

# Policy Planning Meeting

## Tabled Documents

12 September 2019

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| <b>Item 7</b>  | Chair's Report  |
| <b>Item 15</b> | Draft submission on Proposed priority products and priority stewardship scheme guidelines |
| <b>Item 16</b> | Draft submission on Proposed National Policy Statement on Highly Productive Land          |

## Policy and planning Chairman's report

Good afternoon and welcome to the final policy and planning meeting for this triennium. As is usual with this committee there is plenty of really interesting topics for us to get our teeth into. It seems that there is a continual supply of government policy issues and internal policy reviews that refuses to let up, and personally that is what I like, and find both stimulating and challenging in this space. In this order paper we have a review of our TAB and gambling policy, a review of our fee waiver policy, two draft submissions and a couple of interesting items in the economic development and tourism space.

As this is our last meeting I would like to thank the council staff members that have supported the committee, your input has been invaluable and whilst some of the original team that we began with 3 years ago have moved to other positions, we have managed to secure other high calibre replacements, On behalf of the committee, I would like thank you for your input, advice and patient listening.

To you the committee members, it has been a pleasure to chair this committee on your behalf. I would like to thank Lynne, Richard and Graham for your input and wish you well in your "non-council" future, your breadth of experience will be missed. If you do ever feel the need to share your skills with us again I am sure that we will find some way to accommodate, this is a space like "hotel California" .....you can sign out any time you like, but you can never leave.

To those members who have chosen to stand again, I wish you all success and I hope that we can all share similar experiences in the policy arena again in the near future.

Cr Angus Gordon

September 2019

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File: 3-OR-3-5

Hon Eugenie Sage  
Associate Minister for the Environment  
Proposed Priority Products and Guidelines  
Ministry for the Environment  
P O Box 10362  
Wellington 6143

By email: [regulated\\_product\\_stewardship@mfe.govt.nz](mailto:regulated_product_stewardship@mfe.govt.nz)

Dear Eugenie

**Proposed priority products and priority product stewardship scheme guidelines**

Thank you for the opportunity to submit on the Ministry's consultation document.

The Rangitikei District Council supports using the Waste Minimisation Act to declare the targeted priority products – tyres, agrichemicals, refrigerants, e-waste, farm plastics and packaging. We agree with the proposed scope of these six priority products and with the concept that everyone involved with such products – from producer, importer, retailer consumer, to reprocessor – shares responsibility for effective waste minimisation. While voluntary product stewardship schemes have achieved some success, more formal arrangements are needed to secure real effectiveness. We appreciated being provided in Appendix 2 with an analysis of the results of these schemes.

We agree there is some urgency to getting this scheme in place and accept that the proposed co-design approach with producers and other stakeholders will assist in this. However, given that there is considerable experience in other countries on this approach, we suggest that the Ministry engages a suitably experienced person from such a country (perhaps Australia) to assist in developing the guidelines – in particular framing the Government's requirements for product take-back and subsequent management – and the proposed Product Stewardship Organisation to manage funds, contracts for services and report to government and stakeholders

I hope these comments are useful.

Yours sincerely

Andy Watson  
Mayor of the Rangitikei District

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## Priority products

Do you agree with the proposed scope for priority product declarations for the following six product groups?

### Q1: End-of-life tyres

- (a) All pneumatic (air-filled) tyres and certain solid tyres for use on motorised vehicles (for cars, trucks, buses, motorcycles, all-terrain vehicles, tractors, forklifts, aircraft and off-road vehicles).
- (b) All pneumatic and solid tyres for use on bicycles (manual or motorised) and non-motorised equipment.

Yes / No / Not sure / Why / Why not?

### Q2: Electrical and electronic products

- (a) Large rechargeable batteries designed for use in electric vehicles, household-scale and industrial renewable energy power systems, including but not limited to lithium-ion batteries.
- (b) All other batteries (eg, batteries designed for use in hand-held tools and devices).
- (c) All categories of waste electrical and electronic equipment (WEEE) defined in Annex II of European Directive 2012/19/EU (eg, 'anything that requires a plug or a battery to operate').

Yes / No / Not sure / Why / Why not?

### Q3: Agricultural chemicals and their containers

Chemicals in plastic containers up to and including 1000 litres in size that are used for:

- (a) any horticulture, agricultural and livestock production, including veterinary medicines
- (b) industrial, utility, infrastructure and recreational pest and weed control
- (c) forestry
- (d) household pest and weed control operations
- (e) similar activities conducted by or contracted by local and central government authorities.

This includes but is not limited to all substances that require registration under the Agricultural Compounds and Veterinary Medicines Act 1997, whether current or expired, and their containers (packaging), which are deemed hazardous until such time as triple-rinsed.

Packaging for veterinary medicines, which includes syringes, tubes and flexible bags, must be phased in under the accredited scheme.

Yes / No / Not sure / Why / Why not?

### Q4: Refrigerants and other synthetic greenhouse gases

- (a) Refrigerants: all gases used for heating, cooling and air conditioning that are ozone-depleting substances under the Ozone Layer Protection Act 1996 and/or synthetic greenhouse gases under the Climate Change Response Act 2002, and products containing these gases.
- (b) Methyl bromide and products containing this gas.

Yes / No / Not sure / Why / Why not?

## Consultation questions

### Q5: Packaging

- (a) Beverage packaging: used to hold any beverage for retail sale that has more than 50 millilitres and less than 4 litres of capacity, made of any material singly or in combination with other materials (eg, plastic, glass, metal, paperboard or mixed laminated materials).
- (b) Single-use plastic consumer goods packaging: used for consumer goods at retail or wholesale level made of plastic resin codes 1, 2, 3, 4, 5, 6 or 7, singly or in combination with one or more of these plastics or any non-plastic material, and not designed to be refilled.

Yes / No / Not sure / Why / Why not?

### Q6: Farm plastics

- (a) Plastic wrapping materials used for silage or hay, including but not limited to baleage wrap, hay bale netting, baling twine, and covers for silage pits.
- (b) Plastic packaging used for agricultural and horticultural commodities including but not limited to fertiliser sacks, feed sacks, and bulk tonne bags made from woven polypropylene and/or polyethylene.
- (c) Other plastic packaging and products used for agriculture and horticulture including, but not limited to, protective nets, reflective ground covers, and rigid plastic containers other than containers for agrichemicals, detergents, lubricants or solvents.

Yes / No / Not sure / Why / Why not?

### Ministerial guidelines for priority product stewardship schemes

#### Q7: Proposed guidelines

Do you agree with the proposed guidelines for priority product stewardship schemes outlined in table 3?

Yes / No / Not sure / Why / Why not?

#### Q8: Changes to guidelines

What changes would you make to the proposed guidelines for priority product stewardship schemes?

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File: 3-OR-3-5

Ray Smith  
Chief Executive and Director-General  
Ministry for Primary Industries  
P O Box 2526  
Wellington 6140

**TABLED DOCUMENT**

Tabled at Policy / Planning  
on 12 September 2019

By email: [soils@mpi.govt.nz](mailto:soils@mpi.govt.nz)

Dear Ray

**Proposed National Policy Statement for highly productive land (NPS-HPL)**

Thank you for the opportunity to submit on this proposed national policy statement.

The Rangitikei District Council agrees with the Ministry's approach to this issue – preferring a National Policy Statement over National Environmental Standards. Giving direction to local authorities on how to identify and manage highly productive land alongside allowing some flexibility for councils to respond to local pressures and priorities is a reasonable balance. We appreciate that the proposed NPS-HPL seeks to address the issues highlighted in *Our land 2018*.

However, while guaranteeing food security for New Zealand is obviously important, the Government will be aware of technological advances in how food for human consumption can be made: as these become practical market options, dependence on soils will reduce. This implies that we may need *less* productive land for supply of food in the future, which is a different perspective than that presented by the proposed Objective 2. We suggest further consideration is given to this.

We support Local Government New Zealand's concern about the potential to conflict with the Government's urban growth agenda which is encouraging fast-growing councils to expand house building to tackle New Zealand's housing affordability crisis. We agree that in those cities where housing affordability is most acute, increasing housing density is essential to minimise the cost of new infrastructure services, to maximise the use of existing community facilities, to minimise transport costs and to minimise the expansion of city boundaries. The last of these very frequently has to be in places which the NPS-HPL would aim to restrict such use. This suggests to us that Objective 3 needs some modification – perhaps 'protecting from other uses where there are other viable alternatives' would be a more realistic starting point.

However, we support the proposed Policy 3 and Policy 6: we agree that requiring a strategic planning process (such as a District Plan Change) before allowing new urban expansion onto highly productive land is a reasonable approach to ensuring elected members and the

community are adequately briefed on such issues. Rangitikei District Council is taking this approach in proposing rezoning of rural land to industrial and residential uses.

In considering proposed Policy 2, we question why the definition of primary production in the proposed NPS-HPL excludes aquacultures, with its increasing significance for world food supply. By contrast, forestry is within the definition, but this activity has the potential to lock up highly productive land for many decades. We also suggest that, as a country strongly reliant on agriculture, there needs to be a greater consideration around New Zealand benefitting from diversification of its land-based industries. Where agricultural land has access to either a freshwater or saltwater supply it may be suited to land-based aquaculture operations (fish farming in ponds), ideally being able to be incorporated into existing infrastructure. There are a number of land based farming operations starting to set up in New Zealand, in both the North and South islands. Globally, farmed fish production adds up to 16.5 kilograms per person per year.

In addition to considering alignment with the Government's objectives around urban development, the discussion paper on the proposed NPS-HPL acknowledges the need to support the Government's objectives about a low emissions economy and improved freshwater. So considering what food is produced is an important component. To elaborate on our concern about omitting aquaculture, the initial benefits from the conversion of dairying land into land based aquaculture is seen in feed conversion ratios (less demand on inputs), effluent discharge (the controllable outputs), and the Green House Gas (GHG) emissions (the by-product outputs) from such operations.

I hope these comments are useful.

Yours sincerely

Andy Watson  
Mayor of the Rangitikei District

# Proposed National Policy Statement on Highly Productive Land

## Proposed Objectives

### Objective 1: Recognising the benefits of highly productive land

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

### Objective 2: Maintaining the availability of highly productive land

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

### Objective 3: Protecting from inappropriate subdivision, use and development

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

- avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;
- avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and
- avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.

## Proposed Policy 1: Identification of highly productive land

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

- map each area of highly productive land; and
- amend their regional policy statements to identify areas of highly productive land within the region.

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

### Appendix A: Criteria to identify highly productive land

In accordance with Policy 1, regional councils *must* use the following criteria to assess and identify areas of highly productive land:

- a. the capability and versatility of the land to support primary production based on the Land Use Capability classification system;
- b. the suitability of the climate for primary production, particularly crop production; and

c. the size and cohesiveness of the area of land to support primary production.

When identifying areas of highly productive land, local authorities *may* also consider the following factors:

- a. [the current or potential availability of water – see question below];
- b. access to transport routes;
- c. access to appropriate labour markets;
- d. supporting rural processing facilities and infrastructure;
- e. the current land cover and use and the environmental, economic, social, and cultural benefits it provides; and
- f. water quality issues or constraints that may limit the use of the land for primary production.

Highly productive land excludes:

- a. urban areas; and
- b. areas that have been identified as future urban zones in district plans.

## **Proposed Policy 2: Maintaining highly productive land for primary production**

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

- a. prioritise the use of highly productive land for primary production
- b. consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;
- c. identify inappropriate subdivision, use and development of highly productive land; and
- d. protect highly productive land from the identified inappropriate subdivision, use and development.

\*Note the draft definition for productive capacity is: “means, in relation to highly productive land, the physical qualities of the land to

support primary production and generate the most economic output. This includes consideration of physical constraints on use of land for

primary production (e.g. lot size, presence of structures and buildings) but does not include consideration of wider soil quality issues”.

## **Proposed Policy 3: New urban development and growth on highly productive land**

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

- a. there is a shortage of development capacity to meet demand (in accordance with the NPS-UDC methodologies and definitions); and

b. it is demonstrated that this is the most appropriate option based on a consideration of:

- a cost-benefit analysis that explicitly considers the long-terms costs associated with the irreversible loss of highly productive land for primary production;
- whether the benefits (environmental, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary production; and
- the feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas.

#### **Proposed Policy 4: Rural subdivision and fragmentation**

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

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

#### **Proposed Policy 5: Reverse sensitivity**

Territorial authorities must recognise the potential for sensitive and incompatible activities within and adjacent to areas of highly productive land to result in reverse sensitivity effects and amend their district plans to:

- a. identify the typical activities and effects associated with primary production activities on highly productive land that should be anticipated and tolerated in rural areas;
- b. restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities;
- c. establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and
- d. establish methods to avoid or mitigate reverse sensitivity effects at the interface between areas of highly productive land and adjacent residential and rural lifestyle zones.

#### **Proposed Policy 6: Consideration of requests for plan changes**

When considering a request for a private plan change for urban expansion on highly productive land, or to rezone an area of highly productive land to rural lifestyle use, local authorities must have regard to:

- a. The alignment of the request with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land;
- b. The benefits (environmental, economic, social and cultural) from the proposed use of land compared to benefits from the continued use of that land for primary production; and
- c. Whether there are alternative options for the proposed use on land that has less value for primary production.

### **Proposed Policy 7: Consideration of resource consent applications for subdivision and urban expansion on highly productive land**

When considering an application for subdivision or urban expansion on highly productive land, consent authorities must have regard to:

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

benefits that would occur from the continued or potential use of the land for primary production.

Resource consent applications must include a site-specific Land Use Capability Assessment prepared by a suitably qualified expert