

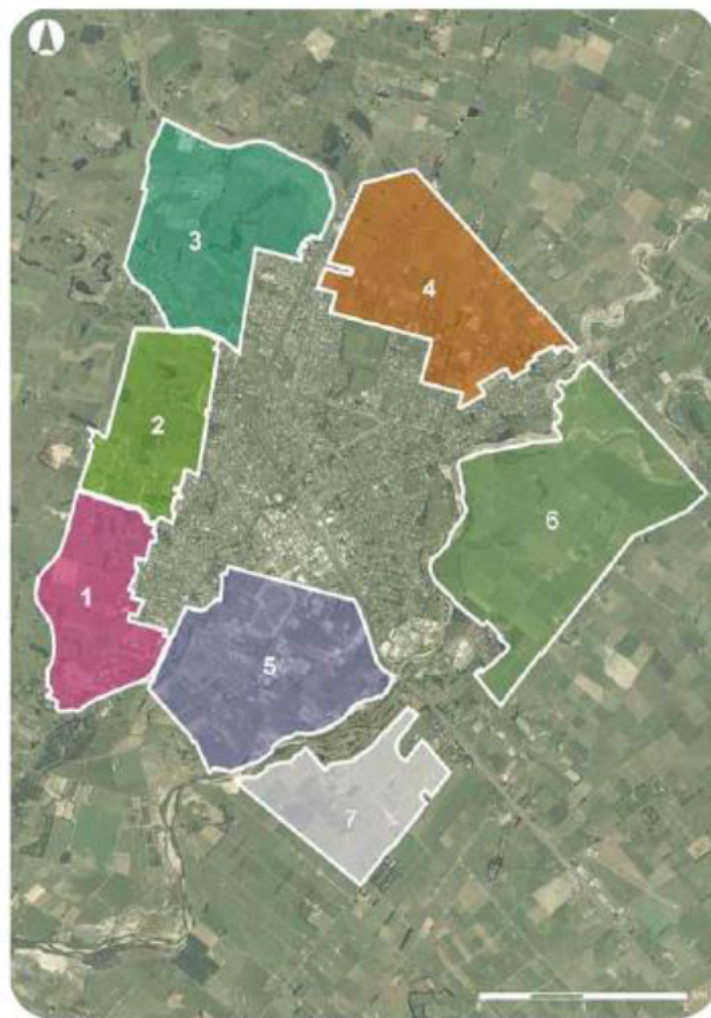
## Appendix 1: Feedback on the NES-HPL Discussion Document Questions

Discussion Document Questions	Feedback from the Manawātū District Council
<p><b>2.3 Defining highly productive land</b></p> <ul style="list-style-type: none"> <li>• What are the values and benefits associated with highly productive land?</li> <li>• What are the values and benefits associated with existing food growing hubs and how can these be maximised?</li> </ul>	<p>As outlined in the discussion document, highly productive land is land that has the fewest limitations for its use. It is therefore ideally suited for food production. Also noted in the discussion document, some land that is LUC classes 4 to 8 may also be considered as highly productive for certain industries such as viticulture and stone fruit.</p> <p>Some areas of highly productive land may also be identified as outstanding natural features and landscapes and so may be afforded protection for their attractiveness as well as their versatility.</p> <p>Values</p> <ul style="list-style-type: none"> <li>- suitability for food production</li> <li>- ability to meet the needs of current and future generations for food production and exports</li> <li>- local identity and pride</li> <li>- Amenity values</li> </ul> <p>Benefits:</p> <ul style="list-style-type: none"> <li>- High quality food production</li> <li>- economic benefits for the farmer and for the local, regional and national economy</li> <li>- lower carbon cost if produce is able to be produced and purchased locally</li> <li>- health benefits from quality food</li> <li>- reduced risk from fluctuations in global markets</li> <li>-</li> </ul> <p>The values and benefits associated with existing food growing hubs include:</p> <ul style="list-style-type: none"> <li>- existing infrastructure</li> </ul>

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	<ul style="list-style-type: none"> <li>- established markets</li> <li>- skilled workers</li> <li>- proven productiveness</li> </ul> <p>These can be maximised by protecting such areas in District Plans and other statutory documents from urban expansion and reverse sensitivity effects.</p>
<p><b>3.1 Problem statement</b></p> <ul style="list-style-type: none"> <li>• Does the RMA framework provide sufficient clarity and direction on how highly productive land should be managed? Why/why not?</li> <li>• Does the RMA framework provide sufficient clarity on how highly productive land should be considered alongside competing uses? Why/why not?</li> <li>• How are values and wider benefits of highly productive land being considered in planning and consenting processes?</li> </ul>	<p>The RMA framework does not currently provide sufficient clarity and direction as highly productive land is not a Part 2 matter.</p> <p>The RMA does not provide sufficient clarity on how highly productive land should be considered alongside other competing uses, it is not given elevated priority relative to other factors. The Manawātū District Council recommends that the protection of highly productive land from inappropriate subdivision, use and development be added as a matter of national importance under section 6 of the Resource Management Act 1991.</p> <p>Horizons Regional Council's One Plan includes the following issue statement, Objective and Policy regarding the retention of versatile soils:</p> <p><i><b>Issue 3-4: Adverse effects from urban growth and rural residential subdivision on versatile soils</b></i></p> <p><i>Urban growth and rural residential subdivision ("lifestyle blocks"), on versatile soils may result in those soils no longer being available for use as production land. These development pressures often occur on the fringes of some of the Region's urban areas, most notably Palmerston North.</i></p> <p><i><b>Objective 3-4: Urban growth and rural residential subdivision on versatile soils</b></i></p> <p><i>To ensure that territorial authorities consider the benefits of retaining Class I and II<sup>1</sup> versatile soils<sup>2</sup> for use as production land^ when providing for urban growth and rural residential subdivision.</i></p> <p><i><b>Policy 3-5: Urban growth and rural residential subdivision on versatile soils</b></i></p>

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	<p><i>In providing for urban growth (including implementing Policy 3-4), and controlling rural residential subdivision (“lifestyle blocks”), Territorial Authorities^ must pay particular attention to the benefits of the retention of Class I and II versatile soils for use as production land^ in their assessment of how best to achieve sustainable management.</i></p> <p>“Production land” as referred to under Objective 3-4 and defined in the Resource Management Act 1991 means:</p> <ul style="list-style-type: none"> <li><i>a) ...any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products):</i></li> <li><i>b) does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals,—</i></li> </ul> <p>Reference to forestry products within the definition of “production land” is concerning for the Manawātū District as rather than being located on class I or II land our preference is that forestry be located on less versatile land. We are of the opinion that Class I and II land should be prioritised for food production.</p> <p>The planting of forestry on erosion-prone land has the added benefit of soil conservation and reducing sediment discharge to waterways, helping to reduce flooding and improving water quality.</p> <p>The Regional Policy Statement therefore requires Territorial Authorities to “pay particular attention to” the benefits of retaining highly productive land, but leaves the decision around how much weight to give this issue to the territorial authority to determine and balance with other factors. This approach will differ across New Zealand, depending on what policy direction is provided at the regional level.</p> <p>The retention of highly productive land is therefore considered as one of many factors when making decisions on subdivision applications and plan changes for new residential growth areas. Furthermore, where this factor applies, it will be limited to a regional basis in the absence of any national direction.</p>

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<p><b>3.2 Urban expansion on to highly productive land</b></p> <ul style="list-style-type: none"> <li>• How is highly productive land currently considered when providing urban expansion? Can you provide examples?</li> <li>• How should highly productive land be considered when planning for future urban expansion?</li> </ul>	<p>The Feilding Framework Plan is a spatial plan that was produced in 2012 and is used as a reference document when planning for future urban development through the District Plan review. Seven precincts have been identified which generally ‘ring’ the existing urban area.</p>





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	<p>Precinct 5 has been identified and now rezoned for industrial growth, while the other precincts are intended for residential development. Precincts 1 to 3 are future urban areas and the plan change to rezone Precinct 4 for residential development is currently being consulted on.</p> <p>The site analysis for identifying these growth areas included the following considerations:</p> <ul style="list-style-type: none"> <li>- Land form (contours and elevation)</li> <li>- Slope analysis</li> <li>- Opportunities and constraints (including vehicle connections, vegetation to be protected, rivers/streams, drainage, potential green links, flood risk, visual amenity, and rural/urban interface).</li> </ul> <p>The versatility of land was not specifically identified as one of the factors that Council considered when identifying the suitability of future growth precincts within the Feilding Framework Plan.</p> <p>One of the key drivers for progressing Plan Change 51 (Growth Precinct 4) is to concentrate residential development within a defined area to the north of the existing urban area of Feilding. This was in part to reduce the trend of residential development being accommodated through the development of lifestyle development around the perimeter of Feilding and other villages within the District.</p> <p>The Manawātū District Council may need to review Precincts 6 and 7, however, there is lower class land within Precinct 7.</p> <p>Feilding and the wider Manawātū District has a strong rural, rural servicing and agri-business character. Rural-residential development and the lifestyle that this type of development offers is one of the key attractions for new residents to the District. However, this NPS will mean that future provision for rural-residential or “lifestyle” subdivision will need to be managed and accommodated on lower class soils and where highly productive land has already been fragmented by past subdivision.</p> <p>The NPS will have the effect of Council giving greater consideration of the versatility of land when evaluating potential growth areas and when assessing subdivision consent applications and plan changes to rezone rural land.</p>

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<p><b>3.3 Fragmentation of highly productive land</b></p> <ul style="list-style-type: none"> <li>• How is highly productive land currently considered when providing for rural-lifestyle development? Can you provide examples?</li> <li>• How should highly productive land be considered when providing for rural-lifestyle development?</li> </ul>	<p>The list of significant resource management issues facing the Manawātū District, as outlined in the District Plan, includes (emphasis added):</p> <p><i>5) Past land uses, developments, signs and surface water uses have not always fitted into their surroundings without causing problems such as:...</i></p> <p><i>e) effects on soil productivity, structure and stability through such activities as soil removal, covering with hard surfaces, and inappropriate cultivation. The effects are often gradual and cumulative.</i></p> <p><i>7) The fragmentation of land holdings and new housing and other development which results from subdivision is having a cumulative impact upon the rural environment, including upon its rural character and amenities and upon the future options for use of the vulnerable versatile land. While each proposal may have minor effects on its own, the cumulative effects over time can be very significant.</i></p> <p>Relevant subdivision objectives and policies in the District Plan include:</p> <p><b>5.3.1 Impact Upon Rural Soils</b></p> <p><i>S 1) To protect the life-supporting capacity of the District’s rural soils, particularly the versatile land, and to maintain the opportunity for them to be used for a wide range of options in the future. (issue 7)</i></p> <p>Policy 5.3.1 b)</p> <p><i>To minimise the amount of versatile land which is converted to urban use. (Refer also: Policy 5.3.8 a.)</i></p> <p><b>5.3.8 Urban Growth</b></p> <p>Policy 5.3.8 a) iii)</p> <p><i>Any significant and permanent adverse impact upon the life-supporting capacity of the District’s soil resource, or upon options for its future use, which would arise from converting the land concerned to urban use.</i></p> <p>The “Environmental Results Anticipated” for subdivision include:</p> <p><i>3. No more than a minimal amount of versatile land is converted to urban use (Policy 5.3.1 b).</i></p>

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	<p>It is worth noting that Policy 5.3.8 c) states that subdivision and development in the Growth Precincts in Feilding should be in accordance with Structure Plans and the Subdivision Design Guide, to achieve twelve listed outcomes. The protection of versatile land is not listed as one of the outcomes to be achieved.</p> <p>However Policy 5.3.8 d) does prevent urban greenfield development in the rural development outside of the identified Growth Precincts around Feilding. The effect of this policy is to concentrate greenfield development close the existing urban area of Feilding.</p> <p>The Manawātū District Plan subdivision performance standards for subdivision in the rural zones and flood channel zones include (but are not limited to) an average lot size rule (based on subdivision entitlements); a minimum lot size of 0.8ha; separation factors for potential houses; and fragmentation of natural areas (including indigenous forest or wetlands).</p> <p>The Manawātū District Plan contains rural subdivision nodes around Apiti, Bunnythorpe, Cheltenham, Colyton, Feilding, Glen Oroua, Halcombe, Hiwinui, Kimbolton, Pohangina, Rangiwhia, Rongotea, Sanson, Taikorea, Utuwai and Waituna West. These subdivision nodes provide for a smaller minimum lot size than is otherwise allowed within the Rural Zone.</p> <p>The NPS will mean that Council will give more weight to the protection of versatile land when planning for future rural lifestyle zones and urban precincts within the District. This will influence the upcoming District Plan review of the Rural Zones.</p>
<p><b>3.4 Reverse sensitivity</b></p> <ul style="list-style-type: none"> <li>• How should the tensions between primary production activities and potentially incompatible activities best be managed?</li> <li>• How can reverse sensitivity issues at the</li> </ul>	<p>Tensions between primary production activities and potentially incompatible activities are best managed through including rules within District Plans that specify setbacks, buffer and consent requirements for new sensitive activities adjacent to production activities, as outlined in the discussion document.</p> <p>Issues at the rural-urban interface are best managed through rules in plans, spatial planning and communication around proposed rezoning.</p>



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<p>rural-urban interface best be managed?</p>	
<p><b>3.5 These issues are being seen throughout New Zealand</b></p> <ul style="list-style-type: none"> <li>• Do you agree that there is a problem? Has it been accurately reflected in this document?</li> <li>• Are you aware of other problems facing highly productive land?</li> </ul>	<p>Yes. There is a problem with the loss of versatile land throughout New Zealand. The problem is amplified in existing productive areas that are also experiencing significant growth pressures such as Pukekohe. Locally the more pressing issue is loss of productive land through lifestyle rural subdivision.</p> <p>Other problems facing highly productive land include nutrient management and water quality issues. Cumulative nitrogen leaching maximums in Horizons One Plan, designed to protect surface water quality, are proving impossible for some intensive farming land users to meet (including dairy, intensive sheep and beef and horticulture). Landowners may be forced to change to a less intensive land use, or to make substantial changes to farming practices, in order to comply with required cumulative nitrogen leaching maximums, particularly in target catchments.</p> <p>The Government's package of freshwater reforms, as notified in "Action for healthy waterways" has the potential to conflict with the intention of this NPS to protect highly productive land for productive uses. For example, the controls on intensification of rural land use, the requirement to get a consent to increase the area of commercial vegetable growing and the water quality attributes, including nitrogen leaching maximums, will add to the cost and complexity of farming, reducing productivity and impacting on the global competitiveness of our primary producers.</p> <p>Some communities are concerned about changing land use from farming to forestry. Such land use change has flow-on effects on small rural communities, such as school closures. The driver for this is around carbon budgeting and carbon credits. This is less of a concern in the Manawātū District, as forestry tends to be established on land that is class 4 – 8 and therefore less suitable for food production.</p>
<p><b>4.5 Preferred option – a National Policy Statement</b></p> <ul style="list-style-type: none"> <li>• Which option do you think would be the most effective to address the</li> </ul>	<p>The preparation of a National Policy Statement is supported as it helps to elevate the importance of highly productive land in RMA planning.</p> <p>While providing flexibility for councils to consider and respond to local circumstances, this flexibility may mean that some councils achieve better outcomes than others.</p>

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<p>problems identified in Chapter Three? Why?</p> <ul style="list-style-type: none"> <li>• Are there other pros and cons of a National Policy Statement that should be considered?</li> <li>• Are there other options not identified in this chapter that could be more effective?</li> </ul>	<p>There could be some value in a National Environmental Standard being developed in conjunction with the NPS. Such an approach would set national minimum bottom lines, a greater level of national consistency in how the NPS is applied, and reduce potential time delays in making actual changes to the District Plan.</p> <p>In the absence of a specific reference to HPL in RMA Part 2, the NPS needs clear and directive wording to ensure its robustness. For example, the NPS should clearly articulate when avoid is an appropriate policy response.</p>
<p><b>5.2 Purpose of the proposed National Policy Statement</b></p> <ul style="list-style-type: none"> <li>• Should the focus of the National Policy Statement be on versatile soils or highly productive land more broadly? Why/why not?</li> <li>• Should the focus of the National Policy Statement be on primary production generally or on certain types of food production activities? Why/why not?</li> </ul>	<p>The focus of the NPS should be on highly productive land more broadly as different soils are suited to different uses. As noted in the discussion document, some land that is a lower LUC class is most suitable for certain high-value produce such as viticulture and stone fruit. The flexibility in the NPS enables communities to prioritise such land for protection.</p> <p>The NPS should have a broad focus on primary production rather than on certain types of food production activities. Climate change and changes in market conditions may mean that New Zealand's primary exports could change over time. The NPS needs to be flexible enough to facilitate changes in types of food production over time.</p>

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<p><b>5.3 The scope of the proposal</b></p> <ul style="list-style-type: none"> <li>Do you support the scope of the proposal to focus on land use planning issues affecting highly productive land? Why/why not?</li> <li>What matters, if any, should be added to or excluded from the scope of the National Policy Statement? Why?</li> <li>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?</li> <li>Should the National Policy Statement apply nationally or target areas where the pressures on highly productive land are greater?</li> </ul>	<p>The Manawātū District Council is comfortable with the scope of the NPS as outlined in the discussion document.</p> <p>The suggestion in the Discussion Document that the NPS could not apply to future urban zones in District Plans (which have been subject to a full RMA plan change process) but would need to be considered for future urban areas identified in non-statutory strategic documents is supported. As noted in the discussion document, this gives councils the flexibility to reconsider future urban areas in non-statutory documents in light of the proposed NPS.</p> <p>As the identification of future urban zones in statutory documents sends a clear expectation to landowners and developers on where development can occur, the re-examination of such decisions would have significant financial implications for individual, developers and councils.</p> <p>While some areas of HPL are under greater pressure from development, we suggest that the NPS does not limit the policy direction to just these locations. For example HPL is important in all areas; not just those expressing growth pressures.</p> <p>The value of land will differ within each region and district based on pressure for land development and productivity of land. The NPS provides for regional ‘appropriate’ discretion, however we consider this is not directive enough. The NPS policies could also provide clearer policy direction based on different scenarios, such as, more restrictive wording in areas of concentration Class 1 soils.</p>
<p><b>5.4 The proposed NPS</b></p> <ul style="list-style-type: none"> <li>What would an ideal outcome be for the</li> </ul>	<p>The ideal outcome would be a halt in the loss of highly productive land to maintain the value of New Zealand’s primary sector and food security for current and future generations. However, we recognise</p>

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<p>management of highly productive land for current and future generations?</p>	<p>that in certain circumstances the development of highly productive land for other purposes may be the most appropriate use of that land.</p>
<p><b>Policy 1: Identification of highly productive land</b></p> <ul style="list-style-type: none"> <li>• If highly productive land is to be identified, how should this be done and by whom?</li> <li>• Are the proposed criteria all relevant and important considerations for identifying highly productive land? Why/why not?</li> </ul>	<p>The NPS is not clear as to what resolution of soil mapping is required, including what is needed in terms of the S32 requirements of a Regional Plan/Policy, a District Plan, or for a Resource Consent application.</p> <p>The initial mapping of LUC Class 1 to 3 land should be done by a Crown Research Institute such as Manaaki Whenua Landcare Research. We note that Manaaki Whenua Landcare Research has an online digital soil map for New Zealand (S-mapOnline). Horizons Regional Council's GIS database also already includes LUC maps for the entire Manawātū-Whanganui Region. We note LGNZs view that LUC is a poor default as the LUC system was originally devised for classifying land for soil erosion potential and consistently undervalues some types of soils and climatic areas.</p> <p>Regional or territorial authorities do not have sufficient resource to undertake LUC assessments at property boundary resolution across their jurisdictions. Such investment would be unnecessary given the requirement in the NPS that applications for resource consents or plan changes must be supported by a site-specific LUC assessment. The NPS should either include policy around a nationally consistent methodology for mapping highly productive land or provide guidance.</p> <p>As the functions of regional councils under section 30 of the RMA 1991 includes the control of the use of land for the purpose of soil conservation, they are likely to be better resourced to undertake higher resolution LUC mapping of land than territorial authorities are.</p> <p>In addition, Horizons Regional Council staff already carry out on-farm assessments, including soil type, when developing a "Whole Farm Plan" with farmers that are part of Horizons sustainable land use initiative (SLUI) to protect hill country soils that are vulnerable to erosion.</p> <p>We note that the discussion document makes applicants responsible for demonstrating the need for, and benefits of, the proposed development on highly productive land and that these outweigh the benefits of</p>



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	<p>the continued use of land for primary production before any private plan change request or resource consent application is approved. Such applications would need to be supported by a site-specific LUC assessment.</p> <p>There would be benefits in regional councils working with their territorial authorities to develop a regional spatial plan of highly productive land. The quality of the spatial plan could be improved over time as site-specific LUC assessments are carried out by regional council as part of whole farm plans, or shared by territorial authorities as they are received from applicants. Territorial Authorities are better placed to identify productive land uses that are on less versatile land, as they hold information on land use and local markets.</p> <p>Rather than including a highly productive land map within the Regional Policy Statement, the information should be referenced in the RPS but published in an online GIS database, such as Horizons “portal.” This means that the data can be easily accessed and updated as new information becomes available, without the need to go through a Plan Change to amend the Regional Policy Statement. This also allows for flexibility in what constitutes “highly productive land” as productive uses change over time.</p> <p>As noted in the LGNZ submission, if the Appendix A criteria for identifying highly productive land are restricted to only those that relate to the inherent attributes of the land (such as soil, topography and to a lesser extent, climate) this will simplify the assessment process and may reduce the amount of time and resources needed to identify highly productive land. It is appropriate that some factors apply at the regional level and others at the local level when identifying productive land. This reinforces the need for regional and territorial authorities to work together when mapping highly productive land.</p>
<p><b>Alignment with the Urban Growth Agenda</b></p> <ul style="list-style-type: none"> <li>Do you think there are potential areas of tension or confusion between this proposed National Policy</li> </ul>	<p>There is less potential for conflict between this NPS-HPL and the proposed NPS-UD than the current NPS-UDC 2016.</p> <p>All objectives in the NPS-UD will apply immediately from the date of gazettal. Local authorities are required to give effect to the new NPS through their regional policy statements, regional plans or district plans “as soon as practicable.”</p>



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<p>Statement and other national direction (either proposed or existing)?</p> <ul style="list-style-type: none"> <li>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?</li> </ul>	<p>The objectives and some of the policies of the NPS-HPL apply immediately from the date of gazettal. However, the NPS-HPL gives regional councils three years to identify highly productive land and territorial authorities a further two years after the regional council identifies highly productive land to implement proposed policies 1.2, 2, 4 and 5.</p> <p>As noted in the submission from LGNZ, the NPS-HPL would work alongside the NPS-UD better if both documents were clear about the hierarchy and which objectives take precedence – urban growth or protecting highly productive land.</p> <p>Rules introduced to manage reverse sensitivity, such as buffer zones and setbacks may be viewed under the NPS-UD as unnecessarily constraining development.</p> <p>There is also an opportunity to align the proposed definitions in the NPS-HPL with the definitions contained in the National Planning Standards.</p>
<p><b>Policy 3: New urban development on highly productive land</b></p> <ul style="list-style-type: none"> <li>How should highly productive land be considered when identifying areas for urban expansion?</li> </ul>	<p>The productivity of land should be considered as one of the criteria when evaluating different options for new growth areas. The NPS encourages councils to take a broader spatial planning approach when identifying new areas for urban growth.</p> <p>The intent of policy 3 is to provide clear direction that <i>“new urban development should generally avoid highly productive land when other feasible options exist.”</i> Councils will therefore need to consider the full range of benefits and costs. Including intergenerational benefits.</p> <p>However, as the productivity of soils is not a Part 2 matter there is a risk that the benefits of retaining productive land may not be given sufficient weighting, relative to other local factors.</p>
<p><b>Policy 4: Rural subdivision and fragmentation</b></p> <ul style="list-style-type: none"> <li>How should the National Policy Statement direct</li> </ul>	<p>The intent of policy 4, as stated in the discussion document, is that councils take a proactive approach to managing fragmentation of highly productive land in rural areas, including through the use of minimum lot size standards for subdivisions that retain the productive capacity of highly productive land.</p>

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<p>the management of rural subdivision and fragmentation on highly productive land?</p>	<p>The discussion document notes that guidance on an appropriate minimum lot size standard for subdivision on highly productive land will be developed to support the implementation of policy 4, recognising that some flexibility is needed to determine this at the local level as some forms of primary production can be highly productive on small lots.</p> <p>The Manawātū District Council agrees with the intent of this policy, particularly in relation to LUC Class 1 and 2 land.</p>
<p><b>Policy 5: Reverse sensitivity</b></p> <ul style="list-style-type: none"> <li>How should the National Policy Statement direct the management of reverse sensitivity effects on and adjacent to highly productive land?</li> </ul>	<p>The Manawātū District Council supports proposed Policy 5, including the requirement that district plans restrict new sensitive and potentially incompatible activities on highly productive land. We agree with the suggestions in the discussion document that this could be managed through setbacks and buffer zones, including planting of buffer strips. Such requirements could be imposed as conditions on subdivision and land use consents for activities on land that is adjacent to highly productive land.</p>
<p><b>Policies 6 and 7: Consideration of private plan changes and resource consent applications on highly productive land</b></p> <ul style="list-style-type: none"> <li>How should the National Policy Statement guide decision-making on private plan changes to rezone highly productive land for urban or rural lifestyle use?</li> <li>How should the National Policy Statement guide</li> </ul>	<p>The Manawātū District Council supports the proposed definition of highly productive land, particularly the reference to LUC 1 – 3 class land that applies in the transitional period. However, as noted in the LGNZ submission, the inclusion of LUC Class 3 land will capture significantly more land than if the default is set at LUC Class 1 and 2. The Manawātū District Council would not be opposed to having the default set at LUC Class 1 and 2 land, until regional councils are able to complete the mapping of highly productive land. We also support policies 6 and 7 having immediate effect on gazettal of the NPS. Without such a requirements, there would likely to be influx of subdivision applications made on highly productive land prior to council completing the necessary plan changes to protect highly productive land.</p> <p>The Manawātū District Council notes that the list of matters that consent authorities must have regard to when considering resource consent applications for subdivision and urban expansion on highly productive land (proposed Policy 7) are more substantial than those for plan change requests (proposed Policy 6). Many of the criteria are repeated. We are of the opinion that proposed Policies 6 and 7 could be combined,</p>

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<p>decision-making on resource consent applications for subdivision and urban expansion on highly productive land?</p>	<p>with a single list of matters that local authorities must have regard to when assessing plan changes or resource consent applications.</p> <p>The requirement to submit a site-specific land use capability assessment by a qualified expert with any resource consent application will add significantly to the costs for the applicant. If this is to be a requirement of the NPS-HPL, it is necessary that it be made a requirement through Policy 7. Otherwise, such a requirement is likely to be unpopular with landowners and the development community, and therefore difficult to introduce to the District Plan.</p>
<p><b>5.6 Implementation</b></p> <ul style="list-style-type: none"> <li>What guidance would be useful to support the implementation of the National Policy Statement?</li> </ul>	<p>Guidance would be useful on the following matters:</p> <ul style="list-style-type: none"> <li>- Example rules for setbacks and buffer zones to address reverse sensitivity (to encourage national consistency)</li> <li>- Access to national LUC information in a format that enables local authorities to upload that information on their internal GIS databases (if not already available) to use until higher resolution LUC data is available</li> <li>- Expert guidance on what may be considered a productive lot size for common primary production activities and crops in New Zealand or under different conditions.</li> <li>- Guidance on how to balance freshwater management and highly productive land objectives.</li> </ul>
<p><b>5.3 The scope of the proposal</b></p> <ul style="list-style-type: none"> <li>How should the National Policy Statement best influence plan preparation and decision-making on resource consents and private plan changes?</li> <li>Should the National Policy Statement include policies that must be inserted into</li> </ul>	<p>The NPS should best influence plan preparation and decision-making by setting a clear national direction, including on what is meant by ‘inappropriate’ subdivision, use and development.</p> <p>The Manawātū District Council would support inclusion of policies in the NPS that must be inserted in the RPS and District Plan without going through a Schedule 1 process. This would significantly cut down the costs for councils in making the necessary changes and ensures that the intent of the policies would not be “watered down” through a consultative process with the community. The rules to implement the policies will be subject to the normal Schedule 1 process, and therefore enables some flexibility for the local context.</p> <p>Potentially this could be partially achieved through use of the National Planning Standards template.</p>

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<p>policy statements and plans without going through the Schedule 1 process? What are the potential benefits and risks?</p> <ul style="list-style-type: none"> <li>• What areas of land, if any, should be excluded from the scope of the proposed National Policy Statement? Why?</li> </ul>	<p>The NPS should apply equally to all areas of productive land throughout New Zealand. There is sufficient flexibility in how the NPS is implemented through the consideration of costs and benefits to allow alternative land uses if appropriate.</p>
<p><b>5.4 The proposed NPS</b></p> <ul style="list-style-type: none"> <li>• What level of direction versus flexibility should the objectives provide to maintain the availability of highly productive land for primary production?</li> <li>• Should the objectives provide more or less guidance on what is “inappropriate subdivision, use and development” on highly productive land? Why/why not?</li> </ul>	<p>The NPS should provide national direction as much as possible. Councils still have flexibility in how they apply the NPS through policy statements and plans.</p> <p>Objective 3 of the Proposed NPS needs to provide detail on what would constitute inappropriate subdivision, use and development. Otherwise it is essentially repeating the requirements of the RMA. It is also not clear what is meant by “uncoordinated urban expansion” in bullet point 2 under Objective 3.</p>



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<p><b>Specific questions - Policy 1</b></p> <ul style="list-style-type: none"> <li>• What are the pros and cons of requiring highly productive land to be spatially identified?</li> <li>• Is the identification of highly productive land best done at the regional or district level? Why?</li> <li>• What are the likely costs and effort involved in identifying highly productive land in your region?</li> <li>• What guidance and technical assistance do you think will be beneficial to help councils identify highly productive land?</li> </ul>	<p>The benefits of spatial identification of highly productive land include:</p> <ul style="list-style-type: none"> <li>- Certainty for land owners and applicants</li> <li>- Ability to calculate the amount of productive land available for primary production and to track future loss of productive land through subdivision and development (easier reporting)</li> <li>- A spatial plan can overlay land productivity with other relevant factors such as size and cohesiveness of land, current or potential availability of water, access to transport routes and appropriate labour markets</li> </ul> <p>Cons include:</p> <ul style="list-style-type: none"> <li>- Resourcing and costs to produce the map</li> <li>- Inaccuracy of the LUC data when viewed at a property scale means that site-specific assessments of land use are required, adding to the cost of plan change and resource consent requirements.</li> </ul> <p>The identification of highly productive land is best done at the national or regional level. Site-specific assessments obtained at the local level can feed back into regional or national maps to improve the accuracy of the data over time. Territorial authorities do not have staff with the necessary skills to carry out this mapping and so would have to spend a significant amount of money employing consultants to carry out this mapping.</p> <p>The costs of identifying productive land in our district would depend on the scale at which this information must be mapped. If we are able to utilise existing information the costs would be relatively low. However, having to undertake mapping of land use capability at a property scale would be cost prohibitive and would mean that we would be unable to complete the review of our Rural and Flood Channel Zones within statutory timeframes and current budgets.</p> <p>Central Government could commission one of the Crown Research Institutes (such as Landcare Research) to complete this mapping at the national level. This would significantly cut the implementation costs of this NPS and would ensure a nationally consistent data set to a consistent scale and quality.</p>



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<p><b>Specific questions - Appendix A</b></p> <ul style="list-style-type: none"> <li>• Should there be a default definition of highly productive land based on the LUC until councils identify this? Why/why not?</li> <li>• What are the key considerations to consider when identifying highly productive land? What factors should be mandatory or optional to consider?</li> <li>• 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?</li> <li>• Should there be a tiered approach to identify and protect highly productive land based on the LUC</li> </ul>	<p>Yes, there should be a default definition of highly productive land until councils identify this. It would not be possible to give immediate effect to the objectives and policies of this NPS without a definition of highly productive land.</p> <p>The Manawātū District Council supports the statements in the LGNZ submission that the criteria that should be considered when identifying highly productive land should be restricted to those that focus on the productive potential of the land, such as soil, topography and climate. Those proposed factors that relate to the wider socio-economic context are variable and changeable.</p> <p>The adequate availability of water is essential to increasing the productivity of land while reducing the environmental impacts. We note that water allocation will be considered during the next phase of Governments Essential Freshwater Programme. This NPS and any water allocation proposals will need to be closely aligned.</p> <p>We note that where LUC Class 1 to 3 land has been subdivided in the past it would no longer be considered “highly productive land” for the purpose of this NPS and therefore may be further subdivided.</p> <p>A tiered approach is appropriate. LUC Class 1 land is the most versatile and therefore able to be used for the greatest range of uses. It should therefore be prioritised for protection over other classes. However, land in other classes may also warrant the same level of protection as Class 1 land, particularly if it is the best type of land for a particular product or export that is important to the economy of that community.</p>

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<p>class (e.g. higher levels of protection to LUC 1 and 2 land compared to LUC 3 land)? Why/why not?</p>	
<p><b>Specific questions – Policy 2</b></p> <ul style="list-style-type: none"> <li>What are the pros and cons associated with prioritising highly productive land for primary production?</li> </ul>	<p>Pro's</p> <ul style="list-style-type: none"> <li>- Food security for current and future generations</li> <li>- Protection of current markets and potential to grow markets</li> <li>- Better ability to respond to changes associated with climate change</li> <li>- Availability of primary produce means that local prices remain affordable</li> <li>- Ability to buy local produce, with associated social and environmental benefits</li> </ul> <p>Con's</p> <ul style="list-style-type: none"> <li>- May constrain residential growth, increasing house prices</li> <li>- Greater risk of reverse sensitivity as development pressures on urban boundaries increase</li> </ul>
<p><b>Specific questions – Policy 3</b></p> <ul style="list-style-type: none"> <li>How can this policy best encourage proactive and transparent consideration of highly productive land when identifying areas for new urban development and growth?</li> </ul>	<p>The list of considerations under the policy require detailed analysis of costs, benefits and alternatives. This should ensure good decision-making with respect to applications involving highly productive land.</p> <p>The two proposed policy statements are generally compatible in that the National Policy Statement on Urban Development recognises that certain areas of special value, including productive soils, should be set aside for future generations. There will be some tensions between the NPS-HPL and the NPS-UD and in some cases this may lead to more expensive land and houses. As noted in the LGNZ submission, these national instruments need to be clear about the hierarchy and which objectives take precedence – urban growth or protecting highly productive land.</p>

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<ul style="list-style-type: none"> <li>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?</li> </ul>	<p>It is likely that greater weighting will be given to highly productive land by local authorities when planning for new urban development and growth. However, decisions on small-scale subdivision applications in rural areas that have already been fragmented will need to be made on a case-by-case basis through balancing of factors and interests.</p>
<p><b>Specific questions – Policy 4</b></p> <ul style="list-style-type: none"> <li>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?</li> <li>Should the proposed National Policy Statement encourage incentives and mechanisms to increase the productive capacity of highly productive land (e.g. amalgamation of small titles)? Why/why not?</li> </ul>	<p>Minimum lot size standards should be set at the regional or local level in consultation with communities. This enables consideration of the local context. The effectiveness of incentives and mechanisms to increase productive capacity of highly productive land would be dependent on what is supported by the community, as the costs would likely fall at the local level. The level of support will vary nationally, depending on the rate of loss of productive land and the value the community places on increasing productive capacity.</p>

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<p><b>Specific questions – Policy 5</b></p> <ul style="list-style-type: none"> <li>How can the National Policy Statement best manage reverse sensitivity effects within and adjacent to highly productive land?</li> </ul> <p><b>Specific questions – Policy 6 and Policy 7</b></p> <ul style="list-style-type: none"> <li>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 Statement)? What are the potential benefits and risks?</li> <li>How can these policies best assist decisionmakers consider trade-offs, benefits, costs and alternatives when urban development and subdivision is proposed on highly productive land?</li> </ul>	<p>Refer to answer on general question 3.4</p> <p>Refer to commentary on policies 6 and 7 above. As outlined in our response to question 5.3, the Manawatū District Council would support inclusion of policies in the NPS that must be inserted in the RPS and District Plan without going through a Schedule 1 process. This would significantly cut down the costs for councils in making the necessary changes and ensures that the intent of the policies would not be “watered down” through a consultative process with the community.</p> <p>The policies provide sufficient guidance for decision-makers in considering trade-offs, benefits, costs and alternatives. Decision-makers will need to consider what impact rural subdivision will have on the productive potential of the land.</p> <p>The final bullet point – it depends on the effect that the rural industry will have on the productivity of the land resource and its ability to be used for primary production activities in the future.</p>

Discussion Document Questions	Feedback from the Manawātū District Council
<ul style="list-style-type: none"> <li>Should the policies extend beyond rural lifestyle subdivision and urban development to large scale rural industries operations on highly productive land? Why/why not?</li> </ul>	
<p><b>Specific questions - Interpretation</b></p> <ul style="list-style-type: none"> <li>Do any of the draft definitions in the National Policy Statement need further clarification? If so, how?</li> <li>Are there other key terms in the National Policy Statement that should be defined and, if so, how?</li> <li>Should there be minimum threshold for highly productive land (i.e. as a percentage of site or minimum hectares)? Why/why not?</li> </ul>	<p>No comment on bullet points one and two.</p> <p>A minimum threshold (either as a percentage of the site or a minimum size) would be helpful to ensure consistent application of the objectives and policies nationally. This will also reduce the risk of the meaning of highly productive land being challenged through the courts.</p> <p>This threshold should be part of the definition so it is consistently applied.</p>



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<p><b>Specific questions - Implementation</b></p> <ul style="list-style-type: none"> <li>• Do you think a planning standard is needed to support the consistent implementation of some proposals in this document?</li> <li>• If yes, what specific provisions do you consider are effectively delivered via a planning standard tool?</li> </ul>	<p>Yes</p> <p>Provisions that could be delivered via a planning standard tool include:</p> <ul style="list-style-type: none"> <li>- Minimum lot size</li> <li>- Definitions and standardisation. For example, the draft definition of “highly productive land” refers to a land parcel in a rural area that contains at least 50% land defined as LUC 1, 2 or 3. Reference to a percentage or proportion of a land parcel will also be needed for land that is mapped by the Regional Council in accordance with Policy 1 and Appendix A of the NPS, as productive land boundaries are unlikely to correspond with parcel boundaries.</li> </ul>
<p><b>Specific questions - Timeframes</b></p> <ul style="list-style-type: none"> <li>• What is the most appropriate and workable approach for highly productive land to be identified by council? Should this be sequenced as proposed?</li> <li>• What is an appropriate and workable timeframe to allow councils to identify highly productive land and amend their policy statements and</li> </ul>	<p>The timeframe is dependent on the scale that the productive land is required to be mapped at. We are of the opinion that the first maps should be based on national-scale data that is already available from Crown Institutes.</p> <p>The appropriateness and workability of the timeframes will vary significantly across New Zealand. This will depend on what stage in the plan review cycle various Regional and District Councils are at. The requirement to review a District Plan within two years following amendment of a RPS could be restrictive, particularly given the contestability of the issues, and depending on how clear the policy direction is.</p>

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plans to identify that land?	