

SUBMISSION ON

Proposed National Policy Statement for Highly Productive Land

10 October 2019

TO: Ministry for Primary Industries

NAME OF SUBMITTER: Hawke's Bay Fruitgrowers Association Inc

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Introduction

The Hawke's Bay Fruitgrowers' Association Inc. (HBFA) welcomes the opportunity to submit on the proposed National Policy Statement for Highly Productive Soils.

HBFA could not gain an advantage in trade competition through this submission.

HBFA wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

Background to Hawke's Bay Fruitgrowers Association Inc

HBFA was established in 1899 and Incorporated in 1994. We represent the views of Pipfruit, Summerfruit and Kiwifruit Grower members in Hawkes Bay.

The Association's mission statement is to protect, foster and promote the fruit industry and to establish a closer bond of unity and cooperation amongst growers.

The makeup of our membership is around 130 fruit growers who employ around 7,000 staff year round with approx. 12,000 seasonal employees.

Some of the duties performed by the Association for the betterment of fruit growers include:

- Organise local grower meetings and ensure the process for consultation is available to all growers.
- Provide the vehicle for representation by growers at a local and national level.
- Represent growers by way of submissions on local body consultations e.g. rates, annual plans, resource management issues (land, air quality and water), on-going contribution and consultation to the Hastings, Napier and HB Regional Councils District Plans.
- Take the role of guardian of natural resources to protect and ensure they are sustained for coming generations.
- Represent growers by way of submissions on a number of issues relevant to the wellbeing of fruit growers.
- Look after and organise the community social responsibility component on behalf of our members and provide networking opportunities. Organise social events such as the annual Industry Awards, Fishing Competition, Art Competition and Tug of War Challenge.
- Encourage and foster young people to enter the Horticulture Industry by way of training and providing scholarship grants at all levels and running the HB Young Fruitgrower Competition and High Schools Education Expo.

The Fruitgrowers' Association is funded by voluntary membership fees and income from Commercial property investments.

SUBMISSION

This submission addresses the questions posed within the discussion document 'Valuing highly productive land', as well as providing specific comment on the proposed objectives and policies.

The latter parts of this submission will be very similar to the submissions made by Horticulture NZ, but there is some minor variation because of the Association has a regional fruit growers' perspective whereas Horticulture NZ is a national organisation with a national view.

Discussion questions

SECTION 2.3: DEFINING HIGHLY PRODUCTIVE LAND [PAGE 19]	
What are the values and benefits associated with highly productive land?	<p>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.</p> <p>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.</p>
What are the values and benefits associated with existing food growing hubs and how can these be maximised?	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 'Food production' in Hawke's Bay accounts for 52.5% of the region's GDP¹. • 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.

¹ According to the 2016 report 'Matariki, the Hawke's Bay Regional Economic Development Strategy and Action Plan'.

	<ul style="list-style-type: none"> 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. <p>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.</p>
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?	<p>The framework needs to provide enough more clarity.</p> <p>Land is an asset New Zealand has plenty of and a relatively low population.</p> <p>Land should be managed in a way which ensures food security and economic security for the future.</p>
Does the RMA framework provide sufficient clarity on how highly productive land should be considered alongside competing uses? Why/why not?	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Land used to produce alcoholic beverages is protected and food production land deserves the same respect and protection.</p> <p>New Zealand is an isolated group of islands and should be protected and insured against global food crisis.</p> <p>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.</p>

<p>How are values and wider benefits of highly productive land being considered in planning and consenting processes?</p>	<p>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.</p> <p>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.</p> <p>Fruitgrowers need affordable, efficient houses for the permanent workforce, as well as accommodation for seasonal workers.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>SECTION 3.2: URBAN EXPANSION ON TO HIGHLY PRODUCTIVE LAND [PAGE 24]</p>	
<p>How is highly productive land currently considered when providing urban expansion? Can you provide examples?</p>	<p>Mainly by Economic assessment</p> <p>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</p>

	<p>thinking outside of the square and having the will to make the right decisions to earn a living from the land.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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	<p>Example 4. Fruit growing and all horticulture is cyclical. There will be years when the market results in great returns for growers and currently the Fruit industry is riding on a wave of good returns over the past few years. This is good because the industry is thriving and seen as a shining star in the Community with wonderful career opportunities and a vibrant community. This was not always the case. In the years following de-regulation there were some ups and downs and then a trough of low returns. This resulted in many horticulture business failures, multiple applications to subdivide land, and pressure to change land use. There was a prevailing view the fruit growing was a sunset industry. This view has now changed entirely. Peaks and troughs are to be expected and the ability to adapt and change land use and practices to suit the climate is essential. Many growers weathered the bad years and all the way through continued to provide not only export product but high quality produce for local people and the rest of the country.</p> <p>Secondly use of Land use capability or soil type mapping which can create issues</p> <p>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.</p> <p>Example 2. Damaged Land 1. - Landowners are guardians for a short time only. In Havelock North land has been approved for development to a retirement village as the land is considered to have been spoiled by a previous owner when it was levelled. Soil was scraped and moved and shipped offsite and an orchard planted. The orchard struggled for many years and was purchased by a buyer who was aware of the state of the land. The land has recently been rezoned after environment court hearings with the main reason being the current poor quality of the land. This sets a precedent for bad stewardship of the land to create better rewards for landowners.</p> <p>Example 3. Damaged land 2. Landowner has issues with a tree root disease in a block, the disease problem is never managed as it should have been, so the trees sit in the ground enabling spread of the disease further across the orchard. The disease issue was used as a major part of the</p>
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	<p>argument to release the site for development. Once again rewarding the landowner for bad guardianship.</p>
<p>How should highly productive land be considered when planning for future urban expansion?</p>	<p>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.</p> <p>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.</p> <p>The document could be very useful in assisting with determining how to consider “Productive Land”</p> <p>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:</p> <p>8.3 Court rulings on Versatile Land</p> <p>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.</p> <p>A comprehensive list of factors that require consideration was given by Environment Court Judge Treadwell in <i>Canterbury Regional Council v Selwyn District Council [W142/96]</i> 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.</p> <p>Regardless of soil qualities, land may not be of high versatility given its setting. In the decision above, Judge Treadwell commented that “<i>an extremely good soil might be disqualified for a farming use by one or several of the factors</i>”.</p> <p>Conversely, a relatively poor soil might exhibit high value because of proximity to other resources and services.</p>

	<p>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.</p> <p>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.</p> <p>A suggested holistic approach could be the following which is considered in three steps;</p> <p>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?</p> <p>2. Then by an assessment against. Judge Treadwell's list of factors is as follows:</p> <ul style="list-style-type: none"> • 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
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	<ul style="list-style-type: none"> • 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 <p>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</p> <p>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.</p> <p>Example 2: Gourmet Blueberries operates its blueberry growing and packing facility 50% LUC 3 and 50% LUC 4 land. Info:</p> <p>First Established: year 2000 Land Area: 79 hectares Production per season: Over 600 tonnes</p> <p><i>“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.</i></p>
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	<p><i>Innovations include the fertigation and irrigation systems similar to that used in a glasshouse environment.</i></p> <p><i>Each plant is individually fed a mixture of fertiliser and water, through a dripper system fully and determined by the production manager</i></p> <p><i>Gourmet Blueberries exports its products around the world."</i></p>
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?	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.
How should highly productive land be considered when providing for rural-lifestyle development?	Land in the food production zone should be off the table and lifestyle sites a prohibited activity.
SECTION 3.4: REVERSE SENSITIVITY [PAGE 26]	
How should the tensions between primary production activities and potentially incompatible activities best be managed?	<p>Significant buffer zones need to be established between food production zones and urban developments to create separation.</p> <p>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.</p>
How can reverse sensitivity issues at the rural-urban interface best be managed?	<p>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.</p> <p>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.</p> <p>Require all District and Regional Plans to provide a clear definition of rural/urban interface reverse sensitivity.</p>

	<p>No complaints clauses on land titles to raise awareness on properties bounding food productions zones.</p> <p>Positive support from government and local authorities for people who grow food - to demonstrate and raise awareness that food producers are people too and what they produce is really important to us all.</p>
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?	<p>Yes, there is currently a problem. Food production land in New Zealand is a finite resource and each year a further % is lost.</p> <p>The document discusses most issues.</p> <p>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.</p> <p>The document is a great first step toward protecting the land</p>
Are you aware of other problems facing highly productive land?	<p>Other issues that face HPL in horticultural use include:</p> <ul style="list-style-type: none"> • 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

	<ul style="list-style-type: none"> • 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
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?	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.
Are there other pros and cons of a National Policy Statement that should be considered?	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.
Are there other options not identified in this chapter that could be more effective?	
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?	The focus should be highly productive land - simply because to produce food the land requires more than just good 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?	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.

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?	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 t 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.
What matters, if any, should be added to or excluded from the scope of the National Policy Statement? Why?	
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?	
Should the National Policy Statement apply nationally or target areas where the pressures on highly productive land are greater?	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.
Specific questions for Section 5.3	
How should the National Policy Statement best influence plan preparation and decision-making on resource consents and private plan changes?	

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?	T
What areas of land, if any, should be excluded from the scope of the proposed National Policy Statement? Why?	
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?	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.
Specific questions for Section 5.4	
What level of direction versus flexibility should the objectives provide to maintain the availability of highly productive land for primary production?	<p>Strong direction should be provided in the objectives to maintain the availability and productive capacity of highly productive land for primary production.</p> <p>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</p>
Should the objectives provide more or less guidance on what is “inappropriate subdivision, use and development” on highly productive land? Why/why not?	<p>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.</p> <p>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</p>

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?	Begin with LUC classifications, graded b
Are the proposed criteria all relevant and important considerations for identifying highly productive land? Why/why not?	<p>We are of the view that only soil, climate and land fragmentation should be considered in defining HPL.</p> <p>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:</p> <p>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.</p> <p>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.</p> <p>Example 3: Gourmet Blueberries operates its blueberry growing and packing facility 50% LUC 3 and 50% LUC 4 land. Info:</p> <p>First Established: year 2000 Land Area: 79 hectares Production per season: Over 600 tonnes</p> <p><i>"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.</i> <i>Use of the latest and best performing blueberry variants means improved fruit size, flavour and timing of harvest to better match market requirements.</i> <i>Light soils and a hot dry climate as in the Hawkes Bay, combined with innovative growing techniques makes for superior fruit.</i></p>

	<p><i>Innovations include the fertigation and irrigation systems similar to that used in a glasshouse environment.</i></p> <p><i>Each plant is individually fed a mixture of fertiliser and water, through a dripper system fully and determined by the production manager</i></p> <p><i>Gourmet Blueberries exports its products around the world."</i></p>
Specific questions for Policy 1	
What are the pros and cons of requiring highly productive land to be spatially identified?	<p>We Agree with HortNZ that highly productive land should be spatially identified, this would provide certainty for investment in rural production systems and for plan users.</p> <p>There should be the opportunity for the maps to be updated outside of the planning cycle and be kept as living documents for the purposes of assessing private plan changes and subdivision applications</p> <p>A risk of spatially identifying HPL is that if this exercise is not done comprehensively to include a broad range of factors, land that is not identified will not be afforded protection or protected unnecessarily; this emphasises the importance of the Appendix A criteria and the process undertaken.</p> <p>As any classification system will have pros and cons, pathways for identifying new land that isn't spatially identified as being highly productive, but meets the criteria, and therefore should be afforded the same level of protection as land that is spatially identified; needs to be clearly addressed in the NPS.</p>
Is the identification of highly productive land best done at the regional or district level? Why?	<p>Identification done at the regional level would ensure consistency in approach across a region, and expertise related to land generally sit within regional councils rather than at district level, however if an approach is agreed and all districts within a region agree to follow it, then the issue of consistency could be addressed. Ultimately, the identification of highly productive land should be done by appropriately qualified persons, in a cost-effective manner, and how that is best achieved in each area of the country could vary.</p>

What are the likely costs and effort involved in identifying highly productive land in your region?	N/A
What guidance and technical assistance do you think will be beneficial to help councils identify highly productive land?	The criteria that is selected to be used to identify HPL and the productive capacity of HPL will need to be very well defined so that terms used are well understood, and therefore consistently applied across the country. A 'user guide' in how to identify HPL will need to be produced, and should be road tested with councils as part of the development process, but also needs to be publicly available at the same time the NPS is gazetted, as any delay will otherwise result in councils having to start work on identification of soils without clear, consistent guidance, which will result in a multiplicity of interpretations of how to do it. The Ministry also needs to ensure resource is available to respond to queries that will inevitably arise as councils start to identify HPL and productive capacity in a timely fashion, and guidance is regularly updated and made available as quickly as possible.
Specific questions for Appendix A (Criteria to identify highly productive land)	
Should there be a default definition of highly productive land based on the LUC until councils identify this? Why/why not?	Yes, to provide for some level of interim protection.
What are the key considerations to consider when identifying highly productive land? What factors should be mandatory or optional to consider?	<p>We are of the view only soil, climate and fragmentation and cohesion should be considered when defining HPL</p> <p>Other factors on the productive capacity of the HPL and should be managed to maintain the productive capacity of HPL.</p> <p>A low productive capacity of HPL, could be a reason that development is deemed appropriate.</p>
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?	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.

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?	<p>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.</p> <p>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 land when individual proposals are being considered, however this would be considered alongside other factor influencing productive capacity and specifying this in the NPS is not considered necessary, nor appropriate.</p>
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?	<p>Pros – food security, health, social, natural resources maintained, economic (employment, industry, export etc.), protects finite resource</p> <p>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.</p>
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 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.
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?	<p>Ensure that they clearly articulate their relationship to one another, to address competing issues consistently</p> <p>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.</p>
POLICY 3: NEW URBAN DEVELOPMENT ON HIGHLY PRODUCTIVE LAND [PAGE 45]	

How should highly productive land be considered when identifying areas for urban expansion?	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, is should only be allowed if alternatives are not feasible and there are environmental, economic, social and cultural benefits.
Specific questions for Policy 3	
How can this policy best encourage proactive and transparent consideration of highly productive land when identifying areas for new urban development and growth?	Think separating the soil, climate and fragmentation criteria for HPL, from the other criteria which define the productive capacity of HPL is essential in achieving a transparent method for defining HPL.
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?	Each NPS should acknowledge the existence and requirements of the other, and provision of guidance from central government about how tensions might be addressed, and requirements prioritised would assist and ensure consistent approaches are taken across the country.
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?	We agree with the focus on maintaining the productive capacity of HPL and avoiding fragmentation
Specific questions for Policy 4	
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?	Although there are potentially some benefits in the NPS providing direction about how to manage subdivision on highly productive land (such as national consistency, and clarity about what can/not be done), there is potentially a need for local authorities to have some flexibility in how they deal with this matter to ensure that they have consistency and coherence within their plans, and can tailor their plan provisions to the particular circumstances that exist within their local area.
Should the proposed National Policy Statement encourage incentives and mechanisms to increase the productive capacity of highly	Yes – the Hastings District Plan does this (encourages the amalgamation of small titles). The minimum subdivision in the Productive plains zone is 10 hectares. Nearby in Napier Rural Zone, the minimum subdivision is 4 hectares and no incentives for amalgamation. This makes the land around Napier more difficult to protect from lifestyle intrusion.

productive land (e.g. amalgamation of small titles)? Why/why not?	
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?	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.
Specific questions for Policy 5	
How can the National Policy Statement best manage reverse sensitivity effects within and adjacent to highly productive land?	Requiring setbacks and buffer zones are tools that definitely assist with the management of reverse sensitivity effects. Separation is the most effective method to date. Establishing clear and realistic expectations of the amenity that can be expected in rural, and rural residential/lifestyle zones is an important component of managing reverse sensitivity effects.
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?	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.
How should the National Policy Statement guide decision-making on resource consent applications for subdivision and urban expansion on highly productive land?	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. 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.
Specific questions for Policy 6 and 7	
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	Yes – this could avoid the risk of a run of consent applications/private plan change requests being lodged while a council goes through the Schedule 1 process. The current drafting of the policy needs some refinement, including definitions of some words, as it is a little unclear as currently drafted. There is a risk that inserting policies into plans could create some issues with interpretations if the NPS definitions vary from those already in a plan (acknowledging that the national planning

Statement)? What are the potential benefits and risks?	standards will address this issue in time, but have not yet been adopted by all councils, so there could initially be tensions).
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?	Include definitions of what these terms mean. The provision of a user guide outlining examples would also be helpful.
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 – any development that is potentially going to remove highly productive land from primary production should be considered in the context of its impact on the overall HPL resource. Policies related to rural industries would need to be specific to those activities, as some do have a locational need to be situated on primary production sites, but an assessment of alternatives should still be required, as locating within an alternative zone such as an industrial zone, or post-harvest zone may be a better option.
SECTION 5.5 INTERPRETATION [PG.50]	
Do any of the draft definitions in the National Policy Statement need further clarification? If so, how?	What is a land parcel as referred to in the definition of highly productive land? What do 'initial processing' and 'different product' mean in the definition of primary production?
Are there other key terms in the National Policy Statement that should be defined and, if so, how?	Yes, described in the section below
Should there be minimum threshold for highly productive land (i.e. as a percentage of site or minimum hectares)? Why/why not?	No. Identification of a suitable threshold will be very challenging, and potentially once identified a particular threshold could create unintended consequences. If land meets the criteria to be identified as highly productive, then the impact of any activity that will remove it from primary productive use should be assessed on its merits (or otherwise). Setting a minimum threshold would potentially just create another loophole through which highly productive land may slip and not be afforded the protection of the NPS, which is not desirable.

	Small Blocks are often a part of a wider resource - size does not matter, the main assessment should be an overview of the impacts on the wider land resource or zone.
SECTION 5.6 IMPLEMENTATION [PAGE 52]	
What guidance would be useful to support the implementation of the National Policy Statement?	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.
Specific questions for Section 5.6	
Do you think a planning standard is needed to support the consistent implementation of some proposals in this document?	Potentially, but the provision of good guidance from central government at the time the NPS is gazetted may alleviate the need for a planning standard, or if one does prove to be necessary, at least it could be targeted at the areas within the NPS where particular issues with consistency of implementation arise.
If yes, what specific provisions do you consider are effectively delivered via a planning standard tool?	
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?	Sequencing does seem like a sensible approach. The capability and capacity of each council to undertake this work will vary, and expertise in this field within NZ may be limited, so, while it is important to have this work undertaken, any timeframes set need to be realistic and allow sufficient time for the work to be done accurately, rather than rushed through for the sake of meeting a timeframe.
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?	Suggest that guidance on this matter would be best taken from councils who understand what the workload is, how it will be accommodated, and skills that are currently available to do such work.

Submission on proposed objectives and policies

Provision	Support /oppose	Reason	Decision sought
<p>Objective 1: Recognising the benefits of highly productive land</p> <p>To recognise and provide for the value and long-term benefits of using highly productive land for primary production.</p>	Support	<p>Support the reference to long-term benefits to reflect that sustainable management requires sustaining natural resources for future generations and to recognise the finite nature of the resource, and its productive capacity values, in particular for producing food for humans, the productive capacity of HPL is the method of defining the benefits of HPL</p>	<p>Objective 1: Recognising the benefits of highly productive land</p> <p>To recognise and provide for the value and long-term benefits of using highly productive land for primary production, <u>in particular for food production.</u></p>
<p>Objective 2: Maintaining the availability of highly productive land</p> <p>To maintain the availability of highly productive land for primary production for future generations.</p>	Support in part	<p>It is not just the availability of HPL that is required, the productivity of that land, so policy should seek to maintain the productivity of the land through measures such as avoidance and mitigation of reverse sensitivity and by considering the relationship between soil and water in achieving productivity.</p>	<p>Objective 2: Maintaining the availability <u>and productive capacity</u> of highly productive land.</p> <p>To maintain the <u>productive capacity</u> of highly productive land for primary production for future generations</p>
<p>Objective 3: Protecting from inappropriate subdivision, use and development</p> <p>To protect highly productive land from inappropriate subdivision, use and development, including by:</p> <ul style="list-style-type: none"> avoiding subdivision and land fragmentation that compromises the 	Support in part	<p>Recognises that protection of HPL is not absolute, because on a case by case basis an argument could be made that subdivision use and development is appropriate. We support a focus on strategic planning and avoidance and mitigation of reverse sensitivity and fragmentation impacts.</p>	<p>Objective 3: Protecting from inappropriate subdivision, use and development</p> <p>To protect <u>the productive capacity of</u> highly productive land from inappropriate subdivision, use and development, including by:</p> <ul style="list-style-type: none"> avoiding subdivision and land fragmentation that compromises the use

<p>use of highly productive land for primary production;</p> <ul style="list-style-type: none"> • avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and • avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land. 			<p>of highly productive land for primary production;</p> <ul style="list-style-type: none"> • avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and • avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.
<p>Policy 1 – Identification of highly productive land Regional councils must identify areas of highly productive land using the criteria set out in Appendix A and:</p> <ul style="list-style-type: none"> • map each area of highly productive land; and • amend their regional policy statements to identify areas of highly productive land within the region. <p>Territorial authorities must amend their district plans to identify highly productive land identified by the relevant regional council under policy 1.1</p>	Support	<p>We support identification of HPL within the RPS</p> <p>Support the requirement to map, for clarity and certainty, mapping should be subject to technical standards, there should be a process to incorporate new and better information on the location of HPL, in response to detailed soil surveys.</p>	Retain
<p>Appendix A: Criteria to identify highly productive land In accordance with Policy 1, regional councils must use the following criteria to assess and identify areas of highly productive land:</p> <ul style="list-style-type: none"> • the capability and versatility of the land to support primary production based on 	Support, in part	<p>In our view it is important that the relationship between water quality and quantity allocation and highly productive land is considered together but defining HPL by water policy risks obfuscating the tension between water allocation decisions and the impact of them on highly productive land.</p>	<p>Appendix A: Criteria to identify highly productive land</p> <p>In accordance with Policy 1, regional councils must use the following criteria to assess and identify areas of highly productive land:</p> <ul style="list-style-type: none"> • the capability and versatility of the land to support primary production based on the

<p>the Land Use Capability classification system;</p> <ul style="list-style-type: none"> the suitability of the climate for primary production, particularly crop production; and the size and cohesiveness of the area of land to support primary production. <p>When identifying areas of highly productive land, local authorities may also consider the following factors:</p> <ul style="list-style-type: none"> [the current or potential availability of water – see question below]; access to transport routes; access to appropriate labour markets; supporting rural processing facilities and infrastructure; the current land cover and use and the environmental, economic, social, and cultural benefits it provides; and water quality issues or constraints that may limit the use of the land for primary production. <p>Highly productive land excludes:</p> <ul style="list-style-type: none"> urban areas; and areas that have been identified as future urban zones in district plans 		<p>Therefore, at the RPS level it is our preference that it is not defined in this way, but that these additional matters, which are subject to change are picked as part of the productive capacity of land that policy 2 addresses.</p>	<p>Land Use Capability classification system <u>or better information as it becomes available;</u></p> <ul style="list-style-type: none"> the suitability of the climate for primary production, particularly crop production; and the cohesiveness of the area of land to support primary production. <p>When identifying areas of highly productive land, local authorities may also consider the following factors: [the current or potential availability of water – see question below]; access to transport routes; access to appropriate labour markets; supporting rural processing facilities and infrastructure; the current land cover and use and the environmental, economic, social, and cultural benefits it provides; and water quality issues or constraints that may limit the use of the land for primary production.</p> <p>Highly productive land excludes:</p> <ul style="list-style-type: none"> urban areas; and areas that have been identified as future urban zones in district plans
<p>Proposed Policy 2: Maintaining highly productive land for primary production</p> <p>Local authorities must maintain the availability and productive capacity* of highly productive land for primary production by making changes</p>	<p>Support, in part.</p>	<p>We agree with greater consideration for areas of HPL that make a greater contribution to the economy and community.</p>	<p>Proposed Policy 2: Maintaining highly productive land for primary production</p> <p>Local authorities must maintain the availability and productive capacity* of highly productive land</p>

<p>to their regional policy statements and district plans to:</p> <ul style="list-style-type: none"> • prioritise the use of highly productive land for primary production • consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community; • identify inappropriate subdivision, use and development of highly productive land; and • protect highly productive land from the identified inappropriate subdivision, use and development. <p>*Note the draft definition for productive capacity is: “means, in relation to highly productive land, the physical qualities of the land to support primary production and generate the most economic output. This includes consideration of physical constraints on use of land for primary production (e.g. lot size, presence of structures and buildings) but does not include consideration of wider soil quality issues</p>	<p>We think the definition of capacity is better to include those aspects that can change through investment (e.g. packhouses) or through other policies which Council influences (e.g. water quality allocation).</p> <p>In this way council consider in relation to a range of decisions how it can implement this policy.</p> <p>This definition of capacity also assists in clarifying what may be appropriate or inappropriate. For example, uses that improve capacity while reducing availability may be appropriate in some situations.</p>	<p>for primary production by making changes to their regional policy statements and district plans to:</p> <ul style="list-style-type: none"> • prioritise the use of highly productive land for primary production • consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community; • identify inappropriate subdivision, use and development of highly productive land; and • protect highly productive land from the identified inappropriate subdivision, use and development. <p>*Note the draft definition for productive capacity is: “means, in relation to highly productive land, the physical qualities of the land to support primary production and generate the most economic output. This includes consideration of physical constraints on use of land for primary production (e.g. lot size, presence of structures and buildings) but does not include consideration of wider soil quality issues <u>means, in relation to highly productive land, the physical qualities of the land to support primary production and generate the most economic output. This includes consideration of physical constraints on use of land for primary production Includes the following factors:</u></p> <ul style="list-style-type: none"> • Soil texture • Soil structure • Soil water holding capacity
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			<ul style="list-style-type: none"> • 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 • Land Use Classification
<p>Proposed Policy 3: New urban development and growth on highly productive land</p> <p>Urban expansion must not be located on highly productive land unless:</p> <ul style="list-style-type: none"> • there is a shortage of development capacity to meet demand (in 	Support	This policy directs the Council planned urban expansion and future growth, in our opinion this planned development should avoid reducing the productive capacity HPL, unless the criteria defined are met.	Retain

<p>accordance with the NPS-UDC methodologies and definitions); and</p> <ul style="list-style-type: none"> it is demonstrated that this is the most appropriate option based on a consideration of: <ul style="list-style-type: none"> a cost-benefit analysis that explicitly considers the long-terms costs associated with the irreversible loss of highly productive land for primary production; whether the benefits (environmental, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary production; and the feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas. 			
<p>Proposed Policy 4: Rural subdivision and fragmentation</p> <p>Territorial authorities must amend their district plans to manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land, including by:</p> <ul style="list-style-type: none"> setting minimum lot size standards for subdivision located on highly productive 	Support, in part	Acknowledging the spatial extent of HPL can cross territorial authorities, incentives could be transferable across TA boundary.	<p>Proposed Policy 4: Rural subdivision and fragmentation</p> <p>Territorial authorities must amend their district plans to manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land, including by:</p> <ul style="list-style-type: none"> setting minimum lot size standards for subdivision located on highly productive

<p>land to retain the productive capacity of that land</p> <ul style="list-style-type: none"> • incentives and restrictions on subdivisions to help retain and increase the productive capacity of highly productive land; and • directing new rural lifestyle development away from areas of highly productive land. 			<p>land to retain the productive capacity of that land</p> <ul style="list-style-type: none"> • incentives and restrictions on subdivisions to help retain and increase the productive capacity of highly productive land, <u>including across territorial authority boundaries</u> and • directing new rural lifestyle development away from areas of highly productive land, unless <u>the benefits for the productive capacity of HPL from the proposed activity compared to the long-term benefits that would occur where there are alternative options for the proposed use on land that has less value for primary production,</u>
<p>Proposed Policy 5: Reverse sensitivity 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:</p> <ul style="list-style-type: none"> • identify the typical activities and effects associated with primary production activities on highly productive land that should be anticipated and tolerated in rural areas; • restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities; 	Support With addition s		<p>Proposed Policy 5: Reverse sensitivity 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:</p> <ul style="list-style-type: none"> • identify the typical activities and effects associated with primary production activities on highly productive land that should be anticipated and tolerated in rural areas; • restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities;

<ul style="list-style-type: none"> • establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and • 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. 			<ul style="list-style-type: none"> • establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and • 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. • Provide a definition of Rural Reverse Sensitivity in District and Regional Plans
<p>Policy 6: Consideration of requests for plan changes When considering a request for a private plan change for urban expansion on highly productive land, or to rezone an area of highly productive land to rural lifestyle use, local authorities must have regard to:</p> <ul style="list-style-type: none"> • The alignment of the request with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land; • The benefits (environmental, economic, social and cultural) from the proposed use of land compared to benefits from the continued use of that land for primary production; and • Whether there are alternative options for the proposed use on land that has less value for primary production 	Support, in part	<p>The removal of the alternative land is recognition, that is expected that planned urban expansion is likely to provide sufficient capacity due to the requirements of NPSUD and unlikely to be on HPL due to and therefore this criterion may be practically difficult to meet.</p> <p>We agree with “Horticulture NZ that consideration could be given to a private plan changes if they can demonstrate benefits for HPL capacity and environmental, economic, social and cultural values.</p>	<p>Policy 6: Consideration of requests for plan changes When considering a request for a private plan change for urban expansion on highly productive land, or to rezone an area of highly productive land to rural lifestyle use, local authorities must have regard to:</p> <ul style="list-style-type: none"> • The alignment of the request with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land; • The benefits (environmental, economic, social and cultural) from the proposed use of land compared to benefits from the continued use of that land for primary production; and • <u>The benefits for the productive capacity of HPL from the proposed activity compared to the long-term benefits that would occur where there are alternative options for the proposed use on land that has less value for primary production,</u>

			<ul style="list-style-type: none"> • Whether there are alternative options for the proposed use on land that has less value for primary production,
<p>Proposed Policy 7: Consideration of resource consent applications for subdivision and urban expansion on highly productive land</p> <ul style="list-style-type: none"> • When considering an application for subdivision or urban expansion on highly productive land, consent authorities must have regard to: • The alignment of the application with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land; • The extent to which the subdivision or development will impact on the existing and future use of the land for primary production; • The practical and functional need for the subdivision or urban expansion to occur at that location; • The potential for reverse sensitivity effects and proposed methods to avoid or mitigate potential adverse effects on, and conflicts with, lawfully established activities; and • The benefits (environmental, economic, social and cultural) from the proposed activity compared to the long-term 		<p>Note the requirement for applications to include a site-specific LUC assessment prepared by a suitably qualified expert</p> <p>It stands to reason that the development or subdivision of block would impact that block, we think a more useful test is the degree to which it could be designed to provide an overall benefit to the productive capacity of highly productive land.</p>	<ul style="list-style-type: none"> • Proposed Policy 7: Consideration of resource consent applications for subdivision and urban expansion on highly productive land • When considering an application for subdivision or urban expansion on highly productive land, consent authorities must have regard to: • The alignment of the application with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land; • The extent to which the subdivision or development will impact on the existing and future use of the land for primary production; • <u>The benefit on productive capacity of other HPL from the proposed activity compared to the long-term benefits that would occur from the continued or potential use of the land for primary production.</u> • The practical and functional need for the subdivision or urban expansion to occur at that location; • The potential for reverse sensitivity effects and proposed methods to avoid or mitigate potential adverse effects on, and

<p>benefits that would occur from the continued or potential use of the land for primary production.</p> <ul style="list-style-type: none"> Resource consent applications must include a site-specific Land Use Capability Assessment prepared by a suitably qualified expert. 			<p>conflicts with, lawfully established activities; and</p> <ul style="list-style-type: none"> The benefits (environmental, economic, social and cultural) from the proposed activity compared to the long-term benefits that would occur from the continued or potential use of the land for primary production. Resource consent applications must include a site-specific Land Use Capability Assessment prepared by a suitably qualified expert.
<p>Definition - Highly productive land means: land that has been identified as highly productive by</p> <ol style="list-style-type: none"> local authority in accordance with Policy 1 and Appendix A of this national policy statement; or where a local authority has not identified highly productive land in accordance with Policy 1 and Appendix A, a land parcel in a rural area that contains at least 50% of land defined as Land Use Capability 1, 2 and 3 as mapped by the New Zealand Land Resource Inventory or by more detailed site mapping; but does not include urban areas or areas that have been identified as a future urban zone in a district plan or proposed district plan 	Support, in part	<p>HBFA believes a less prescriptive approach is needed to counter regional variation in minimum subdivision size.</p> <p>Minimum rural subdivision in Napier</p>	<p>Definition - Highly productive land means: land that has been identified as highly productive by</p> <ol style="list-style-type: none"> local authority in accordance with Policy 1 and Appendix A of this national policy statement; or where a local authority has not identified highly productive land in accordance with Policy 1 and Appendix A, a land parcel in a rural area that contains at least 50% defined as Land Use Capability 1, 2 and 3 Land Use Capability classification system <u>or, better information as it becomes available;</u> (or as mapped by the New Zealand Land Resource Inventory or <u>must use</u> more detailed site mapping <u>where it exists;</u> but does not include urban areas or areas that have been identified as a future urban zone in a district plan or proposed district plan

<p>Definition - Primary production means:</p> <ul style="list-style-type: none"> a) any agricultural, pastoral, horticultural, or b) forestry activities; and 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 excludes further processing of those commodities into a different product. <p>n -Primary production</p>	Support	Consistent with National Planning Standards	
<p>Definition -Productive capacity means, in relation to highly productive land, the physical qualities of the land to support primary production and generate the most economic output. This includes consideration of physical constraints on use of land for primary production (e.g. lot size, presence of structures and buildings) but does not include consideration of wider soil quality issues</p>	Support in part		<p>Definition - Productive capacity means, in relation to highly productive land, the physical qualities of the land to support primary production and generate the most economic and <u>social</u> output. This includes consideration of physical <u>attributes</u> and constraints on use of land for primary production <u>Includes the following factors:</u></p> <ul style="list-style-type: none"> • 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

			<ul style="list-style-type: none"> • 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 • Land Use Classification
Definition Sensitive activity means an education facility, community facility, residential activity, visitor accommodation, retirement village, health facility or hospital, marae.	Support	<p>Need to clearly include recreation and sports facilities, churches and place of assembly as they are equally sensitive activities.</p> <p>There have been issues with these in Hawke's Bay.</p>	Definition Sensitive activity means an education facility, community facility, residential activity, visitor accommodation, retirement village, health facility or hospital, marae, recreation or sports facility, church or place of assembly
Definition Rural area means an area identified in a district plan or proposed district plan as a general rural zone or rural production zone but does not include an area identified as a rural lifestyle zone (however described).	Support		
Definition Rural lifestyle development means subdivision and development where	Support	A rural lifestyle block can be any size, in HB 10 hectares is considered a lifestyle block.	Definition Rural lifestyle development means subdivision and development where the

the primary purpose is rural- residential or rural lifestyle use within a rural area with a lot smaller than those of the General Rural and Rural Production zones, typically in the range of 0.2-8 hectares	with changes	The definition should focus on the purpose of the land - Mainly for residential/lifestyle - not commercial use.	primary purpose is rural- residential or rural lifestyle use within a rural area. with a lot smaller than those of the General Rural and Rural Production zones, typically in the range of 0.2-8 hectares
Definition Urban area means: an area identified in a district plan or proposed district plan as being primarily zoned for residential, industrial, or commercial activities, together with adjoining special-purpose and open-space zones, however described; but does not include an area zoned primarily for rural or rural-lifestyle activities, however described	Support		
Definition Urban expansion 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).	Support With addition		Definition Urban expansion 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, recreation or sports facility).
Definition – General rural zone	Support	Consistent with National Planning Standards	
Definition – Residential activity	Support	Consistent with National Planning Standards	
Definition – Rural lifestyle zone	Support	Consistent with National Planning Standards	
Definition – Rural production zone	Support	Consistent with National Planning Standards	

