

WAIMAKARIRI DISTRICT COUNCIL

MEMO

FILE NO AND TRIM NO: DDS-14-08 / 240823142225
DATE: 26 August 2024
MEMO TO: District Plan Review Hearings Panel
FROM: Section 42A Reporting Officers
SUBJECT: August 2024 NPS-HPL Amendments

1. The Ministry for the Environment has recently advised that Cabinet has agreed to amend the National Policy Statement for Highly Productive Land (NPS-HPL) to remove consenting barriers for specified infrastructure, including renewable energy projects, and indoor primary production on highly productive land (HPL).
2. The NPS-HPL took effect on 17 October 2022, but since then, parts of the agriculture, horticulture, and renewable energy sectors have raised concerns it restricts activities needing to locate on HPL.
3. The 16 August 2024 changes to the NPS-HPL, which will come into effect on 14 September 2024, seek to enable specified infrastructure, including renewable energy projects, and indoor primary production such as indoor poultry farms, piggeries and greenhouses, on HPL.
4. In anticipation of a potential request for clarification from the Panel, we have investigated whether the amendments outlined above may affect Officer Recommendations to date with respect to any previously recommended changes to the Proposed District Plan.
5. In summary, in our assessment, it does not appear the amendments will impact Officer Recommendations to date.
6. Consideration of HPL in the context of the District Plan Review has generally been in relation to avoiding further fragmentation of productive land through subdivision, and/or limiting further change of land use from productive rural land to rural lifestyle, large lot residential or residential via land rezoning requests, which is different to the nature of the amendments to the NPS-HPL outlined above.
7. The Energy and Infrastructure chapter in the Proposed Plan has a range of rules providing for various infrastructure including renewable electricity generation (wind and solar) at various scales, but soil type is not and has never been a consideration for these projects.
8. With regard to the Officer Recommendations for the Rural Zones, in summary:
 - a. There are recommended amendments to objectives and policies for the General Rural Zone (GRUZ) and Rural Lifestyle Zone (RLZ) aimed at avoiding or limiting adverse effects on HPL, but these are in the context of avoiding or limiting further fragmentation of productive land;
 - b. "Primary production" (as defined by the National Planning Standards) is recommended as permitted in both the GRUZ and RLZ;

- c. "Intensive indoor primary production" (as defined by the National Planning Standards) is recommended to change from a restricted discretionary activity in both the GRUZ and RLZ, to permitted activity rules in both zones enabling both "free range poultry farming and game bird farming" and "artificial crop protection structures". Amendments are recommended to the definition for "intensive outdoor primary production" to exclude "free range poultry farming and game bird farming" from the definition of "intensive outdoor primary production", with "intensive outdoor primary production" remaining a restricted discretionary activity in both zones. These recommended amendments are not however related to HPL;
- d. There are recommended amendments to setback distances between sensitive activities, and "intensive indoor primary production", "intensive outdoor primary production" and quarries, but primarily relate to amenity effects and not related to HPL; and
- e. Officer recommendations regarding rural rezoning requests (Hearing Stream 12B) rely on the HPL definition, Policy 6, and Clause 3.10 of the NPS-HPL, which are unaffected by the amendments to the NPS-HPL outlined above.