

Wednesday, 24 November 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

District Planning and Bylaws Subcommittee Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Wednesday, 24 November 2021**

Te Wā:
Time: **10.30am**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance Services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **Group Manager: Planning & Regulatory Services - John
O'Shaughnessy and Environmental Policy Manager - Rowan
Wallis**

**Watch Council meetings
streamed live on our website
www.hastingsdc.govt.nz**

District Planning and Bylaws Subcommittee – Terms of Reference

A Subcommittee of the Strategy and Policy Committee.

Fields of Activity

The District Plan Subcommittee is responsible for advising the Strategy and Policy Committee by;

- Providing guidance to Council officers with regard to the drafting of the District Plan (or sections thereof) and consultation on discussion documents and drafts.
- Providing guidance to Council officers in respect of the drafting of Council's new or revised bylaws, and providing oversight of the Special Consultative Procedures.
- Te Tira Toitū te Whenua – Hastings District Plan Cultural Values to consider and advise Council how the cultural values of Waahi Taonga and Waahi Tapu are to be integrated within the District Plan.

Membership

- 6 Councillors.
- 3 Heretaunga Takoto Noa Māori Standing Committee Members appointed by Council.
- 1 externally appointed member with relevant qualifications and experience.
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – 5 members including 3 Councillors

Delegated Powers

- 1) To review and provide comment on draft new or received District Plan provisions and to recommend to the Strategy and Policy Committee the adoption of drafts for consultation.
- 2) To hear and consider all submissions reviewed in respect of any District Plan proposal and to recommend responses to the Strategy and Policy Committee.
- 3) To recommend to the Strategy and Policy Committee the final wording of any new or reviewed District Plan provisions for adoption by Council.
- 4) To review and provide comment on draft new or reviewed bylaws, and to recommend to the Strategy and Policy Committee the adoption of drafts for consultation for onward recommendation to Council to hear submissions and formal adoption.
- 5) To recommend to the Strategy and Policy Committee the final wording of any new or reviewed bylaw for adoption by the Council.

Wednesday, 24 November 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

District Planning and Bylaws Subcommittee Meeting

Kaupapataka

Agenda

Mematanga:

Membership:

Koromatua

Chair: Councillor Kevin Watkins

Ngā KaiKaunihera

Councillors: Bayden Barber, Alwyn Corban (Deputy Chair), Simon Nixon, Peleti Oli and Ann Redstone

Heretaunga Takoto Noa Māori Standing Committee appointees: Marei Apatu, Ngaio Tiuka and Tania Eden

Mayor Sandra Hazlehurst

Tokamatua:

Quorum:

5 - including 3 Councillors

Apiha Matua

Officer Responsible:

Group Manager: Planning & Regulatory – John O’Shaughnessy

Environmental Policy Manager – Rowan Wallis

Te Rōpū Manapori me te

Kāwanatanga

Democracy &

Governance Services:

Christine Hilton (Extn 5633)

Te Rārangi Take

Order of Business

Apologies – Ngā Whakapāhatanga

- 1.0** At the close of the agenda no apologies had been received.
 At the close of the agenda no requests for leave of absence had been received.

2.0 Conflict of Interest – He Ngākau Kōnatunatu

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

Confirmation of Minutes – Te Whakamana i Ngā Minitī

- 3.0** Minutes of the District Planning and Bylaws Subcommittee Meeting held Wednesday 22 September 2021.
(Previously circulated)

-
- 4.0** **Parking changes to District Plan - Information on National Policy Statement for Urban Development - Policy 11 and Subpart 8 of Part 3** **7**

-
- 5.0** **Solid Waste Bylaw Review** **11**

-
- 6.0** **Discussion Paper on National Policy Statement - Highly Productive Land and Intensive Rural Production** **17**

-
- 7.0** **Minor Items – Ngā Take Iti**
-

8.0 Urgent Items – *Ngā Take Whakahihiri*

Wednesday, 24 November 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Item 4

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā: Megan Gaffaney, Team Leader Environmental Policy
From:

Te Take: Parking changes to District Plan - Information on National Policy
Subject: Statement for Urban Development - Policy 11 and Subpart 8 of Part 3

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to inform the Committee of pending car parking changes to the Hastings District Plan. These changes will give effect to the National Policy Statement for Urban Development (NPS-UD) Car Parking that need to be enacted by 20 February 2022.
- 1.2 National Policy Statements (NPSs) are instruments that enable Government to prescribe objectives and policies for matters of national significance which are relevant to achieving sustainable management and gives direction to local authorities as to how they need to give effect to the policies and objectives of the NPS.
- 1.3 The parking changes to the District Plan are in line with the New Zealand Government's urban growth and carbon zero agenda, which aims to remove barriers to the supply of land and infrastructure and make room for cities to grow up and out by enabling urban space to be used for higher value purposes other than car parking and cut greenhouse gas emissions by attempting a shift towards more climate-friendly forms of transport. These are key components of the NPS-UD and Government's Carbon Zero plan amongst other strategic objectives.
- 1.4 Policy 11 of the NPS-UD prevents local authorities from setting minimum car parking rate requirements, other than for accessible car parks for mobility impaired people, and strongly encourages local authorities to manage the effects of car parking through comprehensive parking management plans. Developers may still choose to provide car parking, but the number of car parking spaces will be driven by market demand.

- 1.5 The NPS-UD does not however require the removal of accessible parking requirements for mobility impaired people. Our accessible parking requirements are currently expressed in the Hastings District Plan as a proportion of the minimum parking standards under Appendix 71.
- 1.6 The Ministry of the Environment’s Car Parking factsheet encourages territorial authorities to consider setting an absolute minimum number of accessible car parks and that the accessible parking rate may be based on building floor area.
- 1.7 In the Hastings District Plan the number of accessible parking spaces required are a proportion of the total number of parking spaces required. For example “Disabled persons parking for vehicles requiring wheelchair access shall be provided as follows: 1 space for up to 10 total spaces provided.
- 1.8 If the accessible parking provisions remain in their current form and minimum parking requirements are removed, there will be no guarantee that accessible car parks will be provided. Therefore to ensure mandatory minimums for accessible parking, a plan change under Schedule 1 of the Resource Management Act (RMA) would be necessary. This aspect would require an understanding of local circumstances, including access to public transport and the use of on-street accessible parking spaces in order to set appropriate minimum accessible parking rates for our District. This will be investigated as part of the parking management plan work and when this information is complete the recommendations will be brought back to the Committee next year.
- 1.9 MfE guidance states that while councils must remove rules, assessment criteria, policies and objectives that have the effect of setting minimum parking rates. However, it does not impact the following:
- rules and engineering standards that set dimensions for vehicle manoeuvring and car parking spaces when a developer chooses to supply car parks
 - parking for vehicles other than cars, such as bus and bike parking
 - short term parking for service and utility spaces, such as loading bays and drop-off areas
 - rules and other standards held under other statutes and regulations, such as the Building Code as it relates to access for car parks, accessible car parking and fire service vehicle access
 - rules which set the minimum rates of accessible car parks
 - rules which set maximum parking rates
 - managing the physical effects of car parking such as visual impacts, stormwater effects from impervious areas, and impacts on adjacent uses. Local authorities can continue to manage the effects in ways such as avoiding or managing surface level or front yard parking, and screening parking areas from adjacent activities.
- 1.10 This direction will result in stripping out certain provisions from the District Plan, in particular provisions that set minimum parking requirements under the Transport and Parking section of the Plan – 26.1.6D.
- 1.11 A comprehensive parking management strategy is in the early phase of development and will be worked on by an integrated project team, Transportation, Parking, Strategy and Planning. As an interim measure we intend to create guidance document on parking ratios for various land use activities. This guidance will include recommended ratios of parking spaces for a land use activity. This will be on the HDC website and possibly brochures.
- 1.12 Essentially it will change what is a statutory requirement in the District Plan to a non-statutory guide that will sit alongside the District Plan and will provide an indicator. For example, a retail shop would suggest a minimum of 1 space per 33sqm gross floor area and a child care centre would be guided to have 1 parking space per FTE staff member and on high traffic routes would recommend 1 drop off space per 5 children.

- 1.13 This approach will provide a transition for developers regarding the number of parking spaces they may need for the development instead of being left with a void of information. They can check the guide and decide for themselves, based on their knowledge of the future use, how many they provide, if any.

2.0 Recommendations - *Ngā Tūhunga*

- A) That the District Planning and Bylaws Subcommittee receive the report titled Parking changes to District Plan - Information on National Policy Statement for Urban Development - Policy 11 and Subpart 8 of Part 3 dated 24 November 2021.
- B) That the relevant parts of the Hastings District Plan will be amended in accordance with the requirements and date set by NPS-Urban Development.

Attachments:

There are no attachments for this report.

Wednesday, 24 November 2021

Item 5

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: **Angela Atkins, Waste Planning Manager**

Te Take:
Subject: **Solid Waste Bylaw Review**

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to inform the District Planning and Bylaws Subcommittee that a review of the Hastings District Council (HDC) Solid Waste Bylaw will be completed in 2022.

2.0 Background

- 2.1 The Joint Waste Management and Minimisation Plan (WMMP) 2018 – 2024 identified Council planning controls (including the Bylaw) as a specific action to be reviewed and align with the Joint WMMP.
- 2.2 Harm from residual waste remains a significant issue and in the context of the Bylaw includes issues related to household waste, resource recovery sites, hazardous waste, litter and illegal dumping.
- 2.3 The solid waste bylaw could be seen as having limited effectiveness (within the constraints of the resources available and current legislation) and need to be improved.
- 2.4 The Bylaw currently provides a framework detailing residents' obligations for the Council's previous kerbside refuse and recycling collection services.

3.0 Bylaw review procedure

- 3.1 The Local Government Act 2002 sets out the general procedures for dealing with bylaw reviews.
- 3.2 Section 158 of the Local Government Act 1974 requires that a local authority must review a bylaw made under the Local Government Act 1974 no later than 5 years after the bylaw was made.
- 3.3 Further reviews of bylaws every 10 years.

- 3.4 Section 159 of the Local Government Act 1974 states that a bylaw must be reviewed no later than 10 years after it was last reviewed.
- 3.5 The Local Government Act 2002 sets out the general procedures for dealing with bylaw reviews.
- 3.6 Section 155 of the LGA 2002 requires Council:
- determines whether the bylaw is the most appropriate way of addressing the perceived problem; and
 - if it is determined that a bylaw is the most appropriate way of addressing the perceived problem, determine whether it is the appropriate form of bylaw; and
 - gives rise to any implications under the New Zealand Bill of Rights Act 1990.
- 3.7 The five year review should determine whether each clause is still relevant, appropriate and useful.
- 3.8 Although the consolidated bylaw has recently undergone the five year review, the refuse sub clause 10.3 remained unchanged. This can be reviewed at any time suitable to Council.
- 3.9 The review will identify the options available to both Councils (HDC and NCC) in terms of solid waste.
- 3.10 This review will also give consideration to the: Waste Minimisation Act 2008, Joint WMMP and the New Zealand Waste Strategy. The Councils have a responsibility to promote waste management and minimisation under these controls.

4.0 Considerations

- 4.1 This review will be undertaken jointly with NCC due to a number of factors including, the Joint WMMP, Joint ownership of Ōmarunui Landfill and neighbouring authorities. Given these factors, it would be prudent to undertake the reviews together.
- 4.2 Officers will engage a suitably qualified provider to help undertake the reviews. Officers are also mindful of the need to be responsive to the upcoming legislative changes, and this may change the way we need to approach the review of the bylaws as information is released.
- 4.3 An independent legal overview may be undertaken to establish a draft document for public consultation depending on the changes identified and recommended for inclusion.
- 4.4 Officers will also draw on the internal knowledge and expertise of others officers across both Councils.
- 4.5 LOCAL CONTEXT
- 4.6 The current problem is that not all waste issues are covered under the Bylaw.
- 4.7 In addition, some waste issues that are already covered by the Bylaw, such as misuse of kerbside collection services, need to be reviewed to ensure alignment with the new Council kerbside collection contracts.
- 4.8 Examples of waste issues not currently regulated by the Bylaw include:
- Waste management at events and multi-unit dwellings
 - Use/access to waste facilities
 - Privately provided waste services
 - Disposal of hazardous waste (e.g. medical waste) and prohibited material in kerbside bins
- 4.9 Examples of waste issues covered by the Bylaw which are still causing problems include:
- General misuse of kerbside waste collection services by residents

- Disposal of commercial and domestic waste in public bins

4.10 Waste issues can increase harm from residual waste or hinder Council's statutory obligation to collect data. For example:

- Contamination of recyclable or organic/green waste material or their deposit in refuse bins reduces effective resource recovery and prevents diversion from landfill
- Waste spillage, litter and illegally dumped material disrupt ecological systems through land and waterway contamination and reduce effective recovery of material
- Inadequate bin provision at events hinder waste separation and landfill diversion
- Without sufficient data, Council is unable to define the volumes and types of waste to landfill and meet its statutory obligation under the Waste Minimisation Act 2008 and Waste Minimisation (Information Requirements) Regulations 2021.

4.11 Increased harm from residual waste can lead to broader impacts such as:

- Greater greenhouse gas emissions from increased waste deposited in landfills
- Increased cost to ratepayers to maintain old landfills (currently \$5-8 million a year)
- Decreased pride in the environment
- Lost environmental benefit from recyclable material sent to landfill.
- Reduced capacity/air space at landfill and need to expedite the construction of a new fill site.

4.12 Such waste issues are exacerbated by the recent strong economic performance and increase in the construction of new buildings.

4.13 The current Bylaw restricts Council's ability to address emerging problems through a lack of regulation and improvement to the bylaw.

4.14 Without intervention, harm from residual waste will increase because of the reduced incentive (requirement) to appropriately manage and minimise waste.

4.15 NATIONAL CONTEXT

4.16 Ministry for the Environment (MfE) has identified that New Zealand urgently needs to change how it uses materials and manages them across their life to:

- Produce less waste
- Reuse and recycle more
- Divert material wherever possible from landfill
- Sent to landfill only as last resort

4.17 New Zealand has seen a 48% increase in the volume of waste created in NZ from 570kg pp (2.3 million tonnes) in 2009/10 to 750kg pp (3.7 million tonnes) in 2018/19. With waste creating approximately 5% of NZ's greenhouse gas emissions.

4.18 MfE have increased staffing to deliver this programme and the consultation process for each of these projects is likely to require input from territorial/local authorities, including Hastings District and Napier City Councils.

4.19 Likely national changes that may impact the bylaw review:

- Emission Reduction Plan
- New waste and resource strategy (replacement of the NZ Waste Strategy)

- Review of the Waste Minimisation Act 2008 and Litter Act 1974; to give tools to achieve low-waste future and support changes to waste levy.

4.20 Public consultation of both of these is currently underway with submissions closing 24 and 26 November 2021.

5.0 OBJECTIVES

5.1 The objectives of this regulatory response to the problems are to:

1. help implement the Joint WMMP by ensuring appropriate regulation to manage and minimise waste, protects public health and safety and manages litter and nuisance.
2. meet legislative requirements under the Waste Minimisation Act 2008 (WA2008) and the Local Government Act 2002 (LGA2002) including:
 - (i) giving effect to the identified priorities and desired outcomes in an efficient and effective manner (s14 LGA2002)
 - (ii) ensuring any bylaw is valid, including that it is authorised by statute, and is not repugnant or unreasonable
 - (iii) ensuring any bylaw is not inconsistent with the WMMP (s56 WA2008)
 - (iv) ensuring any bylaw does not give rise to any implications or is inconsistent with the New Zealand Bill of Rights Act 1990 (s155 LGA2002).

5.2 These objectives are aligned with the strategic directions in the Joint WMMP.

6.0 Out of Scope

6.1 All other Council bylaws.

7.0 Proposed timeline

Milestones	Estimated completion timeframes
Notify District Planning and Bylaws Subcommittee of the process	By 30 November 2021
Prepare and release a Request For Proposal	By 20 January 2022
External Supplier selected	By 25 February 2022
Pre-engagement with iwi, community groups, waste operators and other stakeholders	March/ April 2022
Draft bylaw completed	By 30 June 2022
Legal Review (if required)	By 30 July 2022
Public consultation	Finish by end September 2022
Feedback from Staff on public submissions	By mid-Oct 2022
Submissions heard	By late-Oct early-Nov 2022
If significant change arises from public consultation, re-consult affected parties	By 30 Nov 2022
Report for final adoption of new bylaw	December 2022

8.0 Recommendations - Ngā Tūtohunga

- A) That the District Planning and Bylaws Subcommittee receive the report titled Solid Waste Bylaw Review dated 24 November 2021.
- B) That the Subcommittee notes that officers commence a review of the Solid Waste Bylaw in January 2022.

Attachments:

There are no attachments for this report.

Wednesday, 24 November 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Item 6

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: Rowan Wallis, Environmental Policy Manager

Te Take:
Subject: Discussion Paper on National Policy Statement - Highly Productive Land and Intensive Rural Production

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

1.1 Update on the National Policy Statement on Highly Productive Land

Background

- 1.2 The National Policy Statement on Highly Productive Land (NPS-HPL) was drafted in response to concern that large portions of the country's most highly productive land was being lost to urban development.
- 1.3 In April 2018, the Ministry for the Environment and Statistics NZ published the "Our Land 2018" report, which is a comprehensive assessment of how human activity is affecting the state of New Zealand's land to date. The report identified two main pressures facing highly productive land on the edge of towns and cities:

- expansion of urban areas, and the accompanying loss of productive land; and
- change of land-use on the fringes of urban areas, in particular the increase in lifestyle blocks

The Draft NPS

- 1.4 A draft document was released for comment in late 2019. The overall purpose of the NPS-HPL is to improve the way highly productive land is managed under the RMA to:
- recognise the full range of values and benefits associated with its use for primary production;
 - maintain its availability for primary production for future generations; and
 - protect it from inappropriate subdivision, use and development.

- 1.5 It was made clear in the draft document that the NPS's objective is not to provide absolute protection for highly productive land.
- 1.6 The basis of the proposed NPS is that it would require local authorities to identify highly productive land based on a set of defined criteria (soil capability, climate, water availability, size etc) with LUC Classes 1-3 being the default criteria to determine highly productive land until this process has been undertaken. The proposed NPS focuses on maintaining highly productive land for "primary production" into the future to ensure a particular primary sector is not favoured at the expense of others. The draft document placed the responsibility for identifying the LUC Classes 1-3 in the region with the Regional Council.
- 1.7 A key focus of the NPS is to protect highly productive land from "inappropriate" use and development. What is appropriate or not will depend on the local context and actual impacts of development on highly productive land.

Submissions

- 1.8 Submissions were invited on the draft NPS-HPL and the Hastings District Council took a collaborative approach and combined with the adjoining authorities in the region to make its submission. It was felt that there would be greater weight given to the submission if there was a co-ordinated approach across the region which focused on the resource and not territorial boundaries. There were a total of 250 submissions received on the Draft NPS-HPL.
- 1.9 The basis of the combined submission was that the Councils supported the NPS-HPL but that it needed to be drafted recognising the inter-connectedness with the NPS- Urban Development, with one requiring Councils to provide sufficient land to meet housing needs and the other requiring protection of the land for food production. The submission suggested that there is a need for a better understanding of the relative weighting /balancing of the competing objectives of the NPS-HPL and the NPS Urban Development.
- 1.10 The point was also made that Councils currently recognise the importance of the versatile land and have an existing growth strategy (HPUDS) that directs growth to specific locations with a compact design model to maintain the Heretaunga Plains versatile land for production purposes to the greatest extent possible.
- 1.11 It was submitted that in considering future resource management reforms that highly productive land needed to be made a matter of national significance and treated as a finite resource. The point was also made that the current planning documents such as the Regional Policy Statement and the Hastings District Plan utilise the term 'versatile land' rather than versatile soils as this term includes broader aspects that make land productive rather than just soil classes.

Progress on the NPS – HPL

- 1.12 The Hastings District Plan already provides clear policy on protecting the versatile land on the Heretaunga Plains. This was recognised by the Environment Court in their decision on Endsleigh Cottages vs Hastings District Council in 2020 where it was found that "the Rural Resource Strategy sought to sustain the life supporting capacity of the district's rural resources and to retain the land-based productive potential of the Plains environment. The planning documents all recognised the tension between providing for future urban growth and the need to protect versatile soils. The Court found that the present proposals struck at the very essence of specified provisions intended to protect versatile land and were contrary to them".
- 1.13 What the NPS- HPL will do is clarify those parts of the district to which the policy needs to apply by better mapping of the Land Use classes.
- 1.14 The government has postponed the release of the NPS due to the government needing to respond to Covid 19. Enquiries with the Ministry for the Environment on progress have indicated that final decisions on the proposed NPS-HPL will be made by Ministers and Cabinet in the first half of 2022 and it would likely take effect around the end of the first half of 2022.

1.15 Intensive Rural Production Activities

Introduction

- 1.16 A recent resource consent application for a hydroponic strawberry growing activity in Clive has created some debate about whether this type of activity should be provided for in the Plains Production zone.
- 1.17 This type of activity is defined as intensive rural production (IRP) in the district plan and they are not a recent phenomenon, having been provided for in district plans for many years. Prior to the Resource Management Act in 1991, the Hawke's Bay County section of the Transitional Hastings District Plan provided for intensive farming, hydroponics and pot grown nurseries as permitted activities.
- 1.18 Through the course of district plan reviews the definition of intensive rural production activities has been amended and the activity status is no longer a permitted activity, being a controlled activity within the Rural zone and a restricted discretionary activity within the Plains Production Zone. The important point is that IRP's are a recognised and significant sector in the districts primary production base. One such example is Gourmet Blueberries which is located on Portsmouth Road, Flaxmere. It is the largest of the district's IRP's, covering an area of 79 ha, producing over 600 ton of fruit a season and employing 90 full time staff, and 2500 seasonal staff.

Discussion

- 1.19 It would seem that the issue of concern over IRP's is the impact that they are having on the versatile soil resource of the Heretaunga Plains. These impacts need to be considered in the context of the purpose and principles of the Resource Management Act. Section 5 of the RMA requires that Council's promote the sustainable management of natural and physical resources, which includes enabling communities to provide for their economic wellbeing, sustaining resources for future generations, and safeguarding the life supporting capacity of soils.
- 1.20 In providing for IRP's in the Plains Production zone the district plan provides safeguards for the soils of the Plains. A resource consent application for a restricted discretionary activity is required to establish an IRP in the Plains Zone. This recognises that while IRP's form a legitimate part of primary production there are effects associated with them that are required to be carefully managed. The assessment criteria ensure that these effects will be appropriately considered. The impact on the versatile land resource and the Class 7 soils of the Roys Hill Winegrowing District is one of the assessment criteria.
- 1.21 This requires that any applicant will need to identify in their Assessment of Environmental Effects report how they propose to mitigate the effects of the activity on the versatile land resource. This would require a detailed site assessment of the site by a recognised expert, and any limitations that might impact on the site's versatility. It is important to note here that the assessment is based on versatile land of which soil values form only one part.

Versatile Land

- 1.22 Versatile land is defined in the Regional Policy Statement and the Hastings District Plan as;
"Versatile land in relation to the Heretaunga Plains sub-region means contiguous flat to undulating terrain within the Heretaunga Plains Sub-region that acts collectively to support regional (and nationally) significant primary production and associated secondary services on the Heretaunga Plains, based around:
- (a) An exceptionally high proportion of versatile Class 1-3 soils (comprising almost 90%); or
 - (b) Class 7 soils that are internationally recognised as having a very high value for viticultural production (comprising almost 7%);
 - (c) Its proximity to a cluster of national and international processing industries and associated qualified labour force; and

(d) Its proximity to the Port of Napier and other strategic transport networks providing efficient transport of produce.”

1.23 This means that land is most versatile when all of these criteria are met.

1.24 It is considered that there is a place for IRP activities within the Plains Production zones. Like traditional in-ground crops they need to be close to processing industries and the labour force as well as needing ready access to the transport networks. In terms of the sustainable use of water resources, these activities might well be considered a better use as it has been proven that they are more efficient users of water than some traditional in-ground crops. The district plan recognises the legitimacy of these types of activities but has a rule framework that allows proper assessment to be made of their effects through a restricted discretionary activity status.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the District Planning and Bylaws Subcommittee receive the report titled Discussion Paper on National Policy Statement - Highly Productive Land and Intensive Rural Production dated 24 November 2021.
- B) That the Subcommittee notes that the outcome of the submissions in the form of the final National Policy Statement – Highly Productive Land will be reported back to the Subcommittee upon its release.

Attachments:

There are no attachments for this report.