

AgResearch Limited Submission
Proposed National Policy Statement for Highly Productive Land

To: NPS-HPL Submission
Land and Water Policy Team
Ministry for Primary Industries
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I confirm that I am authorised on behalf of AgResearch Limited to make this submission.

1 OVERVIEW

1.1 AgResearch Limited ("AgResearch") generally supports the direction of the Proposed National Policy Statement for Highly Productive Land ("Proposed NPSHPL") subject to the amendments sought in this submission.

1.2 In this submission we have provided:

- General submissions on the Proposed NPSHPL (**Section 2**); and
- Specific submission points on the Proposed NPSHPL, including relief requested (**Attachment A**).

2 GENERAL SUBMISSION

2.1 AgResearch is New Zealand's largest Crown Research Institute ("CRI") with four Agriculture Research Campuses and 11 Agriculture Research Farms, employing about 750 staff nationwide. Formerly known as the New Zealand Pastoral Agriculture Research Institute Limited, it was created as a CRI in 1992 out of the research arm of the Ministry of Agriculture and Fisheries (MAF) and the agriculture section of the Department of Scientific and Industrial Research (DSIR).

2.2 AgResearch's purpose is to enhance the value, productivity and profitability of New Zealand's pastoral, agri-food and agri-technology sector value chains to contribute to economic growth and beneficial environmental and social outcomes for New Zealand. This sector is the backbone of our economy and its continued success is essential to this country's living standards.

2.3 The Company works with stakeholders to develop leading-edge scientific solutions for a range of national and international customers, including government agencies, industry bodies and private companies. AgResearch is the lead CRI in the areas of pasture based animal production systems, new pasture plant varieties, agricultural-derived greenhouse gas mitigation and pastoral climate change adaptation, agri-food and bio-based products and agri-technologies and integrated social and biophysical research to support pastoral sector development.

2.4 The following table summarises the District, zoning and Region relevant to each of AgResearch's research facilities:

Research Facility	District	Zone	Region
Ruakura Research Campus	Hamilton City	Knowledge Zone	Waikato
Ruakura Research Farm	Hamilton City	Knowledge Zone	Waikato
Tokanu Dairy Research Farm	Waipat District	Rural Zone (scheduled agricultural research site)	Waikato
Grasslands Research Campus	Palmerston North City	Industrial Zone	Manawatu Wanganui
Grasslands Research Farm	Palmerston North City	Industrial Zone	Manawatu Wanganui
Aorang Research Farm	Manawatu District	Rural Zone (currently seeking scheduled agricultural research site provisions in upcoming Rural Zone review)	Manawatu Wanganui
Bantrape Research Farm	Taranaki District	Rural Zone	Manawatu Wanganui
Woolfords Research Farm (or gna y part of the Fockhouse Research Farm)	Rangitikei District	Rural Zone (scheduled agricultural research site)	Manawatu Wanganui
Kaitake Research Farm	Upper Hutt City	Rural Zone (scheduled agricultural research site)	Wellington
Lincoln Research Campus	Severn District	Business 3 Zone	Canterbury
Lincoln Research Farms	Severn District	Rural Outer Plains Zone	Canterbury
Invermay Research Campus	Dunedin City	Major Facets (Invermay and Hercus) Zone	Otago
Invermay Research Farm	Dunedin City	Rural Outer Plains Zone (scheduled agricultural research site)	Otago

Research Facility	District	Zone	Region
Waipara Research Farm	Dunedin City	Rural Transition Zone (scheduled agricultural research site)	Otago
Woodlands Research Farm	South and District	Rural Zone (scheduled agricultural research site)	South and

2.5 The Proposed NPSHPL states that when the provisions come into effect, the proposed default definition of highly productive land is and with a Land Use Capability ("LUC") classification of Class 1, 2 or 3 land. The Proposed NPSHPL then requires that within a 3 year period, Regional Councils must identify highly productive land for their specific Region (in consultation with communities) based on a range of considerations (including those set out in Section 2.3.3 of the Proposed NPSHPL), to either exclude some of the Class 1, 2 or 3 land or identify other highly productive land.

2.6 With the exception of the Bantrae Research Farm (which is a high country research facility), all of AgResearch's research facilities listed in the above table are located on Class 1, 2 or 3 land. It is essential that AgResearch retains the ability to continue to utilise Class 1, 2 or 3 land for research purposes because of the eventual commercial application and economic benefits for the national pastoral, agri-food and agri-technology sector.

2.7 While Research Farms are primarily rural in nature, they usually include research related activities and facilities that are not typical of a commercial farming operation such as offices, laboratories, buildings housing research animals, animal handling facilities, commercial or industrial research facilities, education facilities (e.g. for visiting students), commercial or industrial research facilities. The majority of the Research Farms are scheduled sites within a Rural Zone where agricultural research related activities and facilities are provided for as a permitted activity throughout the entire property. Although, some Research Farms have provision for the development of an on-site Research Campus within a specific area, for example:

- (i) The Tokanui Dairy Research Farm in the Waipara District is a scheduled site in the Rural Zone within a 5 hectare Research Campus area identified on the Planning Maps where the following activities are permitted:

The rural research facility and ancillary activities including education and conference facilities, laboratories, engineering workshops, staff offices and facilities, field days and pilot plants for researching the processing and manufacturing of dairy products.

- (ii) The Woodlands Research Farm a scheduled site in the Rural Zone of the South and District Plan where there is provision for buildings associated with agricultural research activities within a specific Research Building Area identified on the Planning Maps where "agricultural research activities" is defined as:

Means agricultural research and development, and ancillary activities including education facilities, laboratories, staff offices and facilities, and field days.

2.8 Further all of AgResearch's main Research Campuses (i.e. Ruakura, Grasslands, Lincoln and Invermay) are located immediately adjacent to corresponding Research Farms, and in relative close proximity to other Research Farms. Being located in close proximity is essential because of

the strong interconnection between research activities undertaken at the Research Campuses and Farms (e.g. AgResearch scientists based at a Campus undertaking field-based research work at a Research Farm).

2.9 While the four main Campuses are located on highly productive land, they are not located within a Rural Zone but have their own special zoning (e.g. Knowledge Zone (Ruakura Campus), Institutional Zone (Grasslands Campus), Business 3 Zone (Lincoln Campus) and Major Facilities (Invermay and Hercurus) Zone (Invermay Campus). In contrast, out of the 11 AgResearch Research Farms, while two are zoned the same as the immediately adjacent Research Campus (n.b. the Ruakura and Grasslands Research Farms), the remainder are located within a Rural Zone, with 6 of the Research Farms having scheduled site provisions specifically providing for agricultural research related activities (n.b. scheduled site provision are also currently being sought for the Aorangi Research Farm as part of an upcoming Rural Zone plan change to the Manawatu District Plan). Accordingly, AgResearch's key concerns relate to whether the Proposed NPSHPL adequately recognises that agricultural research activities are an appropriate and essential use of highly productive land, for example:

- (i) Agricultural research related activities that could potentially occur on existing or future Research Farms (including a site specific Research Campus) given that the majority of Research Farms need to locate and undertake research on highly productive land;
- (ii) The future expansion of any of the four main Research Campuses onto nearby Rural zoned land that contains highly productive soils; and
- (iii) The establishment of a new key Research Campus on Rural zoned land that contains highly productive soils.

2.10 In this regard, proposed Policy 2 (Maintaining highly productive land for primary production) in the Proposed NPSHPL is of concern to AgResearch. Proposed Policy 2 states:

Local authorities must maintain the availability and productive capacity of highly productive land for primary production by making changes to their regional policy statements and district plans to:

- a. prioritise the use of highly productive land for primary production*
- b. consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;*
- c. identify inappropriate subdivision, use and development of highly productive land; and*
- d. protect highly productive land from the identified inappropriate subdivision, use and development.*

2.11 The definition of "primary production" in Section 5.5 (Interpretation) of the Proposed NPSHPL is as follows:

- a. any agricultural, pastoral, horticultural, or forestry activities; and*
- b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); and*
- c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but*
- d. excludes further processing of those commodities into a different product.*

2.12 Proposed Policy 2 is focused on maintaining the availability and productive capacity of highly productive land for "primary production". AgResearch is concerned that the definition of "primary

production” is not sufficiently broad enough to cover the full range of agricultural research related activities that occur within Research Farms (and Research Campuses). AgResearch considers that either Proposed Policy 2 or the definition of “*primary production*” should be amended so that there is clear recognition that agricultural research activities are an appropriate and essential use of highly productive land.

2.13 Similarly, proposed Policy 5 (Reverse sensitivity) requires territorial authorities to amend their district plans to identify the typical activities and effects associated with “*primary production activities*” on highly productive land and that should be anticipated and tolerated in rural areas, and to appropriately manage new sensitive and incompatible activities so that reverse sensitivity effects are avoided. AgResearch considers that either Proposed Policy 5 or the definition of “*primary production*” require amendment so that there is clear recognition that agricultural research activities are an appropriate and essential use of highly productive land and to ensure such activities and their effects are adequately protected from reverse sensitivity effects in District Plans.

2.14 Finally, proposed Policy 3 outlines criteria for determining whether “*urban expansion*” can occur on highly productive land. Similarly, Proposed Policy 6 outlines matters for local authorities to consider when assessing requests for plan changes for urban expansion on highly productive land, and Proposed Policy 7 outlines matters for local authorities to consider when assessing resource consent applications for subdivision or urban expansion on highly productive land.

2.15 Under the National Planning Standards, due to the unique and significant nature of its research activities, AgResearch would seek a Special Purpose Zone or a Precinct Overlay for its Research Campuses or Farms. However, AgResearch is concerned that Proposed Policies 3, 6 or 7 could be problematic because the main Research Campuses and some aspects of a Research Farm (e.g. an on-site Campus) could be considered an “*urban expansion*” type development as a result of the following Proposed NPSHPL definition:

Means a rezoning or development proposal that would result in land use change from a primarily rural use to a primarily urban use (residential, industrial or commercial).

2.16 Accordingly, AgResearch considers that the definition of “*urban expansion*” should be amended so that there is clear recognition that agricultural research activities are an appropriate and essential use of highly productive land and within Policies 3, 6 and 7.

3 SPECIFIC SUBMISSION POINTS

3.1 AgResearch’s specific submission points are provided in Attachment A.

3.2 In respect of a list of those submission points in Attachment A, AgResearch seeks:

- Where specific wording has been proposed, words or provisions to similar effect;
- A necessary and consequential amendments, including any amendments to the provisions themselves or to other provisions linked to those provisions submitted on, and including any cross references in other chapters; and
- A further relief that are considered necessary to give effect to the concerns described above and in Attachment A.

Signature:

AGRESEARCH LIMITED

by its authorised agents Mitche Daysh Limited

A handwritten signature in black ink, appearing to read 'G.J. Mathieson', with a large, sweeping loop at the end.

G.J. Mathieson

Date:

10 October 2019

ATTACHMENT A: AGRESEARCH'S SUBMISSIONS ON THE PROPOSED NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

REF	PROVISION	PAGE	SUPPORT OPPOSE	AGRESEARCH'S REASONS	RELIEF SOUGHT
1	<p>Proposed Po cy 2 Ma nta n ng h gh y product ve and for pr mary product on</p> <p>Sect on 5 5 Def n t on of "pr mary product on"</p>	<p>42</p> <p>50</p>	Support n part	<p>Po cy 2 (Ma nta n ng h gh y product ve and for pr mary product on) s focused on ma nta n ng the ava ab ty and product ve capac ty of h gh y product ve and for "primary production" AgResearch supports Po cy 2 on the bas s that t s prudent to protect areas of h gh y product ve and for pr mary product on act v t es However AgResearch s concerned that the def n t on of "primary production" s not suff c ent y broad enough to cover the fu range of agr cu tura research re ated act v t es that do and cou d occur w th n Research Farms (and Research Campuses) For fu certa nty AgResearch seeks that e ther Proposed Po cy 2 or the def n t on of "primary production" be amended so that there s c ear recogn t on that agr cu tura research act v t es are an appropri ate and essent a use of h gh y product ve and</p>	<p><u>E ther</u></p> <p>Amend Proposed Po cy 2 as fo ows</p> <p><i>Local authorities must maintain the availability and productive capacity of highly productive land for primary production by making changes to their regional policy statements and district plans to:</i></p> <ol style="list-style-type: none"> <i>prioritise the use of highly productive land for primary production <u>and any research related activities associated with primary production.</u></i> <i>consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;</i> <i>identify inappropriate subdivision, use and development of highly productive land; and</i> <i>protect highly productive land from the identified inappropriate subdivision, use and development.</i> <p><u>Or</u></p> <p>Amend the def n t on of "primary production" as fo ows</p> <ol style="list-style-type: none"> <i>any agricultural, pastoral, horticultural, or forestry activities; and</i> <i><u>includes any research related activities associated with the listed activities in a);</u></i> <u>and</u> <i>includes initial processing, as an ancillary activity, of commodities that</i>

REF	PROVISION	PAGE	SUPPORT OPPOSE	AGRESEARCH'S REASONS	RELIEF SOUGHT
					<p>result from the listed activities in a); and</p> <p>d. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in bc); but</p> <p>e. excludes further processing of those commodities into a different product.</p>
4	<p>Proposed Po cy 5 Reverse Sens t v ty</p> <p>Sect on 5 5 Def n t on of "pr mary product on"</p>	<p>47</p> <p>50</p>	Support n part	<p>Proposed Po cy 5 (Reverse sens t v ty) requ res terr tor a author t es to amend the r d str ct p ans to dent fy the typ ca act v t es and effects assoc ated w th "primary production activities" on h gh y product ve and that shou d be ant c pated and to erated n rura areas and to apprpr ate y manage new sens t ve and ncompat b e act v t es so that reverse sens t v ty effects are avo ded For fu certa nty AgResearch seeks that e ther Proposed Po cy 5 or the def n t on of "primary production" be amended so that there s c ear recogn t on that agr cu tura research act v t es are an apprpr ate and essent a use of h gh y product ve and to ensure such act v t es and the r effects are adequate y protected from reverse sens t v ty effects n D str ct P ans</p>	<p><u>E ther</u></p> <p>Amend Proposed Po cy 5 as fo ows</p> <p><i>Territorial authorities must recognise the potential for sensitive and incompatible activities within and adjacent to areas of highly productive land to result in reverse sensitivity effects and amend their district plans to:</i></p> <p>a. <i>identify the typical activities and effects associated with primary production activities (including any research related activities) on highly productive land that should be anticipated and tolerated in rural areas;</i></p> <p>b. <i>restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities;</i></p> <p>c. <i>establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and</i></p> <p>d. <i>establish methods to avoid or mitigate reverse sensitivity effects at the interface between areas of highly productive land and adjacent residential and rural lifestyle zones.</i></p>

REF	PROVISION	PAGE	SUPPORT OPPOSE	AGRESEARCH'S REASONS	RELIEF SOUGHT
					<p><u>Or</u></p> <p>Amend the definition of “primary production” as follows</p> <ul style="list-style-type: none"> a. any agricultural, pastoral, horticultural, or forestry activities; and b. <u>includes any research related activities associated with the listed activities in a);</u> <u>and</u> c. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); <u>and</u> d. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but e. excludes further processing of those commodities into a different product.
3	Section 5.5 (Interpretation) Definition of “urban expansion”	50	Support in part	<p>Proposed Policy 3 outlines criteria for determining whether “urban expansion” can occur on highly productive and Summary Proposed Policy 6 outlines matters for local authorities to consider when assessing requests for plan changes for urban expansion on highly productive and Proposed Policy 7 outlines matters for local authorities to consider when assessing resource consent applications for subdivision or urban expansion on highly productive and</p> <p>Under the National Planning Standards due to the unique and significant nature of this research activities AgResearch would seek a Specific Purpose Zone or a Precinct Overlay for its Research Campuses or Farms However AgResearch is concerned that Proposed Policies 3, 6 or 7</p>	<p>Amend the definition of “urban expansion” as follows</p> <p><i>Means a rezoning or development proposal that would result in land use change from a primarily rural use to a primarily urban use (residential, industrial or commercial <u>but excluding any research related activities associated with primary production</u>).</i></p>

REF	PROVISION	PAGE	SUPPORT OPPOSE	AGRESEARCH'S REASONS	RELIEF SOUGHT
				<p>could be problematic because the main Research Campuses and some aspects of a Research Farm (e.g. an on-site Campus) could be considered an "urban expansion" type development as a result of the following Proposed NPSHPL definition</p> <p><i>Means a rezoning or development proposal that would result in land use change from a primarily rural use to a primarily urban use (residential, industrial or commercial).</i></p> <p>AgResearch seeks amendment of the definition of "urban expansion" so that there is clear recognition that agricultural research activities are an appropriate and essential use of highly productive and within Policies 3, 6 and 7</p>	