



Proposed National Policy Statement for Highly Productive Land

Submission Template

We would like to hear your views on the proposed National Policy Statement for Highly Productive Land (NPS-HPL).

Please feel free to use this template to prepare your submission. Once complete please email to soils@mpi.govt.nz.

You can also make a submission using the online submission tool. A link to the online submission tool is available at www.mpi.govt.nz/HighlyProductiveLand.

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Are you submitting on behalf of an organisation? Yes [] No [X]

If yes, which organisation are you submitting on behalf of?

[Redacted]

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Under the Privacy Act 1993, people have access to information held by agencies about them. Any personal information you send with your submission will only be used in relation to matters covered by this document. In your submission, indicate if you prefer that we do not include your name in the published summary of submissions.

Questions for submitters

The questions for submitters that are included throughout the discussion document are provided below. We encourage you to provide comments to support your answers to the questions below. You do not have to answer all questions for your submission to be considered.

The page numbers mentioned below indicate where further information about the question is located in the discussion document.

Section 2.3: Defining highly productive land [page 19]

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

Sustainable healthy organic food production for New Zealanders wellbeing, and healthy soil ecosystems and environment
Healthy residential areas

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

Location, Location, Location. They need siting where the present and future transport infrastructure can most efficiently deliver the food to our people.



Section 3.1: Problem statement [page 23]

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

No. It does not recognise HPL as something to be protected and enhanced as for other societal values such as biodiversity and historic heritage. Sec 6 needs an addition to protect and enhance highly productive soils

It does not address the sustainability of soils, particularly the poisoning with fertilisers and contaminants, herbicides, insecticides and fungicides etc. These need to stop and we can then produce food that is healthy and sustainable environmentally, and organic. Stopping the poisoning will also stop many of the present reverse sensitivity effects. The RMA needs to control the application of poisons to land and vegetation. Many of our soil sites are so poisoned that they are now considered hazardous contaminated sites in Regional Plans and included in SLUR registers. See an example at <http://www.gw.govt.nz/contaminated-land/>

It does not account for the need to avoid hazardous contaminated HPL soils being developed for residential/lifestyle purposes, leaving a toxic legacy and negative LIM notations for unwary future owners. We need to avoid the type of situation that is described at <https://100-nz.com/IAG/new-zealand-pollution/>

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

No. The higher value soils should be a Sec 6 matter entailing protection and enhancement as healthy soil ecosystems and protection from urban and lifestyle development.

All Highly Productive Land should be required to have Nutrient Management Plans to manage the cumulative effects on the wider environment, particularly freshwater quality and freshwater ecosystems.

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

They are not at present. This has to change.



Section 3.2: Urban expansion on to highly productive land [page 24]

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

Not considered

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

No expansion onto the higher classes of soil – LRI classes 1-3.
No expansion onto contaminated sites.



Section 3.3: Fragmentation of highly productive land [page 25]

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

Not considered

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

No lifestyle development on higher value soils - classes 103.
No expansion onto contaminated sites.

Section 3.4: Reverse sensitivity [page 26]

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

Stop applying poisons to these soils and vegetation and most of the tensions will stop

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

Stop applying poisons to these soils and vegetation and most of the reverse sensitivity issues will stop. As regards noise that is something that should not cross boundaries and can be limited with existing technology.



Section 3.5: These issues are being seen throughout New Zealand [page 26]

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

Yes

No mention of the present poisoning and how it adversely affects reverse sensitivity, and the sustainability of the soils as healthy ecosystems, and freshwater ecosystems.

No mention of the need to move immediately to organic farming with no hazardous chemicals, protecting soil ecosystems, growing healthy food for the wellbeing of all, and protecting and enhancing freshwater ecosystems as required.

Are you aware of other problems facing highly productive land?

Some needs to be reverted to natural ecosystems as the primary landuse to ensure that our biodiversity can occupy the full representative range of soils and landforms and connections to sustain itself fully.

Section 4.5 Preferred option – a National Policy Statement [page 31]

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

NPS specifically to address highly productive land protection and enhancement.
Covering LRI Classes 1-3.

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

No

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

No



Section 5.2 Purpose of the proposed National Policy Statement [page 34]

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

A stepped approach, with a higher standard for versatile soils

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

You can not judge what future food production activities will entail.

Therefore you need to focus on primary production generally.

You should also focus on the adverse effects on neighbours, ecosystems in general, and particularly freshwater ecosystems as required by the Act.

Section 5.3 The scope of the proposal [page 35]

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

Existing residential/lifestyle zoning of highly productive land should be unwound.

A fund also needs to be established to buy back development rights that the government has allowed to be granted to private entities where Highly Productive Land has been zoned Residential or Lifestyle..

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

Reverse sensitivity should be removed – every landowner should contain adverse effects.

If farmers are creating a nuisance or hazard then they should stop, particularly if it involves poisons.



What needs to be included is avoiding the application of poisons to our only highly productive land soil ecosystems. This would entail bringing regulation of such chemical use on soils and vegetation under the RMA.

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?

No

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

Apply nationally

Section 5.4 The proposed National Policy Statement [page 37]

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

Protect and enhance as healthy organic food production soil ecosystems
Ensure that cumulative and adverse effects are consistent with the RMA, particularly the need to protect and enhance freshwater ecosystems.

Policy 1: Identification of highly productive land [page 41]

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

Independent soil scientists

Are the proposed criteria all relevant and important considerations for identifying highly



productive land? Why/why not?

Remove exclusion for future urban zones

Include protection and enhancement of freshwater ecosystem riparian margins

Policy 2: Maintaining highly productive land for primary production [page 42]

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

Pro Sustaining future healthy food production

Con Avoiding reliance on poisons to sustain healthy soil ecosystems

Alignment with the Urban Growth Agenda [page 43]

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)?

Yes The urban growth agenda needs to avoid destruction of highly productive soils
Consideration needs to be given to creating urban gardens within urban areas where the soil is not contaminated.

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?

Its like the Freshwater NPS heirarchy

Soil first Community sustenance second Residential/lifestyle third

Policy 3: New urban development on highly productive land [page 45]

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



expansion?

Soil survey – detailed if necessary

Policy 4: Rural subdivision and fragmentation [page 46]

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

Avoid – unless a covenant can be included to ensure that the land is used for food production and no land use area is lost to homes, buildings and production infrastructure.



Policies 6 and 7: Consideration of private plan changes and resource consent applications on highly productive land [page 49]

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

Prohibited

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

Prohibited

Policy 5: Reverse sensitivity [page 47]

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

Avoid use of poisons that create reverse sensitivity
Manage noise of plant to normal standards

Section 5.6 Implementation [page 52]

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

Full



Specific / technical questions

The questions below are included in the outline of the proposed NPS-HPL (Chapter Five of the discussion document) and may assist technical experts when providing a submission.

Specific questions

Section 5.3: The scope of the proposal [page 35]

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

Require immediate effect

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?

Require immediate effect

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

None

Specific questions

Section 5.4: The proposed National Policy Statement [page 37]

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

Full direction



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

Yes

Ensure that buildings, infrastructure etc. that take land out of productivity are avoided – to avoid death by a thousand cuts

Specific questions

Policy 1: Identification of highly productive land [page 41]

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

Only where residential/lifestyle land use change is contemplated, and where land is zoned Residential/Lifestyle but not yet used for these purposes

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

National level

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

Significant, but worth it in the national interest

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

None Government should provide the identification at no costs to Councils.



Specific questions

Appendix A: Criteria to identify highly productive land [page 41]

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

Yes

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

Fertility
Versatility
Cultivation ease

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 Essential Freshwater Programme?

Do not need to consider
Different food production can occur with varying water availability

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?

Yes



Specific questions

Policy 3: New urban development on highly productive land [page 45]

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

Government survey of soils that are threatened with Residential/Lifestyle zoning/development.

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?

Highly Productive Soils are more important than urban development
Avoid allowing urban development on contaminated soils.

Specific questions

Policy 4: Rural subdivision and fragmentation [page 46]

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?

Prohibit

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?

No



Specific questions

Policy 5: Reverse sensitivity [page 47]

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

Prohibit poisons being applied to soils, and noise in excess of normal standards

Specific questions

Policy 6 and Policy 7: Consideration of private plan changes and resource consent applications on highly productive land [page 49]

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?

Immediate effect

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?

Prohibit

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

Yes



Specific questions

Section 5.5: Interpretation

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

Unknown

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

Contaminated site
Healthy soil ecosystem
Organic

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

No

Specific questions

Section 5.6: Implementation [page 52]

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

Yes

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

Prohibitions



Specific questions

Section 5.7: Timeframes [page 52]

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

Immediate identification by government

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?

NA Immediate identification by government
