

In the matter of: Proposed National Policy Statement for Highly Productive Land

And: **A S Wilcox and Sons Limited**
Submitter

And: **Ministry for Primary Industries**
NPS-HPL Submission
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Submission on Proposed National Policy Statement for Highly Productive Land

Dated: 10 October 2019

Introduction

1. This submission is on behalf of A.S.Wilcox and Sons Ltd in relation to the Ministry for the Environment and the Ministry for Primary Industries proposed National Policy Statement for Highly Productive Land.
2. A.S.Wilcox and Sons Ltd was established in 1954 and has continued to grow and market potatoes, onions and carrots ever since, becoming an integral part of New Zealand's agricultural industry.
3. Today A.S.Wilcox and Sons Ltd is a fourth generation, family owned and operated company. We are a vertically integrated vegetable business with a commitment to providing good, fresh, nutritious and safe food. Our positioning statement speaks directly to this "Goodness never tasted better". As a family business with generations ahead of us, investing in the health of our soil and environment is fundamental to who we are. We are continually innovating and trialling new methods to ensure a strong holistic approach to the way we grow and produce and our products.
4. A.S.Wilcox and Sons Ltd employ's 200 permanent staff with a further 100 seasonal employees over a six-month period. Our turnover is [REDACTED], and our key crops are potatoes, onions and carrots. We value our direct relationship with all major retail customers in New Zealand and offshore. We work hard at product differentiation to meet the expected changes in consumer demand and lifestyle. Our values are: *Respect at our core, Expect the best and Together growing*. A.S.Wilcox and Sons Ltd operates nationally with five growing regions across the country including Northland, Pukekohe, Matamata, Ohakune and Canterbury. Our packing, distribution and marketing functions are coordinated from Pukekohe in the North Island and Rakaia in the South Island.

5. A.S.Wilcox and Sons Ltd thanks the Ministry for Primary Industries and the Ministry for the Environment for the opportunity to submit on the proposed National Policy Statement for Highly Productive Land.
6. Commercial vegetable production across the country is under a lot of pressure: competition for highly productive land, access to freshwater, climate change mitigation, the need to further protect the environment, and increasing government and council regulation. Growers are being asked to respond to proposed government policy on land use, freshwater quality and quantity within unreasonable timeframes, taking growers out of field to do so. On top of this, growers are directly involved in many district and regional plan change processes given resource access needs and the particular rotational aspects of commercial vegetable production that occurs across catchments.
7. A well-crafted National Policy Statement for Highly Productive Land could assist growers by protecting their activities from conflict with sensitive activities, ensuring rural production resources are not compromised by inappropriate subdivision, use and development and enabling ongoing access to the resources required for commercial vegetable production.

A National Policy Statement for Highly Productive Land (NPS-HPL)

8. A.S.Wilcox and Sons Ltd consider that a NPS-HPL could be a useful component in a toolbox to support commercial vegetable production. That production is required to meet the existing and future demands of domestic food supply and exports. However, A.S.Wilcox and Sons Ltd consider that the focus of the NPS-HPL should not solely be on protecting highly productive land from inappropriate subdivision and land use, but should also explicitly address the factors required to enable the productive capacity of that land, a matter returned to later in this submission.

9. A.S.Wilcox and Sons Ltd also consider that the NPS-HPL cannot be a framework with ambiguity in the policy or be policy that is not supported by a national strategy for food production and a consistent national planning framework for commercial vegetable production – something lacking at present and creating confusion and uncertainty for growers.
10. It is the opinion of A.S.Wilcox and Sons Ltd that a NPS-HPL and the current freshwater policy reforms should not proceed without a national strategy for food production and establishing policy and regulatory support through a National Environmental Standard for Commercial Vegetable Production, National Planning Standards or other appropriate resource management responses.
11. Without this additional policy and regulatory support, A.S.Wilcox and Sons Ltd is concerned that national, regional and district policy regimes continue to develop in an adhoc fashion and that this will have the perverse outcome of creating more constraints to commercial vegetable production. The ultimate impact will be increases in fresh vegetable prices, a potential reliance on imported product and this will have a negative impact on New Zealanders and particularly vulnerable communities.
12. The freshwater reforms and proposed National Environmental Standard for Freshwater is a case in point. The proposal is to cap commercial vegetable production to today's area of activity and only considering activity growth (required to keep pace with population food demands) via a complicated, costly and uncertain, resource consent process. Growers are in an uneasy situation where investment decisions (including land purchase, lease agreements and infrastructure purchase) have been suspended.
13. The outcome of advancing the NPS-HPL without resolving other national policy could see highly productive land set aside for rural production but the

productive use being unable to be consented under the National Environmental Standard for Freshwater.

14. Notwithstanding these concerns, A.S.Wilcox and Sons Ltd are concerned with the effects of land fragmentation for lifestyle and urban use and reverse sensitivity. A.S.Wilcox and Sons Ltd welcome a national policy statement that provides a direction on these issues. It is important for the submitter that subdivision use and development that would compromise rural production is avoided. Priority resource allocation to enable production, zoning, activity clustering (particularly of sensitive activities), setbacks and physical separation are techniques supported by the submitter.

Defining and Managing Highly Productive Land

15. A.S.Wilcox and Sons Ltd appreciate the difficulties in defining highly productive land and should a national policy statement proceed, the submitter supports a process where the spatial identification of highly productive land sits with the regional or district councils. We consider that this regional assessment must occur in a prompt manner as there are potential issues in relying on the default Land Use Capability system (LUC I-III) as the default criteria without assessing the actual productive capacity of the land. We also flag a concern with the ability and capacity for councils to undertake this exercise, an exercise that must have grower involvement.
16. Critical to defining highly productive land is an assessment of its capacity for food production. The productive capacity cannot be realised without necessary inputs and outputs (discharges). Climate and parcel configuration are critical and so too are other elements like freshwater. Put simply, without a supportive allocation approach for freshwater, the productive capacity of highly productive land cannot be realised. Furthermore, nutrient management regulation that does not provide for the particular needs of commercial

vegetable production and reflect the particular national values associated with this activity, also compromises production capacity.

17. Defining highly productive land must be considered in this context. It is here where national direction is necessary, and we reiterate that it is difficult to support a NPS-HPL in the absence of clarity on freshwater policy for growers or a national food production strategy with policy and regulatory support.
18. A.S.Wilcox and Sons Ltd are of the opinion that while the NPS-HPL must remain focused on protecting and maintaining the productive capacity of this land, opportunities for alternative land use must not be foreclosed where justified. Not all highly productive land is available to support commercial vegetable production and land that is currently in commercial vegetable production may support alternative land uses in the future. The drivers for this may (for example) relate to an individual growers' circumstance, the extremes of reverse sensitivity or national regulation for nutrient management.
19. As already noted, current and potential land fragmentation is of concern to the submitter. Where possible this should not occur where it would result in decrease accessibility of the land resource for rural production and where it would introduce sensitive activities into the rural production environment. Therefore, while acknowledging the need for some practical flexibility, a NPS-HPL must not be flexible enough to undermine the intent.
20. A.S.Wilcox and Sons Ltd consider that the NPS-HPL should direct councils to consider a broad range of methods to address land fragmentation / parcel structure and reverse sensitivity issues. Consideration should also be given to methods to transition growers out of situations where existing growing conditions become too difficult and where reasonably foreseeable needs of future generations are not compromised. Transferable title subdivision and flexible boundary adjustment provisions that enable a reconfiguration of the

current property parcel structure can achieve positive outcomes for the grower and resource management.

21. A.S.Wilcox and Sons Ltd would also support consideration of other incentives to transition land use change where necessary and also where it is in the national interest to protect and maintain the productive capacity of highly productive land. This could include financial incentives to support, or compensate for, land use change.
22. The discussion document questions the relevance of future urban zoned land to the definition of highly productive land. A.S.Wilcox and Sons Ltd consider it unreasonable to impose a NPS-HPL on land zoned future urban in operative District Plans. Landowners who own or have subsequently brought future urban zoned land will have made decisions for the future based on the potential economic benefit to be derived from future urban use.

Summary of submission points

23. It is the opinion of A.S.Wilcox and Sons Ltd that a National Policy Statement for Highly Productive Land and the current freshwater policy reforms should not proceed without a national strategy for food production and establishing policy and regulatory support through a National Environmental Standard for Commercial Vegetable Production, National Planning Standards or other appropriate resource management responses.
24. Should a National Policy Statement for Highly Productive Land proceed, A.S.Wilcox and Sons Ltd support a national policy statement on the basis that this will avoid inappropriate subdivision, use and development on land that is most suitable for commercial vegetable production.
25. A.S.Wilcox and Sons Ltd remain concerned with defaulting to a LUC based criteria to define highly productive land and the ability and capacity for



councils to undertake the spatial identification exercise, an exercise that must have grower involvement.

26. A.S.Wilcox and Sons Ltd consider that defining highly productive land is an assessment of its capacity for food production and that a NPS-HPL should focus on maintaining the productive capacity of land.
27. A.S.Wilcox and Sons Ltd support the location of activities that enhance the productive capacity of Highly Productive Land on that land. For example, greenhouses, packing sheds, post-harvest facilities that enhance the productive capacity of outdoor growers.
28. A.S.Wilcox and Sons Ltd support using incentives to improve the productive capacity of land or assist growers with transitioning to alternative land uses. For example, transferable development rights in exchange for title aggregation.
29. A.S.Wilcox and Sons Ltd support policies to reduce reverse sensitivity issues, for example zoning, activity clustering, setbacks and requiring effective buffers at the rural-urban boundary interface.
30. A.S.Wilcox and Sons Ltd would not support the imposition of a NPS-HPL on land zoned future urban in operative District Plans.
31. A.S.Wilcox and Sons Ltd suggests the release of a NPS-HPL be supported by guidance documents to assist with interpretation and administration. This is particularly important for applying policy that defines criteria to identify highly productive land and policy that ensures the productive capacity of that land is maintained.