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Re National Policy Statement on Productive Land

Thank you for highlighting and beginning a discussion on looking after our highly productive land and on planning urban development. I write as a person who has worked in environmental management with councils around the issues of coordination and community participation. For the last decade I have worked in post earthquake Christchurch doing community development as part of building more environmental awareness, greater resilience and supporting or pushing for change.

Terrible timing for this consultation

These consultations are really important for local and regional government agencies and yet your consultation has run directly over the period when most are distracted by the need to run election campaigns. It seems important to have more discussion of the NPS on Highly Productive land and the Urban Development NPS beyond this period once councils have begun work again after the elections.

Implementing the NPS's on Urban Development, Highly Productive Land and Freshwater

It feels like these are all inextricably intertwined. All three need to acknowledge the need for our district /city and regional councils to work together more functionally and not rely on the idea that they should already be doing so. In many cases, they are not and even if they try to work together and have positive intentions around that there will still be a need for capacity building with the introduction of these NPSs. Some resourcing and acknowledgement of the need for this would be useful.

Problem Statement - Soil/ Land in Multiple contexts

High producing land sits in multiple contexts – it

- Supports biodiversity and ecosystems
- Supports human life styles
- Is something on which we garden, play, grow vegetables and fruit, care for, regenerate, exploit and degrade,
- Supports profit from development,
- Supports long term business,

- Supports carbon sequestration,
- Affects water quality,
- Will support future generations who may need it more than we do.

Soil supports life in general. It means different things at different times and we can expect that our perspectives on soil may change over time (as the development of this NPS shows they do).

Need to consider these multiple contexts/ meanings or values all at once in decision making

In an ideal world, we take care of as many of these as we can in our decisions about land use. How do we respect the needs of the grower who wants to sell for the best possible price, the council that sees the need for better public transport or urban planning, the developer who wants to build homes, the people who need a roof over their head, and the needs of future generations who will need locally grown food, shelter and a planet that supports life? How do we look after the soil we have, our biodiversity our water and our climate?

There is a limited amount of land most suited for growing vegetables and it makes sense that these are grown close to markets

Is the problem a lack of process?

It seems to me that we need to outline a process for how we can reflect these multiple contexts and needs in decision making on land use?

An important question that I would like to see considered is, *How do we provide a process for discussing these different context and representing ALL interested parties fairly in our decisions?* For example, future generations are not represented in our decision making at all. Worse, it seems that young people are now vilified for making representations around their needs for the future.

Nor do we consider the needs of the soil itself: we don't ask, *Will new uses degrade, sustain or regenerate these soils and the ecosystem services that they provide and the various life forms that they support?* Soil and land, in the world of councils, is inanimate and is objectified as a resource that we make decisions *about* rather than the basis of life on this planet and which thinking of it as something we should be making decisions *for* might actually help New Zealanders think more carefully about how to represent it.

What of the RMA?

The RMA is a problem given that so far it has not helped communities to protect any of our natural resources over the last nearly three decades, it has not been enforced by central or local government and it is driven by people with the resources (or the potential resources) to drive it as explained below). It doesn't even mention soils and yet they are vital to much of the life on this planet, including human life. This lack of a mention in the RMA appears to mean that soils have been ignored or discounted in decisions since 1991. Clearly it does not provide clarity on this at all.

The RMA with its 'can unless you can't' focus is the opposite of precautionary, which would seem to be at least part of the reason why our water, our soils, our climate have all deteriorated significantly since 1991. I don't necessarily advocate going back to the Town and Country Planning Act but it had some strengths (including a mention of soils!).

How could the RMA change to allow for the breadth of community concerns and environmental needs to be taken into account? At present what can be taken into account in a hearing seems very tightly circumscribed and issues that could be brought up might not be because communities don't think of them. Communities don't have to have their evidence discounted often to become disillusioned.

We need a regenerative approach to decision making, not simply a sustainable development approach

After years of watching our environment degrade through the failure of this Act both through a lack of capacity for people to get ahead of trends in development, and through a lack of capacity to enforce the rules that have come out of implementing the Act. We now need approaches that can mend the damage wrought to date under the jurisdiction of the RMA and the process of implementing it (or not). We cannot think in terms of (un)sustainable development but must be thinking regeneratively. To a large extent, this means getting people around the table to solve problems dialogically and multidimensionally rather than taking them to a court where it is largely win or lose rather than working out the best way forward. Some of the work in the Canterbury Zone committees and the resolutions that they came to indicated better outcomes and more possibilities than would have been the case if it had been decided by a legal fight.

What we need is a dialogical decision process that considers the needs of all stakeholders including those we think of as inanimate. So, essentially, the three NPS's must guide developers and decision makers to think about the effect of any development on the land, on productive soils, on the water, on the climate and on the people currently in place, and those who will come later, and the law needs to support this process.

Not a level playing field for the different players in these decisions

Mostly decisions tend to be made on the basis of how much a developer will make from developing housing or factories on that land. **This can be direct** as when the economics is part of the decision *What is of greatest value here?* where value is measured (erroneously, in my view) only in currency terms. What of its value to all life, or to future generations for example, or to the climate?

It can also be indirect as when developers who stand to make a lot of money can afford to pay lawyers and planners to drive decisionmaking processes their way – over and over again, if need be through appeals etc. In comparison, for communities or even local government defending local resources, it is all cost and they often cannot afford the best lawyers and planners (and they certainly can't afford them to defend their patch time after time, as often happens) I know this because I've been part of a few processes where exactly this has happened in my community.

This tends essentially to degrade or break communities when we also need to be looking at how to sustain or regenerate them as well as the natural resources they rely on. It provides no possible representation for future generations or the resources themselves. It hasn't helped democracy either.

A concern that I have is that these indirect economic effects will be much greater if the NPS doesn't set some more bottom lines. While there are benefits to "flexibility" it also potentially opens the door to a lot of challenges from developers who will want to appeal decisions in favour of our

versatile soils. In many cases councils or communities don't actually have the resources to deal with these challenges and the only people that benefit are the developers and their lawyers.

Climate change and the effects of sea level rise need to be considered in these NPS's

As sea levels rise, how will this affect urban development and our productive soils. How are councils to consider this in their decision making now? What effect will sea level rise have on our supply of productive land? Do we know? What work needs to be done to map this and provide the sort of data that councils will need to make decisions about this?

Changing weather patterns may also impact the usefulness of versatile soils, as may the need for carbon sequestration of which soils are likely to be a part.

Consideration of how to mitigate and manage climate change needs to be part of everything that we do including these NPS's.

The focus on highly productive soils is un-strategic and overly limiting

A lot of resources could be wasted trying to understand the intentions of protecting a resource defined in limited terms. Versatile soils are relatively rare and therefore we should definitely be stewarding and protecting them. At the same time it might be actually better to direct local government agencies to understand and manage all soils as critical to long term sustainability. Soils for instance that would be currently be excluded would be: Soils for carbon-sequestration, soils that change in level of productivity due to water availability, soils for innovative food production and soils at risk of erosion. Worldwide ongoing soil loss from any cause is a major sustainability issue. (<https://www.scientificamerican.com/article/only-60-years-of-farming-left-if-soil-degradation-continues/>).

Rather than having the NPS focus on an ill defined group of soils called "highly productive", perhaps it would be better to direct councils on how to include the value of soils in decision-making in different contexts rather than on what soils to protect. Limiting the focus may well increase the work of both Central and local government whereas a broader focus of considering and valuing soils in decisions about urban development may be more effective in the longer term.

Concern the NPS does not provide enough guidance and resourcing on governance arrangements and interagency cooperation

District councils have responsibility for land use development decisions, while regions have responsibility for water and catchment management. There is not a great track record of Inter agency cooperation which is ad-hoc in many situations – and relies on the existing quality of relationship between agencies.

The NPS's need guidance on how they should be integrated or better still there need to be resources allocated to building capacity and improving coordination between district and regional councils. This is not new and has been mooted as a one reason for poor implementation under the RMA (<https://www.mfe.govt.nz/publications/rma/stocktake-rma-monitoring-across-selected-agencies>)

Encouraging the development of regional soil strategies that potentially could include things outside of the RMA and could be useful as part of the process of building better cooperation between levels of local government.

Reverse sensitivity

I agree that this is an issue and have seen it in a nearby community on the edge of Christchurch. I think most would agree that it is fair that older uses and their effects on people around them are protected from this kind of thing.