



Attachment 2.4

Proposed provisions – Amendments to the National Policy Statement for Highly Productive Land 2022

National direction consultation – Package 2: Primary sector

Instrument topic: Proposed amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)

- The proposed provisions are for consultation purposes and do not represent the proposed National Policy Statement (NPS) wording, which will be drafted after the consultation phase.
- The table below provides some illustrative wording (in italics) to help you understand proposed definitions, the policy intent, and scope of the proposed amendments to the NPS-HPL.
- Terms used have the same meaning as in the Resource Management Act 1991 and National Planning Standards, unless otherwise specified.
- Changes to the existing NPS-HPL are referenced using the existing policy or other clause number.

Application	Proposed provisions	Reasons
Where would the NPS-HPL apply?	The whole of New Zealand, consistent with the application of the NPS.	Highly productive land (HPL) policy is a nation-wide issue.

PART 1: PRELIMINARY PROVISIONS		
1.3 Interpretation (definitions)	Proposed provisions	Reasons
LUC 1, 2 or 3 land	Amend to remove LUC 3, refer to clause 3.4 and clause 3.5(7).	For consistency with removal of land use capability (LUC) 3 from how HPL is defined.
Remove term		
Aggregate extraction	Remove the term.	This definition is proposed to be replaced with quarrying activities.
New definitions		
Quarrying activities	<p>Introduce a new definition that:</p> <p><i>means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.</i></p>	<p>‘Aggregate extraction’ is undefined and could be interpreted to exclude essential ancillary activities that must be undertaken to quarry (eg, removal of overburden). This creates uncertainty for how it will be interpreted at the local level and could be a limiting factor for consents to be granted to support government objectives and growing demand for infrastructure and housing.</p> <p>It is proposed to use the existing definition of quarrying activities contained in the National Planning Standards, which removes ambiguity and clarifies that ancillary activities associated with the extraction can occur provided conditions in clause 3.9(3)(a) and (b) are met relating to minimising the loss of HPL and avoiding reverse sensitivity.</p>
PART 2: OBJECTIVES AND POLICIES		
No changes proposed, however, if detailed policy decisions prefer inclusion of special agricultural areas (SAAs), some changes to objective and/or policies may be required to assist implementation of SAAs.		
PART 3: IMPLEMENTATION		
Clause	Proposed provisions	Reasons
3.4 Mapping highly productive land	<p>No specific changes to mapping criteria, however, this is subject to the outcomes of consultation. Additional amendments may include changes to mapping criteria including:</p> <ul style="list-style-type: none"> consequential amendments related to the removal of LUC 3 	More information is required from public consultation to test whether changes to criteria for mapping HPL should be progressed as part of these amendments.

PART 3: IMPLEMENTATION

Clause	Proposed provisions	Reasons
	<ul style="list-style-type: none"> additional criteria for capturing ‘special agriculture areas’, which is a new land category that is intended to capture areas that are regionally or nationally significant for food and fibre production but may be compromised by the removal of LUC 3 (these could include Pukekohe and Horowhenua). 	
3.5 Identifying highly productive land in regional policy statements and district plans	<p>Changes to timeframes for councils to notify HPL maps in regional policy statements either extend timeframes in clause 3.5(1) or suspend mapping (see Part 4).</p> <p>Remove LUC 3 from clause 3.5(7).</p> <p>Subject to outcomes of consultation, additional amendments to how HPL is defined before HPL mapping is notified in a regional policy statement may include:</p> <ul style="list-style-type: none"> limiting LUC 3 removal to urban rezoning decisions only (either just council-led urban rezoning or for private urban rezoning proposals and retaining restrictions on rural lifestyle on LUC 3) allowing HPL to be defined via consideration of LUC units and limitations within the LUC classification system. 	<p>Current timeframes are for HPL maps to be notified in a regional policy statement by October 2025.</p> <p>Decisions on whether to extend timeframes or suspend mapping are subject to public consultation on whether these amendments include changes to mapping criteria or whether to delay mapping of HPL and incorporate into the replacement resource management system.</p> <p>Removal of LUC 3 is intended to enable more urban greenfield development with immediate effect.</p>
Mining and quarrying 3.9 Protecting highly productive land from inappropriate use and development	<p>Replace reference to mineral extraction with “the extraction of minerals and ancillary activities” in clause 3.9(2)(iii).</p> <p>Amend the test for mineral extraction in clause 3.9 (2)(j)(iii) by:</p> <ol style="list-style-type: none"> removing the test that requires applicants to demonstrate the benefits of the activity “could not otherwise be achieved using resources within New Zealand”; and replacing it with the following test: “proposals that provide a national or regional public benefit”. <p>Amend the test for aggregate extraction to apply to quarrying activities (see proposed definition change from aggregate extraction) (clause 3.9(2)(j)(iv)) to remove the requirement that applicants must demonstrate the benefits of the activity “could not otherwise be achieved using resources within New Zealand”.</p>	<p>This amendment would provide clarity and be consistent with the National Policy Statement for Freshwater Management and proposed amendments to the National Policy Statement for Indigenous Biodiversity.</p>

PART 4: TIMING

Reference	Proposed provisions	Reasons
4.1 When this National Policy Statement takes effect	Align with changes to clause 3.4 and clause 3.5, subject to outcomes from consultation.	Decisions on whether to extend timeframes or suspend mapping are subject to public consultation on whether these amendments include changes to mapping criteria or whether to delay mapping of HPL and incorporate into the replacement resource management system (which may mean removal of clause 3.4 and clause 3.5).

Published in May 2025 by the Ministry for the Environment | Manatū mō te Taiao
Publication number: INFO 1308d



Te Kāwanatanga o Aotearoa
New Zealand Government