

Assessment Against the National Policy Statement for Highly Productive Land 2022

Preface: The NPS-HPL requires that any land that is in a general rural zone or rural production zone, and is predominantly LUC 1, 2, or 3 land, and forms a large and geographically cohesive area to be mapped as highly productive land. For the purpose of this assessment, it is determined that the site while classified as highly productive land under the NPS, because the site does not form a large and geographically cohesive area it is not suitable to be used as highly productive land. Notwithstanding this, the following assessment against the objectives and policies of the NPS-HPL has been undertaken.

Provision	Text	Assessment
Objective 1	Highly productive land is protected for use in land-based primary production, both now and for future generations.	The site is not currently used for land-based primary productive purposes. The site provides grazing for a low number of stock periodically throughout the year and does not contribute economically or socially to the wider productive capacity. Land-uses within the immediate surrounding environment are either already used for residential purposes or are currently undergoing residential development. As such, it is anticipated that the site will eventuate into residentially zoned land. Given the site's current use, and the size of the site, it is considered unlikely that it will be used for land-based productive purposes in the future. It is therefore considered acceptable to re-zone the land as there is not currently or anticipated primary productive use requiring protection. The proposal is therefore considered to be neither consistent nor inconsistent with Objective 1.
Policy 1	Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.	The site is not currently used for or anticipated to be used for land-based primary productive purposes in the future. This is on the basis that residential infill development is occurring on sites in immediate proximity to the site, and it is anticipated that this area will continue to undergo residential development.

Provision	Text	Assessment
		While the site <u>may</u> have characteristics and long-term values for land-based primary production, the current land-use and expected future land-uses make it extremely unlikely this land will be used for land-based primary production. As such, the proposal is considered consistent with Policy 1, and it has recognised the characteristics while accounting for realised and future long-term values associated with this piece of land.
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.	The proposed plan change and ODP seeks to allow urban development on land which is underutilised and not currently used for land-based primary production. Given surrounding land-uses are primarily residential developments, it is expected that future use of the site will be limited to residential residences. Given the site is unlikely to be used for land-based primary production, the proposal is neither consistent nor inconsistent with Policy 2.
Policy 3	Highly productive land is mapped and included in regional policy statements and district plans.	Not Applicable – The Canterbury Regional Policy Statement and Christchurch District Plan have not been updated to reflect mapping of highly productive land. This is due to recency of the NPS-HPL's commencement. Therefore, the proposal is considered neither consistent nor inconsistent with the Policy 3.
Policy 4	The use of highly productive land for land-based primary production is prioritised and supported.	The site is not currently used for land-based primary production purposes. Rather the site is currently occupied by low density residential dwellings. Additionally, as the site is not being used for productive purposes, it's use as highly productive land is not currently prioritised and/or supported. It is likely that following the proposed plan change and ODP, the overall productive capacity of this specific piece of land will remain unchanged. For these reasons, the proposal is considered neither consistent nor inconsistent with Policy 4.

Provision	Text	Assessment
Policy 5	The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.	The proposal is considered to be consistent with Policy 5. This is on the basis that the rezoning may be provided for within Clause 3.6 (1) (a) & (c) of the National Policy Statement. The proposed urban rezoning will contribute to provisions of sufficient development capacity to meet demand for housing giving effect to the NPS-UD. The site is not currently used for land-based primary production purposes. Therefore, it is possible that there will be no loss of highly productive land. Additionally, environmental, social, cultural, and economic benefits of rezoning will outweigh the cost of losing the underutilised highly productive land. The proposal is therefore considered to be consistent with Policy 5.
Policy 6	The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.	Not Applicable – The proposal does not seek to rezone any land as rural lifestyle.
Policy 7	The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.	Not Applicable – The proposal is for a plan change and ODP only. No subdivision is proposed at this time.
Policy 8	Highly productive land is protected from inappropriate use and development.	The site is not currently used for land-based primary production purposes. Therefore, it is possible that there will be no loss of highly productive land. Additionally, environmental, social, cultural, and economic benefits of rezoning will outweigh the cost of losing the underutilised highly productive land. The proposal is therefore considered to be consistent with Policy 8.
Policy 9	Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.	The site to which the plan change and ODP applies is not currently used for land-based primary production activities. It is considered that any possible rural productive capacity is severely limited by existing reverse sensitivity effects of the surrounding residential areas. <i>Wandering dogs</i>

Provision	Text	Assessment
		and people are already a significant constraint. ¹ The proposal is therefore considered to be consistent with Policy 9.

Clause 3.10 in the NPS-HPL exemption for highly productive land subject to permanent or long-term constraints states that:

(1) Territorial authorities may only allow highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9 if satisfied that:

(a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and

(b) the subdivision, use, or development:

(i) avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and

(ii) avoids the fragmentation of large and geographically cohesive areas of highly productive land; and

(iii) avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based primary production from the subdivision, use, or development; and

(c) the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs

¹ Personal communication from Mr Warren Lewis.

associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

(2) In order to satisfy a territorial authority as required by subclause (1)(a), an applicant must

demonstrate that the permanent or long-term constraints on economic viability cannot be addressed through any reasonably practicable options that would retain the productive capacity of the highly

productive land, by evaluating options such as (without limitation):

(a) alternate forms of land-based primary production:

(b) improved land-management strategies:

(c) alternative production strategies:

(d) water efficiency or storage methods:

(e) reallocation or transfer of water and nutrient allocations:

(f) boundary adjustments (including amalgamations):

(g) lease arrangements.

It is considered that utilising the High-Productivity Land (HPL) would not be economically viable for a minimum of 30 years. It is considered that the proposed PPC meets all the limbs in the clause 3.10 test and therefore Council should be satisfied that this HPL can be rezoned too residential. Further evidence in respect of HPL is provided in section 6 of the Formative economic assessment (Appendix G)