



National Policy Statement for Highly Productive Land

Information sheet

Overview

The Government has developed a National Policy Statement for Highly Productive Land (NPS-HPL). It responds to the *Our Land 2018* report, which provided a detailed assessment of threats facing highly productive land in Aotearoa New Zealand.

What is the National Policy Statement for Highly Productive Land?

It is a national policy developed under the Resource Management Act 1991 (RMA) and will give councils more clarity on how to map and zone highly productive land and manage the subdivision, use and development of this non-renewable resource.

Why is it needed?

The growth of towns and cities is increasingly occurring on our most productive land. It is important for councils to be given a clear direction so they can balance the demand for housing and urban growth with the protection of highly productive land.

Key information on highly productive land

- About 15 per cent of land in Aotearoa New Zealand (3,830,000 hectares) is estimated to be highly productive (based on land-use capability classification).
- In the last 20 years, over 35,000 hectares of highly productive land has been lost to urban or rural residential development.
- Lifestyle blocks under 8 hectares occupy more than 170,000 hectares of highly productive land.
- This National Policy Statement for Highly Productive Land requires the country's most productive land to be identified and managed to prevent inappropriate subdivision, use and development.

What does the policy aim to achieve?

The purpose of the policy is to direct new housing development away from highly productive land, where possible. Preventing inappropriate subdivision, use and development will ensure the availability of highly productive land for food and fibre production.

How much highly productive land has been lost to subdivision?

In the last 20 years, over 35,000 hectares of highly productive land has been lost to urban or rural residential development. The carve-up of land for lifestyle blocks poses an even greater risk because it consumes even larger areas of highly productive land. Lifestyle blocks under 8 hectares in size now occupy more than 170,000 hectares of land considered to be highly productive. The relatively small size of lifestyle blocks often makes it difficult to use them for a viable productive use.

How will towns and cities grow?

The NPS-HPL is designed to ensure councils can continue to provide for development, as required by the National Policy Statement for Urban Development 2020.

Urban growth can still occur on highly productive land if councils determine that other suitable land is not available, and if intensification (including that enabled by the new Medium Density Residential Standards) is not viable or appropriate in other areas.

Land that councils have already identified for future urban development will not be mapped as highly productive land.

Will it affect my land?

Your land will be considered highly productive under the NPS-HPL if it is zoned General Rural or Rural Production and it contains Land Use Capability (LUC) 1, 2 or 3 soils. You will still be able to undertake land-based primary activities on your highly productive land once the policy takes effect. If you wish to undertake other activities that are not land-based primary production, clause 3.9 of the NPS-HPL contains a list of activities that may also occur on highly productive land. Find out if your land is LUC1, 2 or 3 on the Manaaki Whenua Landcare Research website.

Will this prevent me from subdividing my land?

If you wish to subdivide your highly productive land, or rezone it for urban development or rural lifestyle, you will need a resource consent or to undertake a plan change. In the case of subdivision, you will need to demonstrate that the productive capacity of the land will be retained, or that permanent or long-term restrictions on the land mean it is no longer viable for land-based primary production.

What types of activities can occur on land that is identified as highly productive?

Activities that support land-based primary production are enabled on highly productive land. Other activities that are also enabled include (but are not limited to) activities that:

- address a high risk to public health and safety

- protect, maintain, restore or enhance indigenous biodiversity
- are small-scale or temporary and have no impact on the productive capacity of the land.

For a comprehensive list of use and development activities provided for under the NPS-HPL, refer to the NPS-HPL or contact your local council.

How does the NPS-HPL work with current freshwater policies?

The NPS-HPL recognises some areas of highly productive land may not be viably used for primary production due to the National Policy Statement for Freshwater Management 2020. The NPS-HPL provides a consenting pathway that will allow such constraints to be assessed, but this will only be on a case-by-case basis, and in exceptional cases. The rules and targets set by councils to implement the NPS-FM have to be met regardless of the NPS-HPL.

How does the NPS-HPL relate to Māori?

Councils are required to involve tangata whenua when implementing the NPS-HPL. The NPS-HPL also has special provisions relating to Māori land. An information sheet on how the NPS-HPL relates to Māori land will be available shortly alongside further advice for Councils.

When does the policy take effect?

The National Policy Statement for Highly Productive Land will take effect on 17th October 2022.

How does the NPS-HPL work in the new resource management system?

The Natural and Built Environments Bill (NBA) is proposed as the primary replacement of the Resource Management Act 1991. The intent of the NPS-HPL will be transitioned into the National Planning Framework developed under the NBA.

What are the next steps?

The objectives, policies and implementation clauses will have immediate legal effect. That means councils will need to take relevant provisions into account when considering resource consent applications and applications for plan changes. Councils must identify and map highly productive land within three years. They then have a further two years to update their district and regional plans.

Where can I get more information?

Contact your local council or email highlyproductiveland@mfe.govt.nz for more information, or visit mpi.govt.nz or environment.govt.nz.

