come under increasing pressure from urban growth may change in the future, and if it was only targeted to specific areas, they would not be afforded the protection of the NPS.

Clause

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

Notes

That the current and potential food production land resource is protected and available so that New Zealanders can benefit from accessible, healthy, safe food, produced as locally as possible and that surplus food can be sold offshore to contribute to the economic welfare of all New Zealanders. New Zealanders need to be able to pass on the cultural knowledge of how to grow food and farm to our next generations. Strong direction should be provided in the objectives to maintain the availability and productive capacity of highly productive land for primary production. Some flexibility should be provided, but only where the loss of HPL would result in benefits for the productive capacity of HPL and benefits to environmental, economic, social and cultural values. The provision of more guidance about what is "inappropriate subdivision, use and development" should ensure a highly level of consistency in how the NPS is interpreted across the country, therefore we believe that as much guidance as possible should be provided about this to ensure that its application is equitable, however whether such guidance should actually be provided in an objective, or whether it might be better placed in a 'user guide' or other such document that was released at the time an NPS was gazetted may make it easier to revisit guidance about what inappropriate subdivision, use and development is, and keep it up-to-date and in-line with case law and current best planning practice. In our view the appropriateness would link back to whether there are benefits to HPL productive capacity as well as environmental, economic, social and cultural values.

Clause

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

Notes

IQP's via Regional Councils - funded by central Gov't

Clause

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

Notes

Limiting specific consideration to 'versatile soils' (LUC 1, 2,3), may mean that high value productive land is not recognised. This needs to be acknowledged and accounted for example: Example 1. Multiple LUC Classes of land and soil types. If land which is highly productive or potentially highly productive. Quality crops and fruit can be grown on LUC class 4 or 5 or soil, for Example the Mr Apple Orchard along Meeanee Road which is on a mix of LUC Class 4&5 land. With the addition of drainage and light nutrient applications the block grows high quality fruit for the export and local market, provides jobs and contributes to the local economy. Example 2: 17 Stock Road, Hastings which is on a mix of LUC Class 3 & 4 land. A horticulture enterprise grows Christmas trees on the class 4 land. It provides an opportunity for alternative production methods. Example 3: Gourmet Blueberries operates its blueberry growing and packing facility 50% LUC 3 and 50% LUC 4 land. Info: First Established: year 2000 Land Area: 79 hectares Production per season: Over 600 tonnes "The entire crop is enclosed with a netting structure, providing protection from birds, wind and hail. As well as this an overhead frost protection sprinkler has been installed. Use of the latest and best performing blueberry variants means improved fruit size, flavour and timing of harvest to better match market requirements. Light soils and a hot dry climate as in the Hawkes Bay, combined with innovative growing techniques makes for superior fruit. Innovations include the fertigation and irrigation systems similar to that used in a glasshouse environment. Each plant is individually fed a mixture of fertiliser and water, through a dripper system fully and determined by the production manager Gourmet Blueberries exports its products around the world."

Clause

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

Notes

Pros - food security, health, social, natural resources maintained, economic (employment, industry, export etc.), protects finite resource Con - on an individual level, less flexibility to change land use, could result in urban development occurring in locations that are less desirable from a social or cultural perspective, could result in less investment in productive capacity of HPL if growers are financially disadvantaged by reduction in development potential of some of their land.

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 - the drafting of particularly the NPS on urban development and the proposed freshwater reforms (especially the NPSFM) will need to be done carefully, and comprehensive cross-checking undertaken once the form of each of the relevant instruments is known to ensure that consistency is achieved between all relevant documents.

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

Ensure that they clearly articulate their relationship to one another, to address competing issues consistently Both NPSs should be regularly reviewed and the impact of each NPS on the other specifically considered, and any areas of tension specifically reviewed, and changes made in an effort to alleviate tension.

Clause

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

Notes

In the first instance areas of highly productive land should be prioritised for primary production, the impacts of any development of HPL should be carefully considered, and if it would result in reduced productive capacity, it should only be allowed if alternatives are not feasible and there are environmental, economic, social and cultural benefits.

Clause

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

Notes

We agree with the focus on maintaining the productive capacity of HPL and avoiding fragmentation

Clause

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

land?

Notes

Most councils with larger areas of highly productive land already have guidance about how reverse sensitive should be managed. The current wording of Policy 5 suggests that new sensitive and potentially incompatible activities could establish on highly productive land (subsection b) however we believe that avoidance should be the first response, and suggest rewording is necessary to address this. Costs arising to avoid, mitigate or eliminate reverse sensitivity effects should be attached to the urban activity. Primary producers must already work within rules to operate in their zones and should not bear the cost to provide separation buffer zones and plantings.

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

It should require specific and robust consideration of the effects of the loss of the highly productive land on the region, alternatives and a detailed assessment of benefits for HPL and economic, environmental, social and cultural values.

Clause

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

Notes

It should require specific consideration of the impact that the loss of highly productive land will have on the productive capacity of HPL of the region and consider interregional impacts. There should be national directions re costs arising to avoid, mitigate or eliminate reverse sensitivity effects should be attached to the urban activity. Primary producers must already work within rules to operate in their zones and should not bear the cost to provide separation buffer zones and plantings and should not be responsible to mitigate the effects for carrying out legally permitted activities. For Example: an existing frost protection fan becomes non compliant due to its distance from a new urban development. The applicant should be responsible for the cost to mitigate the noise nuisance.

Clause

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

Notes

Further guidance to support Appendix A, in terms of how HPL is identified and how to define the productive capacity of HPL Further guidance on 'inappropriate' subdivision and development. A 'user guide' for both local government, and owners of highly productive land that helps them understand what the impact of the NPS is, and how it will be implemented.

Clause

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

Notes

Yes, to provide for some level of interim protection.

Clause

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

Notes

Given the great level of uncertainty regarding the future availability of water (due to a range of issues such as catchment specific plan changes, opportunities for water storage, the impacts of climate change) there would seem to be more risks than benefits in tying the two together at this point in time. Suggest the initial identification of land should not include consideration of current/future availability of water, but that is a matter along with the other factors that contribute to the productive capacity of land should be taken into consideration when going through a planning or resource consenting process.

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

Given the great level of uncertainty regarding the future availability of water (due to a range of issues such as catchment specific plan changes, opportunities for water storage, the impacts of climate change) there would seem to be more risks than benefits in tying the two together at this point in time. Suggest the initial identification of land should not include consideration of current/future availability of water, but that is a matter along with the other factors that contribute to the productive capacity of land should be taken into consideration when going through a planning or resource consenting process.

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

Suggest it would create added complexity for potentially limited benefit. The NPS as proposed does not set out to avoid any future

urban development on highly productive land, but rather seeks to ensure that any planning processes specifically consider the impact of activities other than primary production on highly productive land. In our view, the class of soil would be a factor in assessing the productive capacity of HPL and therefore a degree of weight could be afforded to Class 1 land compared Class 3, 4, 5, 6 & 7 land when individual proposals are being considered, however this would be considered alongside other factors influencing productive capacity and specifying this in the NPS is not considered necessary, nor appropriate.