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Dear Sir/Madam

SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

Thank you for the opportunity to submit on the Proposed National Policy Statement on Highly Productive Land.

Please find attached the Waikato District Council's submission which has been formally approved by the Council on 7th October 2019.

Should you have any queries regarding the content of this submission please do not hesitate to contact Will Gauntlett by [REDACTED]

Yours faithfully

A handwritten signature in black ink, appearing to read "G. J. I.", with a large, stylized flourish extending from the bottom left of the first letter.

Gavin Ion
CHIEF EXECUTIVE

Submission on the National Policy Statement for Highly Productive Land

1.0 Introduction

The Waikato district is largely a rural district with increasing urban growth pressures from Auckland in the north and Hamilton in the south. The Waikato District includes the largest portion of the Hamilton to Auckland Corridor, which will see additional growth pressures for our towns and villages generating a need to expand. As our submission sets out, the majority of our towns and villages are located predominantly on what the proposed National Policy Statement defines as “highly productive land”.

Agricultural and horticultural activities within the Waikato District contribute significantly to the economy at both a regional and national scale. It is therefore a key priority for Council to protect these industries and to ensure that subdivision and land use development do not compromise these activities for future generations.

Table I below indicates that the Waikato District is comprised of approximately 34% high class soils along with a wide range of primary production activities across the district.

Table I.

LUC Class	% Coverage of the District
1	2
2	20
3	12
4	13
5	0
6	42
7	8
8	1
Other (i.e. quarries)	2

The Waikato District Council generally supports the intention of the proposed National Policy Statement for Highly Productive Soils (NPS-HPL) and understands that urban development growth pressures are compromising the nation’s highly productive land, particularly high class soils. National direction on this issue has been needed for a long time, particularly to assist decision makers with direction and guidance that can influence the management of our district’s highly productive land.

This submission sets our Council’s key areas of interest in the proposed NPS and suggests areas where more detail might be required in order to ensure Council can implement the objectives and policies of the NPS. Rather than addressing each specific question in the discussion document, Council has focused on the key aspects of the proposed National Policy Statement which we would like to provide comment on.

Waikato District Council is looking forward to working with the Waikato Regional Council to collaborate and work through the identification of our district’s highly productive land based on the criteria provided in the National Policy Statement.

2.0 Defining Highly Productive Land

Waikato District Council supports defining highly productive land given the values and benefits associated with it both intrinsically and biologically. In the Waikato district, our highly productive land has significant economic, amenity, landscape, cultural, ecological and biological value.

The Waikato is an ideal location for food production, given the proximity to Auckland, Hamilton and Tauranga. One of the most important considerations for our district's existing food hubs is that they need to be close to existing infrastructure and transportation routes to make it economically viable for operators to grow primary produce. It is also important to note that the Waikato district shares with Auckland Council the unique growing conditions available in Pukekohe, which are highly valued not only for highly productive soils, but the climate in this area which means that conditions for food production are optimal. There are not many places in New Zealand where this is the case.

While the NPS-HPL provides the framework for both Regional and District Councils to implement more specific direction in Regional Policy Statements, Regional Plans and District Plans, there is still a large amount of work to do in order to identify areas of highly productive land and implement the NPS to have an impact on Council's decision making processes.

One of the Waikato District Council's most significant concerns is that our towns and villages are largely surrounded by LUC 1 – 3 soils, and the NPS definition of LUC 1 - 3 will apply while work is being carried out to identify more precise areas of highly productive land that Council must protect and other areas where flexibility is needed. Following this work an approach will need to be adopted through our District Plan with better policy direction for our high class soils. For example Council might determine it needs to protect all LUC 1 soils and have more flexibility with subdivision and development on LUC 2 - 3 soils based on certain criteria.

Appendix I provides the Land Use Capability soil classes across the Waikato district and highlights that the locations of the soils coincide with the district's towns and villages and urban areas. For example as shown in **Figure I** below, in the north of the district, areas such as Pokeno and Tuakau are surrounded by LUC1- 3 soils.

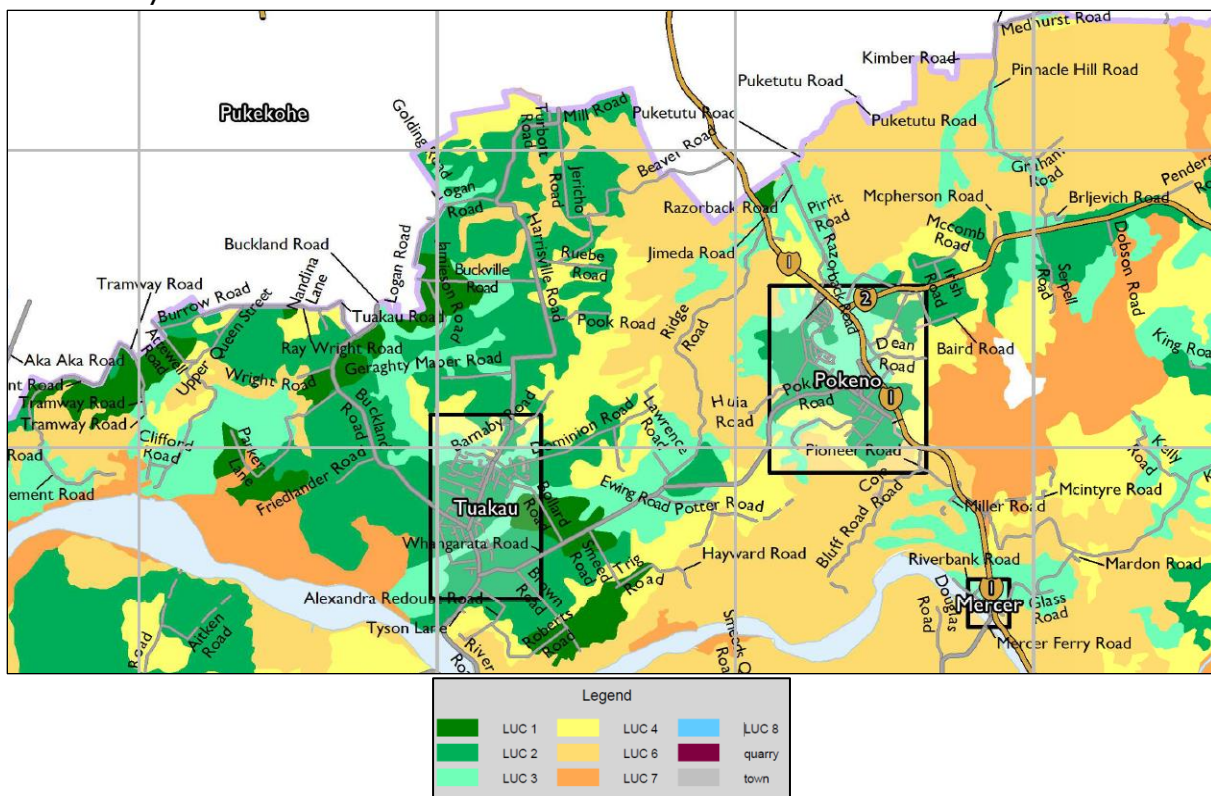


Figure I. Map of Tuakau and Pokeno showing high class soils.

For this reason Council have concerns about the definitions relating to “urban development” and “urban expansion” activities which are intended to be restricted on highly productive land by the NPS. Council questions whether the intent of “urban expansion” is to capture lifestyle zones such as Waikato District Council’s Country Living or Village Zones.

Waikato District Council would like to understand more about the reasoning of the definition of highly productive land applying to parcels which contain at least 50% or 4 hectares of land defined as Land Use Capability 1 - 3 (whichever is the lesser). WDC wish to understand whether it was not possible to capture smaller parcels of land due to the scale of the LUC maps or another reason.

Additionally, Council needs some direction as to whether peat soils are considered to be “highly productive” given that the current Waikato Regional Policy Statement includes them in their definition of high class soils. Council supports peat soils being included as highly productive land.

Key points:

- Waikato District Council’s most significant concern is that our towns and villages are largely surrounded by LUC 1 – 3 soils.
- NPS-HPL provides the framework for both Regional and District Councils to implement the NPS. However there is still a large amount of work to do in order to identify areas of highly productive land and implement the NPS to have an impact on Council’s decision making processes.
- Council have concerns regarding the definitions of highly productive land and how this relates to “urban development” and “urban expansion”. Further clarity about which zoning and types of development are included in the NPS would greatly assist Council.
- Waikato District Council would like to understand more about the definition of highly productive land applying to parcels which contain at least 50% or 4 hectares of land defined as Land Use Capability 1- 3 (whichever is the lesser). Specifically, Council would like to understand whether it was not possible to capture smaller parcels of land due to the scale of the LUC maps or another reason.
- Council suggests that peat soils are considered to be “highly productive”.

3.0 Current RMA Decision Making Toolbox

While sections 5, 6 and 7 of the Resource Management Act 1991 (the Act) are of importance to decision makers in both plan change, private plan change and resource consent decisions, decision makers are often trying to find a balance between competing issues. Without the correct tools to direct and guide decision makers, often those issues with better policy direction get priority over those that do not.

Historically, versatile soil has not been a top priority for decision makers, given the lenient subdivision and landuse development provisions that have been included in older District Plans, which has led to unintended consequences. Additionally, historical plan changes and structure plans have not considered high class soils/versatile land with the intention of protection in mind. This has resulted in additional urban development, including lifestyle development on high class soils. Tamahere, an area on the periphery of Hamilton south east is a good example of this, as shown in **Figure 2** below.

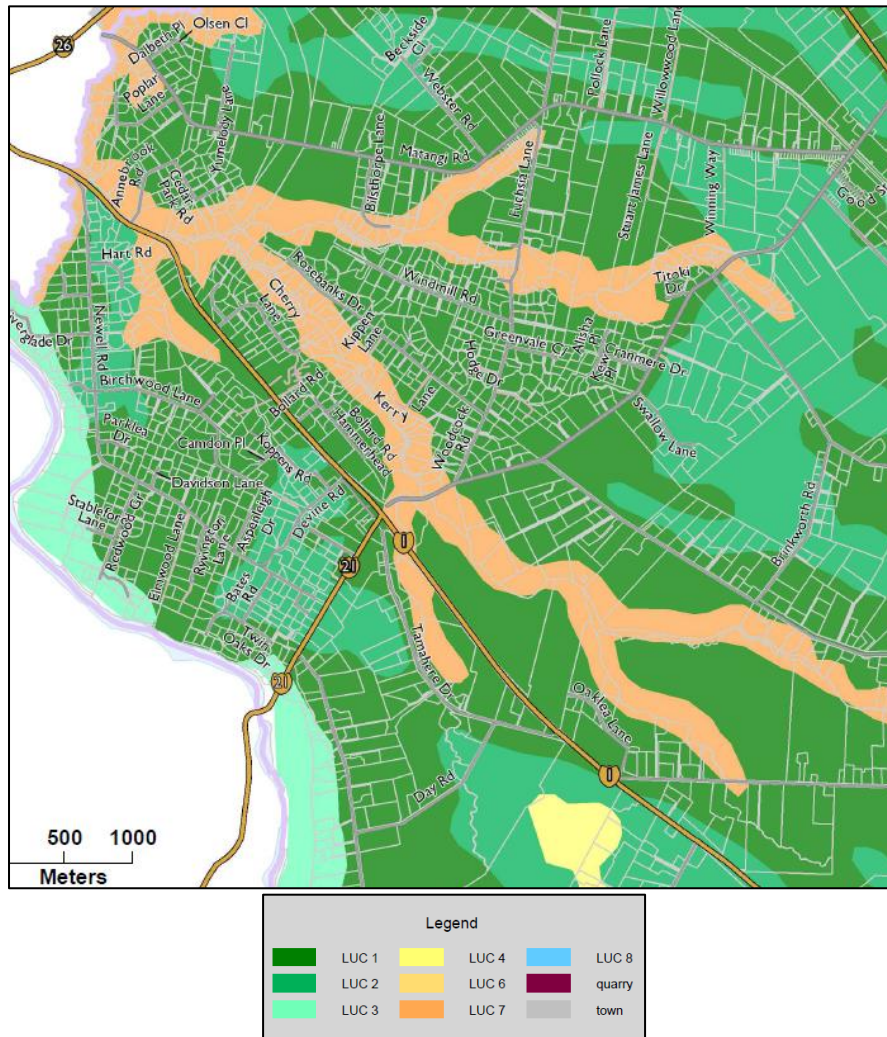


Figure 2. Map of Tamahere showing high class soils.

An additional example of the difficulties Council have had with respect to imposing rules in the District Plan's was in relation to conservation lot subdivision rules within the Rural Zone has the potential compromise high class soils if additional lots are to land on highly productive land. However the competing interest is to promote biodiversity and in the absence of strong direction on highly productive land, Council had to compromise an equally important issue because it did not have the policy in place to give more priority to highly productive land.

Key points:

- Council supports the need for this NPS given that decision makers are often trying to find a balance between competing issues and without the correct tools to direct and guide decision making it is difficult to give priority to highly productive land.

4.0 Applying NPS-HPL to Maori Freehold Land

Waikato District Council is concerned about the NPS-HPL applying to Maori Freehold Land. The proposed District Plan policy framework for Maori Freehold land enables Maori landowners to develop their landholdings with papakainga development and we have proposed permissive provisions for this which aligns with the Waikato Regional Policy Statement.

Appendices 2 and 3 illustrate the location of Maaori Freehold Land blocks, which shows that 245 out of 682 (35%) Maaori Land blocks from the Maori Land Court data are located on LUC1 – 3 soils. 629 out of 1,599 (39%) Maaori land blocks from the Land Information New Zealand data are located on LUC1 – 3 soils.

Waikato District Council recognises that landowners are already constrained by many other barriers and the NPS has the potential to add an additional barrier. Council also acknowledges that it needs to meet its obligations in terms of section 6, 7 and 8 of the Resource Management Act, which may be at odds if Council cannot ensure Maori landowners that they can use their land for traditional ways of living.

Council suggest that Maaori land is further considered in the context of the NPS-HPL definition having regard to the ability for Maaori landowners to have papakaainga housing development to ensure the NPS does not impact on the traditional ways of living for Maaori landowners. Council suggests that perhaps no more than 1 – 3% of the site or a maximum area for development may be an appropriate solution to provide a balanced approach.

5.0 Proposed Objectives

5.1 Objective 1: Recognising the benefits of highly productive land

- **To recognise and provide for the value and long-term benefits using highly productive land for primary production.**

Waikato District Council support the general direction of this objective.

5.2 Objective 2: Maintaining the availability of highly productive land

- **To maintain the availability of highly productive land for primary production for future generations.**

Waikato District Council support the general direction of this objective. However there is concern regarding the wording “maintain the availability”, as Council questions how this objective would be practically implemented and measured. Our view is that there does need to be some flexibility. Whether this is in policy direction or guidance, either in our view would be appropriate.

Without yet knowing which areas of our District will be defined “highly productive land” by the Waikato Regional Council, Council will need to ensure that a balance is achieved.

Key points for Objective 2:

- Council questions the wording “maintain the availability” and how this objective would be practically implemented and measured.
- There does need to be some flexibility, as Council do not yet know which areas of our district will be defined “highly productive land”.

5.3 Objective 3: Protecting for inappropriate subdivision, use and development

- **To protect highly productive land from inappropriate subdivision use and development, including by:**

- **Avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;**
- **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.**

Council understands what this objective is seeking to achieve. However there is concern regarding the term “avoiding” and how Council would practically implement the Objective. It is our understanding that the intention of the NPS is not to effectively “sterilise” land from any future uses. Given case law on the terminology used, this term would essentially mean Council would need to prohibit landuse and subdivision activities on highly productive land.

Given that our District is largely LUC 1, 2 and 3 around our towns and villages, there is concern that this objective would overly constrain these areas. The discussion paper asks the question about what is “inappropriate subdivision, use and development” on highly productive land. Our view is that this is very difficult to determine and does need to be evaluated at a local level generally through the resource consent process or by Council identifying what activities they do not want to occur on highly productive land.

We also raise concerns in respect to the last point in terms of reverse sensitivity, as Council are of the view that reverse sensitivity effects are generally well covered in District Plans. WDC do not agree that the NPS should impose policy to manage reverse sensitivity effects. These should be managed at a localised level by Territorial Authorities. This issue also goes beyond the issue of protecting productive land and relates to protecting rural land use, which is not the focus of this NPS.

Key points for Objective 3:

- Council question the term “avoiding” and how Council would practically implement the Objective.
- Given that our District is largely LUC 1, 2 and 3 around our towns and villages, Council are concerned that this objective would constrain these areas.
- Council raise concerns in respect to reverse sensitivity. Council are of the view that reverse sensitivity effects are generally well covered in District Plans and should be managed at a localised level.

6.0 Proposed Policies

6.1 Policy 1 – Identification of Highly Productive land

1.1 Regional Councils must identify areas of highly productive land using the criteria set out in Appendix A and:

- **Map each area of highly productive land; and**
- **Amend their regional policy statements to identify areas of highly productive land within the region**

1.2 Territorial authorities must amend their district plans to identify highly productive land identified by the relevant regional council under Policy 1.1.

Waikato District Council is supportive of the Regional Council providing the maps identifying areas of highly productive land and anticipates this being a collaborative process with the Waikato Regional Council and all TAs in the region. One of the challenges for the District Council in regards to the mapping is the cost of this work to ensure that the map information is at a scale that is appropriate and useable for Council and the public. Waikato District Council would support the mapping being undertaken by central government.

Given the locations of LUC 1, 2 and 3 soils and areas that may be deemed “productive” in our District, this will be the most important piece of work. Appendix A to Policy 1 may require additional thought in terms of the criteria for assessing highly productive land. This work does require resource and will impose a cost on Council.

An additional comment is that a tiered approach to the LUC classes would assist Council greatly (i.e. similar to the approach taken by the Auckland Unitary Plan with “elite” soils being LUC 1 and “prime soils” being LUC 2 and 3. This would mean that Council could take a more restrictive or flexible approach in terms of managing and protecting these soils, depending on their location.

Key points for Policy 1:

- Appendix A to Policy 1 may require additional thought in terms of the criteria for assessing highly productive land.
- A tiered approach to the LUC classes would assist Council greatly.

6.2 Policy 2 – Maintaining Highly Productive land for primary production

Local authorities must maintain the availability and productive capacity of highly productive land for primary production by making changes to their regional policy statements and district plans to:

- a. Prioritise the use of highly productive land for primary production**
- b. Consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;**
- c. Identify inappropriate subdivision, use and development of highly productive land; and**
- d. Protect highly productive land from the identified inappropriate subdivision use and development.**

Depending on which areas of the district are defined as “highly productive land”, this will determine Council’s response to this policy. For example, currently the Operative Waikato District Plan and Proposed Waikato District Plan include a single Rural Zone, which comprises a wide range of parcel sizes and productive activities. Council may need to consider the future of the Rural Zone and consider options (i.e. a Rural Production Zone, mixed Rural Zone, Rural Coastal Zone, or Countryside Living Zone) to ensure productive areas are afforded higher levels of protection.

Council envisage policies (c) and (d) as being a difficult policy to implement and questions how Council determines what “inappropriate subdivision” is. As mentioned previously, subdivision is generally assessed on a case by case basis and while Council can identify landuse and development that may be inappropriate in the District Plan, it is always difficult and often comes down to location and the merit of a proposal. It is also difficult to anticipate what might be inappropriate subdivision, use and development without knowing what activities Council might need to accommodate in the district plan in the future.

Key points for Policy 2:

- Depending on which areas of the district are defined as “highly productive land”, this will determine Council’s response to this policy.
- Council envisage policies (c) and (d) as potentially being difficult to implement without further guidance on what is deemed to be inappropriate subdivision, use and development.

6.3 Policy 3 – New urban development on highly productive land.

Urban expansion must not be located on highly productive land unless:

- a. There is a shortage of development capacity to meet demand (in accordance with the NPS-UDC methodologies and definitions); and**
- b. It is demonstrated that this is the most appropriate option based on a consideration of:**
 - **A cost-benefit analysis that explicitly considers the long-term 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.**

Given that our towns and villages are largely surrounded by LUC 1 – 3 soils, the location of urban expansion is a critical issue for Waikato District Council. In the short-term, the most important aspect of Policy 3 is the criteria of (b). Waikato District Council considers additional direction and support for Council’s is needed to determine the most appropriate option.

In the longer term, depending on the direction from the Regional Council, Waikato District Council may find that our towns and villages are overly constrained by this Policy, as our District has been identified as “high growth” in the NPS-UDC due to our proximities to both Hamilton City in the south and Auckland in the north.

Council would like further direction on Policy (b) in regards to cost benefit analysis and considers a template would provide direction to Council and would ensure a consistent approach/methodology nationally. Without this, Council are concerned that this policy may open the door to development.

Council are also concerned that policy such as Plan Change 1 to the Waikato Regional Plan will have an impact on how Council considers the implementation of Policy 3, given that Plan Change 1 seeks to improve water quality, which means that the cost benefit analysis does not necessarily favour primary production. The effect of this plan change is to limit the yield and production in terms of both agriculture and horticulture.

The policy does not address cross-boundary effects or the impact that Future Urban Zoning within other jurisdictions may have on our district's primary productive land. For example, the Future Urban Zoning identified around Pukekohe in the Auckland Unitary Plan adjoins our territorial boundary. The same exists at the interface of the Hamilton territorial boundary, where new areas are planned for future urban development. Waikato District Council are concerned that if urban expansion on high class soils is enabled through Future Urban Zones or areas already identified for future urban development, then there will be an impact on areas of highly productive land within our District. Council are likely to find more pressure for zone changes on our side of the territorial boundary. Council are seeking guidance in respect to these cross-boundary effects at the interface of the future urban zoning.

Key points for Policy 3:

- In the short-term, the most important aspect of Policy 3 is the criteria of (b).
- Council considers additional direction and support for Councils is needed to determine the most appropriate option.
- The Waikato District has been identified as "high growth" in the NPS-UDC due to our proximities to both Hamilton City in the south and Auckland in the north.
- Council supports a template or additional guidance on cost benefit analysis to ensure national consistency.
- Council are concerned that policy such as Plan Change 1 to the Waikato Regional Plan, which seeks to improve water quality, means that the cost benefit analysis may not favour primary production.
- The policy does not address cross-boundary effects or the impact that Future Urban Zoning within other jurisdictions may have on our district's primary productive land.
- Council are concerned that if urban expansion on high class soils is enabled through Future Urban Zones or areas already identified for future urban development there will be an impact on areas of highly productive land within our District.

6.4 Policy 4 – Rural Subdivision and Fragmentation

Territorial authorities must amend their district plans to manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land, including by:

- a. Setting minimum lot size standards for subdivision located on highly productive land to retain the productive capacity of that land;**
- b. Incentives and restrictions on subdivisions to help retain and increase the productive capacity of highly productive land; and**
- c. Directing new rural lifestyle development away from areas of highly productive land.**

While the intent of the policy is understood, Waikato District Council are of the view that further guidance or direction needs to be provided as to what minimum lot sizes would need to be to ensure highly productive land is retained. Subdivision minimum lot sizes differ greatly from Council to Council depending on interpretation of what a "productive" lot size is.

While it would be helpful for some national consistency on this policy, Councils do need the flexibility to ensure that communities have input into the process of determining what subdivision provisions are

“best fit” for their aspirations. Some national direction on minimum lot sizes could potentially save Council’s litigating rural subdivision provisions.

Council would also like additional guidance or direction on the incentives and restrictions on subdivisions referred to in policy (b), given that this also could vary from Council to Council. Waikato District Council is concerned that if transferable subdivision regimes are used as incentives, this can lead to sporadic unplanned growth, unless directed to certain areas (in which case it is a better option to zone the land). In order to achieve consistent implementation of the policy, some assistance would be beneficial. Council welcome a case study on the transferable subdivision regime in the former Franklin District Plan.

In regards to policy (c), Waikato District Council have proposed similar policy in the Proposed District Plan. It is a challenge to direct rural lifestyle development away from areas of highly productive land where subdivision opportunities exist. For example, in the Waikato District, where a title is eligible for subdivision within the rural area, it can subdivide and create an additional lot. Council would need to adopt a new subdivision regime to address this policy. As above, Council requires direction as to what minimum lot size is appropriate in the Rural Zone.

Key points for Policy 4:

- Further guidance or direction needs to be provided as to what minimum lot sizes would need to be to ensure highly productive land is retained, provided it does not take away from the communities’ right to influence the “best fit” subdivision provisions for their communities.
- It would be helpful for some national consistency in regards to setting a minimum lot size (where Councils can go tighter if they need to). This would be more cost effective and potentially avoid litigation.

6.5 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:

- a. Identify the typical activities and effects associated with primary production activities on highly productive and that should be anticipated and tolerated in rural areas;**
- b. Restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities;**
- c. Establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and**
- d. 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.**

While these policies are well intended to address reverse sensitivity issues, Council do not agree that the NPS should impose policy to manage reverse sensitivity effects. These should be managed at a localised level by Territorial Authorities. This issue also goes beyond the issue of protecting productive land and relates to protecting rural land use, which is not the focus of this NPS.

Every productive activity has such individualised effects dependant on the scale of the activity. If a District Plan is working in practice it should ensure reverse sensitivity effects are well considered at the time of decision making, particularly in respect to subdivision and zoning changes.

One of the biggest challenges for Council is to ensure the interface between rural and urban land is managed. Council also face this challenge with the industrial/residential interface. It is Council's view that reverse sensitivity effects should be managed at the time any plan change or subdivision is considered and rules or conditions of consent applied at the time decisions are made.

Key points for Policy 5:

- Council do not agree that the NPS should impose policy to manage reverse sensitivity effects.
- Reverse sensitivity effects should be managed at a localised level by Territorial Authorities.

6.7 Policy 6 – Consideration of private 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:

- a. The alignment of the request with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land;**
- b. 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**
- c. Whether there are alternative options for the proposed use on land that has less value for primary production.**

Waikato District Council generally supports this policy and agrees that private plan changes should consider the impact on highly productive land. However in regards to the implementation of policy (b) Council questions how this work will be undertaken given that private plan changes are funded privately and these tasks would impose cost and additional work that Council would need to undertake (i.e. economic assessments). It is our view that the private developers should cover these costs and this should be made more explicit.

In regards to policy (c), Council considers this needs to be deleted from the NPS as private developers will often only be looking at one location (i.e. the land they own), hence won't necessarily be looking at alternative options. Alternatively the wording "options available to the developer for the proposed use..." could be used.

Key points for Policy 6:

- Council question the implementation of policies (b) and (c) and how this work will be undertaken given that private plan changes are funded privately and relate to specific areas of land (owned by the developer/applicant).
- These tasks would impose cost and additional work that Council would need to undertake (i.e. economic assessments).
- It is Council's view that private developers should cover costs and this should be made more explicit.
- Policy (c) either needs to be deleted or alternative wording used.

6.8 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:

- a. The alignment of the application with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land;**
- b. The extent to which the subdivision or development will impact on the existing and future use of the land for primary production;**
- c. The practical and functional need for the subdivision or urban expansion to occur at that location;**
- d. The potential for reverse sensitivity effects and proposed methods to avoid or mitigate potential adverse effects on, and conflicts with, lawfully established activities; and**
- e. 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.

Waikato District Council supports the intent of Policy 7 in general. However it is uncertain how the matters Council must have regard to will work in practice in the absence of District Plans not providing strong direction through objectives and policies that reflect what the NPS-HPL is seeking (i.e. minimum lot sizes, directing development away from highly productive land).

If policy 7 were to be directly inserted into the District Plan without going through the Schedule 1 process, it would still lack the clarity that decision makers need from the rule framework, for example rural subdivision or rules that direct different methods if development or subdivision is located on highly productive land.

Section 104(1)(b)(iii) of the Resource Management Act enables resource consent planners to consider policy 7 in resource consent decisions, but is only one aspect for consideration and if the rules in the District Plan are relatively permissive in regards to activities within the zone, on balance the decision maker may struggle to decline the application. For instance a rule in the District Plan may enable subdivision as a restricted discretionary activity and the applicant may meet all of the rule criteria and demonstrate compliance with the matters of discretion (which may or may not refer to highly productive land).

Policy 7(d) in regards to reverse sensitivity is a matter that is generally covered by District Plans and therefore we question whether it needs to be in the National Policy Statement.

Key points for Policy 7:

- Council are uncertain as to how this policy will work in practice in the absence of District Plans not providing strong direction through objectives and policies that reflect the NPS-HPL (i.e. minimum lot sizes, directing development away from highly productive land).
- On balance decision makers may struggle to decline resource consent applications.
- Council questions whether reverse sensitivity is a matter that needs to be in the National Policy Statement.

7.0 Timeframes and Cost

Waikato District Council is generally supportive of the proposed timeframes. Initially Council staff were hoping that there might be some direction to use the policies of the NPS-HPL to inform and shape the Proposed District Plan. However until highly productive land is defined by the Regional Council, it is difficult for Council to know what the “right fit” will be in terms of District Plan provisions that Council could use.

Given Council’s comments in regards to the proposed policies, a two year timeframe from the time the Regional Council identify highly productive land may be a challenge where new plan provisions need to be prepared in accordance with Schedule 1. Council suggest that a 3 year timeframe might be more realistic.

Key points:

- Until highly productive land is defined by the Regional Council, it is difficult for Council to know what the “right fit” will be in terms of District Plan provisions that Council could use.
- The proposed two year timeframe may be a challenge where new plan provisions need to be prepared in accordance with Schedule 1. Council suggests that 3 years might be more realistic.