

## WAIMAKARIRI DISTRICT PLAN REVIEW

### MEMORANDUM TO HEARING PANEL

**FILE NO AND TRIM NO:** DDS-06-10-02-04-01 / 221011175610  
**DATE:** 30 June 2023  
**MEMO TO:** Hearing Commissioners  
**FROM:** Mark Buckley S42A Reporting Officer for Rural Zones  
**SUBJECT:** National Policy Statement on Highly Productive Land

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### **Purpose**

1. The purpose of this memorandum is to respond to the question in paragraph 7 of the Minute 4 – Matters and Questions Arising from Hearing Streams 1 and 2:

*“...setting out their intended approach to addressing submissions relating to the NPS-HPL, and ensuring the NPS-HPL is given effect to through the PDP, including how they see that the NPS-HPL applies to the Waimakariri District.”*

2. This memorandum sets out Councils intended approach to addressing submissions relating to the NPS-HPL, how the Proposed District Plan (PDP) will give effect to the NPSHPL, and how Council sees it applying to the District.

3. The memorandum will provide:

- a. an overview of Land Use Classification Class 1 to 3 soils within the district;
- b. a comparison of the approaches between NPS-HPL and the Regional Policy Statement (RPS);
- c. a brief explanation of the rural environment in the district; and
- d. a view on the application of the NPS-HPL and the highly versatile soils provisions in the RPS to the PDP.

4. The timeline for the various documents that form part of this memorandum are as follows:

- RPS Operative 15 January 2013;  
RPS Change 1 to Chapter 6 July 2021;
- PDP Notified 18 September 2021;

- PDP Submissions close 26 November 2021;
- NPS-HPL released 12 September 2022;
- NPS-HPL comes into force 17 October 2022; and
- PDP Further submissions close 21 November 2022

## Background Soils Information

- The NPS-HPL uses the Land Use Capability Classification system that was originally developed in the 1950s to help with the sustainable management of farmland. The original intent<sup>1</sup> was to enable the identification of land susceptible to soil erosion on a regional basis and direct land use to areas considered more suitable. This information was folded into the Land Resource Inventory that mapped the entire country between 1973 and 1979.
- The LUC system categorises land into eight classes (Classes 1 – 8) according to their long term capability to sustain one or more productive uses, as shown in Figure 1 below.

LUC Class	Arable cropping suitability†	Pastoral grazing suitability	Production forestry suitability	General suitability
	1	High	High	High
2	↓ Low	↓ ↓ Low	↓ ↓ Low	
3				
4				
5	Unsuitable			Low
6				
7		Unsuitable	Unsuitable	Conservation land
8				

Increasing limitations to use
Decreasing versatility of use

Figure 1. LUC class category. This is the basic category used in the NPS-HPL.

- Clause 3.4(1) defines highly productive land as being predominantly LUC 1, 2 or 3 land within a general rural zone or rural production zone, that forms a large and geographically cohesive area. Figure 2 shows the distribution of the LUC Classes 1 to 3 land within the district. A general observation is that there are three main clusters of Classes 1 & 2 land; Southbrook/Ohoka, Sefton and around Cust. Class 3 land is located generally in a broad

<sup>1</sup> Land Use Capability Survey Handbook, 3<sup>rd</sup> Edition 2009

band between the Waimakariri River in the south and the Rakahuri/Ashley River to the north up to the foothills west of Oxford and Okuku. There is an area of Class 3 land in the northern end of the Lees Valley.



Figure 2. LUC Classes 1 to 3 land within Waimakariri District.

8. Clause 3.4(3) of the NPS-HPL also enables regional councils to classify land as highly productive land, where it has the potential to be highly productive for land based primary production (based on current uses of similar land in the region) and “...*having regard to the soil type, physical characteristics of the land and soil, and climate of the area*”.
9. For Waimakariri District, land with the potential to be defined as highly productive land would be limited to LUC 4 land. The location of the LUC 4 land is shown in Figure 3 below, noting that LUC 4 land is predominantly to the north of the Waimakariri River around Eyrewell, pockets around Okuku and the southern end of Lees Valley. Figure 3 also shows that there is no LUC 5 land in the Waimakariri District, with LUC 6, 7 & 8 land in the hills not having the potential to be considered as highly productive land.
10. With regard to ‘soil type’, the LUC land classes roughly match the soil type for the area, with Brown soils dominating the LUC Class 4 soils along the Waimakariri and Okuku rivers (Appendix 1). Gley soils (predominantly Classes 3 and 4 land) have high clay and silt content and are generally poorly drained.

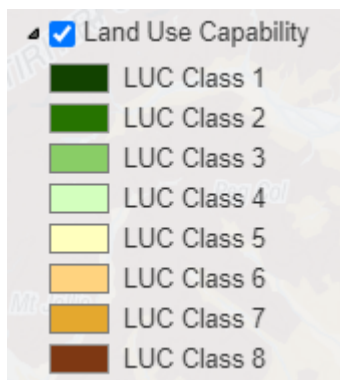
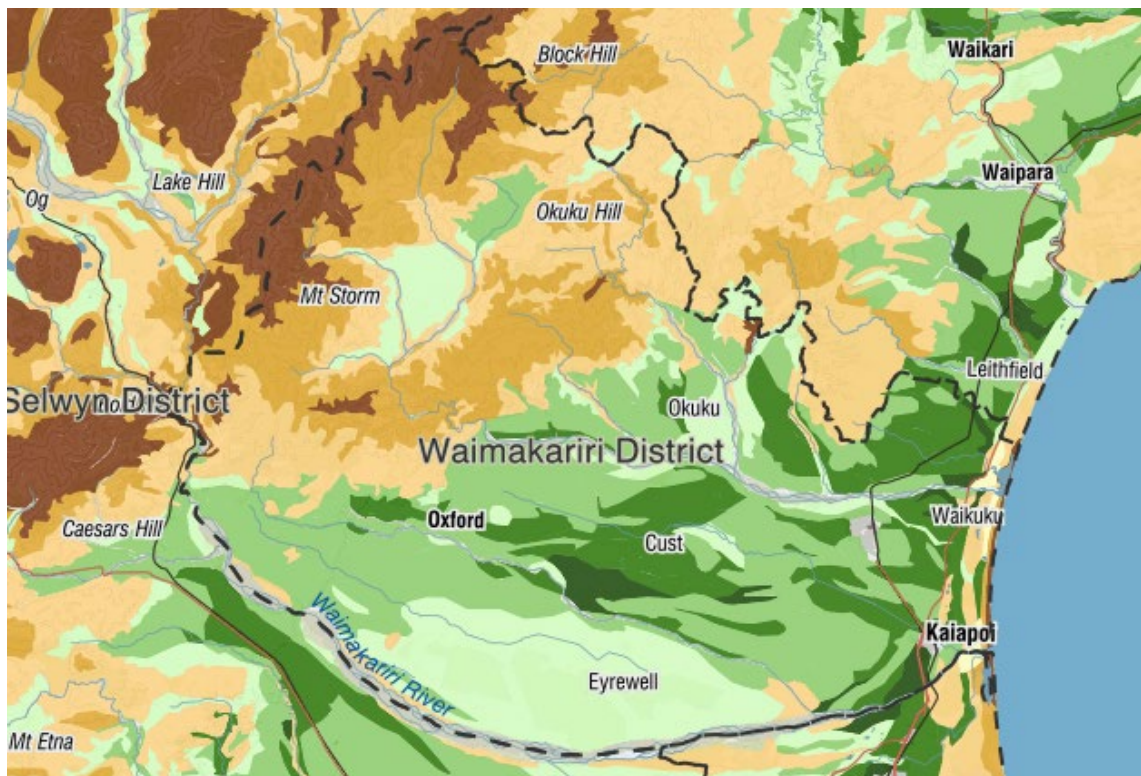


Figure 3: Land Use Capability land classes within Waimakariri District (District boundary shown in dashed black line).

11. It is noted that the physical characteristics of the land and soil in the Class 4 land between the Eyre River and the Waimakariri River have been addressed through the introduction of irrigation, enabling a range of primary production to be established, particularly dairy farming (including Ngai Tahu Farming Dairy Hub). As such, it would be anticipated that the land in this area would meet the definition of highly productive land.
12. For this purpose, I consider to truly understand whether an area of land is highly productive, consideration needs to be given to the wider farm management practices.

Poor land management and/or climate change can turn highly productive land into poor land and vice versa<sup>234</sup>.

## Waimakariri's Rural Environment

13. The Operative District Plan (ODP) contained one rural zone in line with district plan zoning practices of the time, which enabled subdivision down to 4ha as a controlled activity, subject to meeting a number of other 'effects' based rules such as servicing and the provision of appropriate vehicle access. Subsequently the National Planning Standards 2019 (NPS) introduced three rural zones, comprising the General Rural Zone, Rural Production Zone and the Rural Lifestyle Zone. The PDP has used General Rural (GRUZ) and Rural Lifestyle (RLZ) as rural zones.
14. A Rural Production Zone was generally not considered in the PDP due to the fragmented nature of the land and the dispersed location of intensive primary production and rural industries<sup>56</sup>. This decision was made prior to the introduction of the NPS-HPL and the direction within the notified PDP. The PDP also uses a Large Lot Residential Zone (LLRZ), which enables a more intensive rural lifestyle comprising lot with an average size of 5,000m<sup>2</sup>.
15. It was envisaged that some primary production would still occur on rural lifestyle blocks<sup>5</sup>. Some of the blocks contain poultry and piggery operations, orchards and specialist crops (cucumbers, herbs). Horticulture NZ noted in their submission that fruit and vegetable growing operations occurred on the larger properties of between 20 to 50ha.

## NPS-HPL and RPS Provisions

### NPS-HPL

16. The NPS-HPL came into force on the 17 October 2022. Objective 2.1 of the NPS-HPL is to ensure that sufficient highly productive land (HPL) is available for primary production use, both now and for future generations<sup>7</sup>. It requires regional councils to identify and map HPL comprising of spatially large geographically cohesive areas of predominantly Land

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<sup>2</sup> MfE, 2021 Our Land. New Zealand Environment Reporting Series.

<sup>3</sup> Moller H et al, 2008. Intensification of New Zealand agriculture: implications for biodiversity. New Zealand Journal of Agricultural Research, Vol 51. Pp. 253-263.

<sup>4</sup> Houlbrooke D.J. et al, 2011. Land-sue intensification in New Zealand: effects on sil properties and pasture production. Journal of Agricultural Science. Vol 149. Pp. 337-349.

<sup>5</sup> Section 7 of Section 32 Rural report

<sup>6</sup> Note that only 19% of the land within the RLZ is over 8ha in size (Section 32 report).

<sup>7</sup> Paraphrase of Objective 1



Use Capability Class (LUC) 1-3 land, with the discretion to include other classes of LUC land, and incorporate HPL maps into the Regional Policy Statement (RPS).

17. No later than two years after the NPS-HPL highly productive land mapping amendment to the RPS becomes operative, territorial authorities must notify changes to objectives, policies and rules in their district plans to give effect to the NPS-HPL. It should be noted that the Regional Council is starting consultation with local authorities in July 2023 on setting criteria for mapping, with a plan to notify a mapping amendment to the RPS in December 2024<sup>8</sup>.
18. In the interim (until a RPS containing HPL maps is made operative), the district council must apply the NPS-HPL when making plan change or resource consent decisions in relation to land that is zoned general rural or rural production and identified as LUC 1-3 land. However, this interim requirement does not apply where land, as at 17 October 2022, had been identified for future urban development, or was subject to a Council initiated or adopted notified plan change to rezone from general rural or rural production to urban or rural lifestyle (Clause 3.5.7).

**Clause 3.5.7** *Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:*

*(a) is*

*(i) zoned general rural or rural production; and*

*(ii) LUC 1, 2, or 3 land; but*

*(b) is not:*

*(i) identified for future urban development; or*

*(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.*

19. Under clause 3.5.7 the NPS-HPL provisions on highly productive land would not apply to the RLZ zone. My reasoning, based on the plain and ordinary wording of Clause 3.5.7 is based on the fact that a district plan review is in effect a large-scale plan change (or collection of changes) that in part notified a rural lifestyle zone; although it should be noted that in notifying this change, the Rural Lifestyle Zone in the PDP was made in advance of the NPS-HPL and therefore it was not decision cognisant of the final NPS-HPL. Despite

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<sup>8</sup> Email discussion with ECan 27<sup>th</sup> June 2023.

this, I note that the RLZ in the PDP was prepared under the rural lifestyle zone descriptor in the National Planning Standards, that was not redefined in the NPS-HPL.

20. However; as the NPS-HPL itself does not specifically address the specific scenario of a whether a notified plan review proposing changes exists, it could be read that the intention was that this exemption would apply to areas 'subject to a plan change' (**my emphasis**) that would generally consider a specific site or area, rather than a more macro scale analysis of the district's planning framework as occurs in a wider plan review.
21. Having considered both points, I prefer the interpretation that the NPS-HPL does not apply to RLZ that is either operative, or is subject to a review/change of that provision (until a decision is made).
22. The Objective and Policies of the NPS-HPL are appended (Appendix 2). While the policies are directive, there are a large number of exclusions to enable residential development to apply to land that would otherwise be considered as highly productive.
23. Policy 8 is a protective policy for highly productive land against inappropriate use and development. Inappropriate use and development is not defined.

### **Regional Policy Statement**

24. The relevant RPS provisions around versatile soils are appended (Appendix 3). It should be noted that Chapter 5 provisions regarding highly productive land only apply to those areas outside of the Greater Christchurch area. The land inside the Greater Christchurch area is covered by the Chapter 6 provisions, in particular Policy 6.3.9(5)(g) regarding avoiding significant reverse sensitivity effects with adjacent rural activities.
25. The versatile soil provisions in the RPS generally enable development on the soils, where adverse effects are avoided, remedied or mitigated, while restricting land fragmentation. The RPS land use provisions within the Greater Christchurch area in Chapter 6 are more directive towards enabling urban development as a response to the Canterbury earthquakes and do not contain any provisions around the protection of versatile soils, but does limit urban development to priority greenfield areas in Map A.<sup>9</sup>
26. It should be noted that despite having a definition for versatile soils, and that term is used in introductions, issues and explanations, the term is not used in any policy provisions. Policy provisions mainly refer to not foreclosing the present and future primary production capacity.

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<sup>9</sup> See paragraph 28 in Council right of reply on Urban Form and Development.

27. Neither the RPS nor the PDP define what is highly productive land.

## **PDP Submissions on HPL and/or Versatile Soils**

28. Appendix 4 contains a list of the submissions that relate to either versatile soils or highly productive land.

29. There are a number of submitters (Hort NZ, Federated Farmers and Forest and Bird), Christchurch City Council, and Environment Canterbury Regional Council, who want greater application of the versatile soils provisions and the protection of rural production land in accordance with the objectives and policies of RPS.

30. Those that oppose the consideration of versatile soils or highly productive land are generally rural property owners who would like to enable their land to be rezoned to Rural Lifestyle Zone to enable subdivision.

31. Of note are a number of submissions who have properties that are in the proposed General Rural Zone who want to be able to subdivide down to 4ha on the basis that their land isn't productive. This is despite some of the land holdings being between 20 to 45ha and comprising LUC class 2 and 3 land. This highlights the point that farm management practices and external constraints can influence productivity of the land.

32. In my opinion, the wording of the submissions provide sufficient scope to enable the necessary response to the NPS-HPL to be undertaken now (ie ahead of the mapping to be undertaken by the Regional Council). These recommended changes can be reviewed and reported on again, once the proposed change to the RPS has been publicly notified at the end of 2023

## **Application of NPS-HPL and RPS**

33. Section 3.5(7)(b)(ii) of the NPS-HPL excludes RLZ from the policy provisions. However, the RPS provisions still apply as they are not zone specific.

34. I therefore consider that In the GRUZ zone, the NPS-HPL and RPS provisions will apply.

35. The relevant objectives and policies of the Rural chapter that are specific to soils, primary production or/ highly productive land are included in Appendix 4 and summarised as follows.

36. Policy RURZ-P2(2)(a) makes direct reference to maintaining the availability of land and minimising adverse effects on soil and highly productive land. In my opinion the policy falls short of the protection-based policies of the NPS-HPL (Policies 7 and 8).



37. Policy RURZ-P6 recognises that some industrial activities, such as sawmills, timber processing, dairy factories and meat processing facilities, require sites that are remote from residential areas. The GRUZ and RLZ zones provide for industrial activities as discretionary activities.

38. An assessment by Macfarlane Rural Business Ltd (2018)<sup>10</sup>, identified the minimum land areas required for land based primary production (Table 1). The report noted that for the 4ha blocks *“these properties replaced productive farm land and with a general lack of expertise and scale, production off these properties is generally sub-optimal”*.

39. The conclusion of the investigation was *“there are very few agricultural or horticultural farming practises that would justify a farming business of 4ha (with the exception of very intensive vegetable production or glasshouse operations), even if they are operated to the highest level. The reality is that most properties under 10ha have been purchased for lifestyle purposes and the majority of the household income is derived off farm. Furthermore, once the house and amenities are deducted from the total area, the effective farming area on a 4ha property could be as low as 2ha. Whilst in theory a group of 4ha properties could be operated in conjunction to achieve scale, this is unlikely to be successful given owners will often have differing priorities and the fact that the small paddock sizes will limit operational efficiency”*.

Production System	Minimum Productive Area (Hectares)
Speciality Small Seeds (e.g. Carrot)	10 - 15
Horticulture (e.g. Apples)	10 - 15
Vegetables (e.g. Potatoes)	15 - 20
Dairy Support and Dairy	20 - 40
Mixed Cropping/Livestock	20 - 40
Intensive Breeding Finishing	40
Extensive Breeding and Finishing	100

Table 1. Minimum area by land use.

40. Given my conclusion in paragraph 19 above, if the preferred reading was adopted, the policies of the NPS-HPL would not apply to the RLZ until such a time that the Regional Council has completed its mapping of highly productive land and implemented a change to the RPS. Of note is that RLZ land has not been excluded from potentially being mapped

<sup>10</sup> [https://www.waimakariri.govt.nz/data/assets/pdf\\_file/0025/98404/26.-Waimakariri-District-Plan-Review-v2.pdf](https://www.waimakariri.govt.nz/data/assets/pdf_file/0025/98404/26.-Waimakariri-District-Plan-Review-v2.pdf)

and included as highly productive land (Clause 3.4(2) only excludes future urban development land).

41. The subdivision rules enable RLZ land parcels to be subdivided down to a minimum of 4ha as a controlled activity (inline with the previous provisions in the ODP) and 20ha minimum in the GRUZ zone.

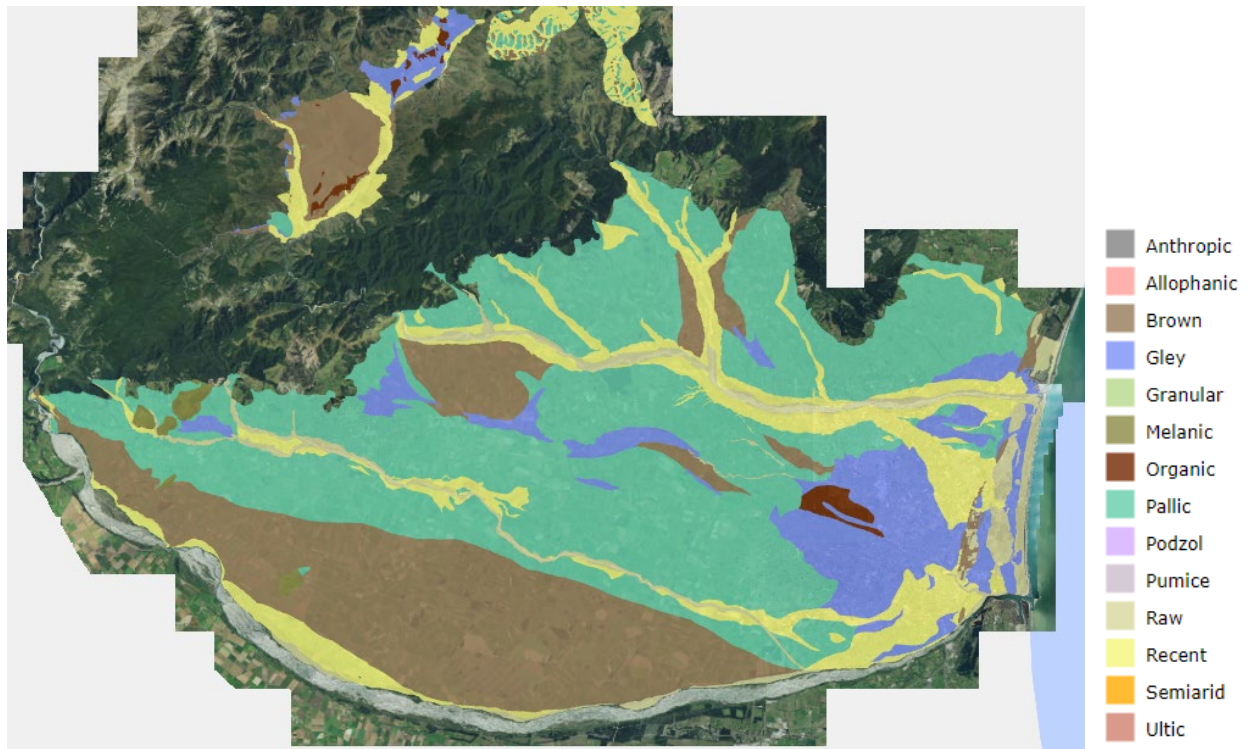
42. The Macfarlane report cited above found that most properties less than 10ha were likely to be mainly used for lifestyle purposes and could not necessarily be considered as highly productive land. The exception could be intensive indoor farming operations, such as poultry and pigs. However, these activities do not necessarily require highly productive land on which to operate (although it is understood that such land is sought after for its ability to absorb effluent).

## **Recommendations**

43. Based on the analysis above, I consider the at the time before highly productive land is mapped that the NPS-HPL applies to the PDP in the following ways:

- The NPS HPL does not apply to RLZ if it is determined that the proposed district plan falls within the bounds of clause 3.5.7.
- The NPS-HPL does apply in relation to the GRUZ Zone and overlays;
- Irrespective of the applicability of the NPS-HPL; the relevant provisions in the operative RPS will still be required to be given effect to; and
- Specific objectives and policies will be addressed in the rural report.

## Appendix 1 NZ Soil Map



## **Appendix 2 NPS-HPL Objectives and Policies**

### **Objective**

Objective: Highly productive land is protected for use in land-based primary production, both now and for future generations.

### **Policies**

Policy 1: Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.

Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.

Policy 3: Highly productive land is mapped and included in regional policy statements and district plans.

Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.

Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 8: Highly productive land is protected from inappropriate use and development.

Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

## Appendix 3 RPS Policies on Soils

### Chapter 5

#### Policy 5.3.2 Development conditions (Wider Region)

To enable development including regionally significant infrastructure which:

1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose :
  - a. existing or consented regionally significant infrastructure;
  - b. options for accommodating the consolidated growth and development of existing urban areas;
  - c. *the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;*
  - d. the protection of sources of water for community supplies;
  - e. significant natural and physical resources;

#### Policy 5.3.12 Rural production (Wider Region)

Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:

1. avoiding development, and/or fragmentation which;
  - a. forecloses the ability to make appropriate use of that land for primary production; and/or
  - b. results in reverse sensitivity effects that limit or precludes primary production.

### Chapter 15

#### Definition

*Soil versatility is an expression used to describe the land use capability of soils. A highly versatile soil has few limitations for use, that is it will be suitable for primary production with few inputs such as additional water or nutrients. Less versatile soil will need more inputs to achieve similar production, or will simply be unsuitable for agriculture or forestry. In the Canterbury Regional Policy Statement, versatile soils are those soils that are classified as Land Use Capability I or II in the New Zealand Land Resource Inventory.*

#### Objective 15.2.1 Maintenance of soil quality

Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.

#### Policy 15.3.1 Avoid remedy or mitigate soil degradation

In relation to soil:

1. to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and
2. to promote land-use practices that maintain and improve soil quality.

## Appendix 4 Submissions On Proposed District Plan

Sub Ref	Submitter	Provision	Decision Requested
169.11 <sup>1</sup>	NZPork	SD-O4	Amend SD-O4: Rural Environment <u>Waimakariri District's productive land and versatile soil is retained for primary production, and primary production activities are enabled to ensure that rural communities can thrive, use resources efficiently and contribute positively to the district and national identity and economy.</u>
295.7 <sup>113</sup>	Hort NZ	SD-O2	Amend SD-O2: <u>11. that avoids versatile soils and avoids creating incompatible activities on rural zone boundaries.</u>
316.3 <sup>1213</sup>	ECan	SD-O4	Amend SD-O4 to more explicitly provide for the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land.  (Support intent of SD-O4. However, policies 5.3.2 and 5.3.12 in the Canterbury Regional Policy Statement set out to safeguard the use of productive soils for primary production. Notes development of a proposed National Policy Statement on Highly Productive Land, may explicitly require the protection of high productive land.)
414.53 <sup>23</sup>	Federated Farmers	SD-O4	Amend SD-O4: " 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and <del>limit other activities</del> ; <u>2. limit other activities;</u> <u>23. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities; and</u>

<sup>11</sup> FS83 Federated Farmers support

<sup>12</sup> FS47 Hort NZ support

<sup>13</sup> FS41 Cowley oppose



			<u>4. protecting LUC 1 – 3 class land and other identified versatile soils from subdivision and development in order to maintain the life-supporting capacity of soil.</u>
			Urban Form and Development
295.205	Hort NZ	UFD-P1	Amend UFD-P1 to ensure the life supporting capacity of soils are safeguarded.
414.58 <sup>145</sup>	Federated Farmers	UFD-P1	Amend UFD-P1 by inserting an additional clause 3: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.206 <sup>5</sup>	Hort NZ	UFD-P2	Amend UFD-P2 to ensure the life supporting capacity of soils are safeguarded.
316.8 <sup>15</sup>	ECan	UFD-P2	Amend UFD-P2 to give effect to Chapter 6 in the Canterbury Regional Policy Statement.  (To give effect to Policy 5.3.12 of the CRPS, the need to protect highly productive soils should also be considered when assessing any new development areas.)
414.59 <sup>165</sup>	Federated Farmers	UFD-P2	Amend UFD-P2 by inserting an additional clause 3: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.207 <sup>5</sup>	Hort NZ	UFD-P3	Amend UFD-P3 to ensure the life supporting capacity of soils are safeguarded.
414.60 <sup>45</sup>	Federated Farmers	UFD-P3	Amend UFD-P3 by inserting an additional clause (2)(f): <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.208 <sup>5</sup>	Hort NZ	UFD-P4	Amend UFD-P4 to ensure the life supporting capacity of soils are safeguarded.
414.61 <sup>45</sup>	Federated Farmers	UFD-P4	Amend UFD-P4 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.209 <sup>5</sup>	Hort NZ	UFD-P5	Amend UFD-P5 to ensure the life supporting capacity of soils are safeguarded.
414.62 <sup>45</sup>	Federated Farmers	UFD-P5	Amend UFD-P5 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>

<sup>14</sup> FS105 ECan support

<sup>15</sup> FS41 Cowley oppose

<sup>16</sup> FS105 ECan support

295.210 <sup>5</sup>	Hort NZ	UFD-P6	Amend UFD-P6 to ensure the life supporting capacity of soils are safeguarded.
414.63 <sup>45</sup>	Federate Farmers	UFD-P6	UFD-P6 does not need any amendment as the relief in UFD-P2 would cover it.
295.211 <sup>5</sup>	Hort NZ	UFD-P7	Amend UFD-P7 to ensure the life supporting capacity of soils are safeguarded.
414.64 <sup>45</sup>	Federated Farmers	UFD-P7	Amend UFD-P7 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.212 <sup>5</sup>	Hort NZ	UFD-P8	Amend UFD-P8 to ensure the life supporting capacity of soils are safeguarded.
414.65 <sup>4</sup>	Federated Farmers	UFD-P8	Amend UFD-P8: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.74	Hort NZ	UFD-P9	Amend UFD-P9 to ensure the life supporting capacity of soils are safeguarded.
414.66 <sup>5</sup>	Federated Farmers	UFD-P9	Amend UFD-P9: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
316.15 <sup>17</sup>	ECan	UFD-P10	Provide clarity regarding what is meant by “new development areas”. Provide recognition for the irreversible loss of productive soils to new development areas which should be avoided unless necessary.
414.67 <sup>18</sup>	Federated Farmers	UFD-P10	Amend UFD-P10: <u>3. Minimise reverse sensitivity effects on primary production, including LUC 1-3 soils.</u>
			Rural Zones General Objectives and Policies
295.121	Hort NZ	Introduction: Rural zones	Amend the introduction to the General Objectives and Policies for all Rural Zones Chapter: The Rural Lifestyle Zone, recognises that this area comprises the densest rural settlement pattern in the District. This rural area is defined by its fine grained pattern of settlement and human induced characteristics. The zone provisions retain the focus of the zone by providing for primary production activities and other rural activities, while recognising that the predominant character is derived from

<sup>17</sup> FS41 Cowley oppose

<sup>18</sup> FS41 Cowley support in part

			<p>smaller sites. <u>While the sites are smaller than the GRUZ, they are still productive and the majority of the District's horticultural operations are within the RLZ.</u></p> <p>...</p> <p><u>Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. However, the availability of this land is gradually and irreversibly being reduced as a result of urban expansion and fragmentation by rural lifestyle developments. These developments are also causing reverse sensitivity effects and result in existing primary production being vulnerable to complaints. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development.</u></p>
360.20 <sup>1920</sup>	CCC	Introduction	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone, and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
295.125	Hort NZ	RURZ-P2	<p>Amend RURZ-P2:</p> <p>"Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> <li>1. <del>providing</del> <u>enabling</u> for primary production activities;</li> <li>2. <del>providing for</del> <u>enabling</u> those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where:..."</li> </ol>
			General Rural Zone
89.1	John Walker	General	Retain right to subdivide to 4ha for existing owners until they sell. Rezone areas with 4ha blocks not as General Rural Zone.

<sup>19</sup> FS105 ECan support FS47 Hort NZ support, FS118 Fulton Hogan support

<sup>20</sup> FS41 Cowley oppose

			(Oppose General Rural zoning and removing ability to subdivide 4ha lots, which was planned for retirement, consistent with neighbouring subdivisions. Property will be surrounded by 4ha blocks. This will cause hardship. Eastern areas have more fertile soils than west, but are not in General Rural Zone.)
148.11	Rangiora-Ashley Community Board	General	<p>Oppose 20ha subdivision limit in the General Rural Zone as the size is too small to be economic given water and nitrate restrictions.</p> <p>(Opposes 20ha restriction as insufficient for effective and economic farming. These were introduced in the 1970's for 'lifestylers' and were unsuccessful with results shown around the District, particularly on light stony soils. Amenity decreased and fire hazard from long grass in summer. 4ha was introduced as 'economic units', but many failed and bonds used to ensure compliance and mitigate damage, but this was insufficient and not effective. It would now be impossible to intensive farm on these lots because of nitrate, water and irrigation rules and effluent disposal regulations.)</p>
295.132	Hort NZ	Introduction	<p>Amend General Rural Zone Chapter introduction:</p> <p><u>"The General Rural Zone makes up the majority of the rural area within the District. The focus of the zone is on retaining the productive potential of land to be able to be used for primary production activity and rural activities. Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development...."</u></p>
281.2	Maurice Newell	General	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
414.189	Federated Farmers	GRUZ-P2	Amend the rural zone boundaries and lot sizes based on soil characteristics. LUC1-3 class land should be protected from smaller lot sizes and lesser quality land may be suited to 4ha lot sizes.
281.3	Maurice Newell	GRUZ-R3	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
414.191	Federated Farmers	GRUZ-R3	<p>Retain GRUZ-R3 as notified.</p> <p>(Support as it provides flexibility for net site area based on previous subdivision with minor exceptions. If concept of subdividing land with lower class soils to 4ha is incorporated into the subdivision standards, it</p>

			could provide for some subdivision in the General Rural Zone that may prevent fragmentation of productive rural land and loss of high class soils.)
281.5	Maurice Newell	GRUZ-R4	Allow applications lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
281.6	Maurice Newell	GRUZ-R41	Allow applications lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
281.7	Maurice Newell	GRUZ-R42	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
			Rural Lifestyle Zone
360.21 <sup>2122</sup>	CCC	General	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone, and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
148.7	Rangiora – Ashley Community Board	General	Request 1 to 1.5ha blocks near services in Rural Lifestyle Zone as people do not want 4ha for rural lifestyle, and this would be more efficient use of land, protect rural land for agriculture and reduce multiple septic tanks and ground water contamination resulting in a cleaner option consistent with three waters reform.  (Opposes provisions to allow 4ha blocks in the eastern part of the District on heavier and largely better soils, and not on the lighter western areas. This is inequitable for land owners in different parts of the district. The Rural Lifestyle Zone 4ha minimum is inefficient and wasteful of viable agricultural land. People wanting rural lifestyle do not want 4ha and 1-1.5ha near services would be more efficient land use protecting rural land for farming/agricultural. Oppose good quality land subdivided into uneconomic/unsustainable blocks, adversely affecting pollution and rural amenity. 4ha block ownership between three to four years which is not viable for the future. Some 4ha blocks should be available for people who can manage a lifestyle block. Request smaller lifestyle blocks, both 4ha and smaller, near existing services, reducing multiple septic tanks and ground water contamination with resulting cleaner option especially consistent with three waters reform.)

<sup>21</sup> FS105 Ecan support FS47 Hort NZ support FS118 Fulton Hogan support

<sup>22</sup> FS41 Cowley oppose

414.199 <sup>9</sup>	Federated Farmers	RLZ-O1	Amend RLZ-O1: "Primary production activities and activities reliant on the natural and physical resources, <u>including high class soils</u> <sup>23</sup> , of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone."
414.200 <sup>24</sup>	Federated Farmers	RLZ-P1	Amend RLZ-P1: "4. A zone that supports the high class soils present, including LUC classes 1-3"
295.175	Hort NZ	RLZ-R2	Amend RLZ-R2 setbacks for carbon forests  (Support RLZ-R2 enabling horticulture as a permitted activity but carbon forests remain in perpetuity. Oppose carbon forest as a permitted activity unless amended to safeguard the life supporting capacity of soils, including LUC 1, 2 and 3 soils.)
			Large Lot Residential Zone
8.1	Andrew McAllister	General	Rezone 1275 Tram Road, Swannanoa as Large Lot Residential Zone Overlay.  (Rezone 1275 Tram Road, Swannanoa as Large Lot Residential Zone Overlay. Versatile soils is less valid as a reason to not include the site in the overlay as farming use has been limited by the Rural Lifestyle Zone provision for 4ha subdivision, and have resource consent for 4ha subdivision. Rezoning would support links to the school and preschool, and development is feasible in relation to flood hazards. Possible future purchase of land in Winter Road could allow for proposed development to extend Swannanoa Fields. The northern overlay involves multiple owners which makes it difficult. Would be willing to donate some land to the school to provide for growth. Evidence and background information has been included in attachments.)
30.1	Nicky Cassidy	General	Rezone the areas on the fringe, or within a certain distance from Residential Zones, from Rural Lifestyle Zone to Large Lot Residential Zone. It is a good option to consider for the area around the golf course.  (Rezone 3.3681ha Marchmont Road property from Rural Lifestyle Zone (RLZ) to Large Lot Residential Zone (LLRZ) to allow subdivision. The eastern side of Golflinks Road has been rezoned to residential and this land is likely to be developed more intensely. Proposes a buffer zone between this development and current rural zoning. The size, soil quality, and specifics of the submitter's property are difficult for farming

<sup>23</sup> High class soils is not a defined term in either the RPS or PDP.

<sup>24</sup> FS47 Hort NZ support



			use and would not be of good value. Rezoning this, and similar properties from RLZ to LLRZ would allow for more market options, and drive interest in area.)
360.22 <sup>2526</sup>	CCC	General	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
295.119	Hort NZ	LLRZ-BSF7	Delete LLRZ-R36.  (Oppose LLRZ-R36 due to failure to safeguard life supporting capacity of soils.)
			Subdivision
295.99 <sup>27</sup>	Hort NZ	General	Insert new policy SUB-PX:  <u>"Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production."</u>
305.1	Marie Bax	General	Rezone 128 Baynons Road, Clarkville (Lot 3DP 36137) to Rural Lifestyle Zone for consistency with the surrounding properties.  (Rezone 128 Baynons Road, Clarkville to Rural Lifestyle Zone (RLZ). The property's soil composition means commercial crop production is not financially viable. The land cannot sustain viable horticultural or agricultural activities. The property's primary use is intermittent grazing of cattle and horses with supplementary feed.  ...128 Bayons Road should be within the RLZ as it does not meet the GRUZ requirements of supporting primary production as a standalone property.)  <i>Note – the property is LUC Class 3 soils and is 46ha in area</i>
414.206 <sup>28</sup>	Federated Farmers	SUD-O1	Amend SUB-O1(3):  "3. supports protection of cultural and heritage values, <u>high class soils</u> and conservation values, and

<sup>25</sup> FS105 ECan support

<sup>26</sup> FS41 Cowley oppose

<sup>27</sup> FS83 Federated Farmers support, FS105 ECan support

<sup>28</sup> FS41 Cowley oppose

414.207 414.208	Federated Farmers	SUB-P1 SUB-P2	Retain SUB-P1 & SUB-P2 as it does not require changes to implement submitter's request to acknowledge high class soil in Rural Lifestyle Zone and to enable smaller subdivision for areas with lesser productive soil.
192.82	Forest and Bird	Table SUB-S1	<p>Amend Table Sub 1 - Minimum Allotment Sizes:</p> <p>Raise the minimum lot size in Rural Lifestyle Zone or create smaller zones for smaller subdivisions such as the Rural Rangiora Zone or Rural Kaiapoi Zone etc., and increase size of General Rural Zone.</p> <p>(Unfortunate that opportunity to address widescale loss of productive soils is not addressed in the Rural Lifestyle Zone (RLZ) with minimum lot size at 4ha. This Zone encompasses an enormous amount of land. Council needs to address environmental issues from sprawl including loss of productive land, air pollution from increased traffic, increase in impervious structures, fracturing sensitive environments, loss of open space and increased flood risks.</p> <p>The zone is relatively flat and likely to be highly productive land of Land Use Capability 1 – 3, which is a valuable and limited resource. 4ha lots over a large potentially highly productive land does not appear to meet policies RURZ P-2(1), (2) and (3). The Ministry for Primary Industries document Valuing Highly Productive Land 2019 suggests Councils set minimum lot sizes on highly productive land that retains the land's productive capacity, noting that Christchurch City Council have more extensive minimum lot sizes where the minimum lot size for the Rural Waimakariri Zone is 20ha, 4ha for Rural Urban Fringe and Rural Templeton, 100ha for Rural Port Hills and 40-100ha for Rural Banks Peninsula. It is not integrated management to have 20ha on one side of the Waimakariri River and 4ha on the other side. The RLZ needs to be reduced, or increase minimum lot size to address ongoing loss and climate change.)</p>
281.1	Maurice Newell	SUB-S1	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
295.100 <sup>29</sup>	Hort NZ	SUB-MCD10	<p>Amend SUB-MCD10:</p> <p><u>"2. Potential reverse sensitivity effects with rural production on surrounding land.</u></p> <p><u>3. Loss of highly productive land or versatile soils from rural production."</u></p> <p>Or alternative relief to address the identified issue.</p>

<sup>29</sup> FS83 Federated Farmers support

Note that the text appearing in brackets is the explanation associated with the relief sought comment. This has been included to help give context to the relief sought.

## Appendix 5 PDP Objectives and Policies

### General Objectives and Policies for all Rural Zones

#### RURZ-O2 Activities in Rural Zones

Rural Zones support primary production activities, activities which directly support primary production, and activities with a functional need to be located within Rural Zones.

#### RURZ-P2 Rural Land

Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:

1. providing for primary production activities;
2. providing for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where:
  - a. adverse effects on soil and highly productive land are minimised;
  - b. the amenity values and character of Rural Zones are maintained; and
  - c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken.
3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations.

#### RURZ-P6 Industrial activity

In relation to industrial activity:

2. limit the establishment of industrial activity (other than rural industry) to circumstances where:
  - c. the scale of the industrial activity is such that it will not affect the availability of highly productive land within the zone to be used for primary production, to the extent that the productive potential of rural land to meet the reasonably foreseeable needs to future generations is undermined; and

### General Rural Zone

#### GRUZ-O1 Purpose of the General Rural Zone

Natural and physical resources and primary production activities which contribute to the District's rural productive economy dominate while fragmentation of land into small rural parcels is restricted.

**GRUZ-P2 Limiting fragmentation of land**

Maintain opportunities for land to be used for primary production activities within the zone by limiting further fragmentation of land in a manner that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless:

1. associated with the development of infrastructure which reduces the size of the balance lot or sites to below 20ha;
2. associated with the establishment of a bonus residential unit or creation of a bonus allotment;
3. the erection of a residential unit is protected by a legacy provision in this District Plan; and
4. it is for the establishment of a minor residential unit, where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan.

**Rural Lifestyle Zone**

**RZL-O1 Purpose of the Rural Lifestyle Zone**

Primary production activities and activities reliant on the natural and physical resources of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone.

**RLZ-P1 Character of the Rural Lifestyle Zone**

Maintain the character in the Rural Lifestyle Zone which comprises:

3. a zone supporting activities reliant on the natural and physical resources of the Rural Lifestyle Zone.

**RLZ-P2 Activities in the Rural Lifestyle Zone**

Retain opportunities for land within the zone to be used for primary production activities while maintaining the predominant character of small rural lots by avoiding new sites being created, or residential units being erected on sites, that are less than 4ha, unless: