

Gisborne District Council submission on the discussion document for valuing highly productive land

1. Specific provisions that this Gisborne District Council submission relates to:		2. Nature of submission		3. Gisborne District Council seeks the following decisions
Page No.	Section Heading and Reference	Issue	Support/Oppose or Seek Amendments and Provide Reason	
17	Proposed definition of highly productive land.	Defining highly productive land as LUC classes 1, 2 and 3 until they are defined in a more nuanced, locally focussed way in our Regional Policy Statement (RPS).	Support the interim definition of highly productive land being LUC classes 1, 2 and 3. Accept the broad-brush nature of this classification, but recognise the importance of imminent protection of these soils. Also support productive land being defined by local communities within the three year time frame as part of an RPS review instead of at a plan level. Note that for communities like ours, undertaking this work has a significant financial impact. Assistance from central government would be hugely helpful to comply within the specified timeframes.	Subject to submission point below, these provisions are retained and assistance for Councils is considered.
18	Whenua Māori (Māori land) is highly valued by Māori for a range of reasons, including its productive value for a range of primary production activities.	Maori land is also covered by this blanket definition.	Oppose the default inclusion of whenua Māori in the proposed NPS. Support the idea that whenua Māori could be included when highly productive land is defined by the RPS, but only on the proviso that Council would be working alongside iwi, hapu and whanau through the identification process. The inclusion of whenua Maori of Land Use Capability classes 1, 2 and 3 conflicts with tino rangatiratanga by placing further restrictions on Maori land and is not considered to be in the spirit of the Treaty of Waitangi.	Whenua Māori is excluded from the default definition of highly productive land – but may be considered at RPS stage.

33	Purpose of proposed National Policy Statement	A key focus of the NPS is to protect highly productive land from "inappropriate subdivision, use and development", which will help to maintain the availability of highly productive land for primary production for future generations.	Support the purpose of the proposed NPS. Council's recent engagement for our spatial plan on this topic shows the desire to protect the Turanga flats – which is some of our most productive land.	This purpose or similar is retained going forward.
35	The scope of the proposal	The exclusion of residentially zoned areas, as well as 'future urban' areas identified through Spatial Planning.	Support the exclusion of already zoned residential land, and identified 'future urban' areas.	These provisions are retained.
36	The proposed National Policy Statement – Objectives. Table 2 – Proposed wording for NPS	Objective 3: Protecting from inappropriate subdivision, use and development	Support Objective 3, particularly bullet point two which specifies that any urban development on highly productive land has to be subject to a strategic planning process.	These provisions are retained.
38	Policy 1 – Identification of highly productive land	The identification of highly productive land in Council's RPS	Support the identification of highly productive land at the RPS level instead of at the plan level. Spatially identifying highly productive land that plan provisions are required to give effect to is a stronger tool and ensures this identification isn't subject to private plan changes. Also support the criteria to identify highly productive land, particularly relating to the size and cohesiveness of the area to support primary production. Our district has a number of small pockets of land which are classified as LUC class 3, but which are not located near any horticultural infrastructure or processing hubs. Council wants the ability to exclude these pieces of land from additional restrictions.	These provisions are retained.
42	Proposed Policy 2 – Maintaining highly	Local authorities must maintain the availability and productive capacity of highly	Support the intent of proposed policy 2. This policy provides good direction for how	These provisions are retained.

	productive land for primary production	productive land for primary production by making changes to their regional policy statements and district plans.	productive land should be treated in our plan and policy statement.	
45	Proposed Policy 4 - Rural subdivision and fragmentation	Territorial authorities must amend their district plans to manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land.	Support the intent of proposed policy 4, however some guidance will be required as to what minimum lot size will enable the retention of the productive capacity of the land. Support the inclusion of both restrictions and incentives around subdivision.	Provisions are retained and guidance on minimum lot sizes is provided by central government.
48-49	Policies 6 and 7 - Consideration of private plan changes and resource consent applications on highly productive land	The lag time between an NPS being enacted, and Council changing its policy statement and plan.	Support these policies which will have immediate effect from the dates the NPS comes into effect. As demonstrated in the targeted engagement for Tairāwhiti 2050, there is community support for protecting our most elite soils, and these policies will enable this in a timely manner.	These provisions are retained.
-	-	Gisborne District Council is concerned at the implementation costs being passed to local government by the creation of this NPS, and in particular the additional costs involved with mapping our highly productive land.	We are a small unitary authority with a large roading network, and high material deprivation within our communities. Funding additional implementation costs of national direction has a significant impact on our work programmes and budgets.	Central government notes the cumulative effects and costs of complying with new national direction for small unitary authorities.