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Water and Land Use Policy,
Ministry for the Environment,
PO Box 10362, Wellington 6143.

Submitted at highlyproductiveland@mfe.govt.nz

Irrigation New Zealand Submission on potential amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)

IrrigationNZ represents over 3,800 members nationally, including irrigation schemes, individual irrigators, and the irrigation service sector across all regions of New Zealand.

Our irrigator members include a wide range of farmers and growers – sheep and beef, dairy and cropping farmers, horticulturalists, winegrowers, as well as sports and recreational facilities and councils. We also represent over 120 irrigation service industry members – manufacturers, distributors, irrigation design and install companies, and irrigation decision support services for both freshwater and effluent irrigation.

We are a voluntary-membership, not-for-profit organisation whose mission is to create an environment for the responsible use of water for food and fibre production for local and international consumers and to sustain the wellbeing of communities.

As an organisation we actively take a technical leadership role in promoting best practice irrigation and carry out a range of training and education activities associated with freshwater management. We have trained hundreds of people in the irrigation sector on various aspects of irrigation best practices to improve water use efficiency (lowering consumption) and better manage environmental effects (improved soil moisture and surface water management).

IrrigationNZ members share many of the same goals as other New Zealanders:

- Reduce their environmental footprints and see improvements in the health of the natural environment,
- Contribute to the wellbeing of their communities, and
- Provide for a resilient future for New Zealand in the face of climate change.

IrrigationNZ General Statements of Principles

Irrigation NZ firmly believe that these alterations run counter to the core principle of safeguarding Highly Productive Land (HPL) for its utilization in land-based primary production. Therefore we are opposed to the proposed amendments.

The National Policy Statement for High-Quality Land (NPS-HPL) addresses the gradual depletion of HPL due to urban rezoning, rural land fragmentation for non-agricultural purposes, development, and other land uses that do not rely on soil resources. HPL represents the most fertile soil, often featuring favourable climate conditions, suitable soil quality, and relatively flat or gently sloping terrain. Soil quality is an indispensable attribute of HPL, and it constitutes a finite, non-renewable resource crucial for present and future generations engaged in land-based primary production. The primary goal of the NPS-HPL is to preserve the integrity of this soil resource for the sustenance of our communities from land-based primary production.

The NPS-HPL permits local councils some flexibility to accommodate specific activities on HPL under certain conditions, provided they offer broader advantages in terms of culture, society, the environment, and the economy. Nevertheless, such allowances should be judiciously weighed against the core objective of the NPS-HPL.

We are aware that various stakeholders have advocated for modifications in the NPS-HPL language to better suit their respective activities. The consultation document indicates their concern lies with the current wording of the NPS-HPL, which they believe unduly constrains non-land-based uses and development. These specific issues of concern include:

1. The absence of a well-defined consent process for the construction of specified infrastructure on HPL, as outlined in clause 3.9(2)(j)(i).
2. The lack of a clear pathway for obtaining consent for the development and relocation of intensive indoor primary production facilities and greenhouses on HPL.

Position Statement - Issue 1: Lack of a Clear Pathway for New Specified Infrastructure

We have concerns regarding the potential consequences of this proposed amendment, particularly with respect to the increased utilization of High-Quality Land (HPL) for infrastructure development, notably solar farms. While the consultation document outlines that this proposed pathway would be subject to the existing safeguards and assessments as set out in other clauses, apparently ensuring that the necessity of siting infrastructure on HPL is cautiously weighed against the potential loss of available HPL, we have reservations about the practical implementation of this safeguard.

Solar farm infrastructure is rapidly evolving on a global scale, with assertions of its compatibility with land-based production systems. However, it is crucial to acknowledge the fundamental principles of photosynthesis, which illustrate that any percentage of shading on plant material results in a proportionate reduction in plant growth. While some countries may justify shading due to extreme heat conditions and reduced stress on livestock, this rationale holds less weight in our climate and production settings. It is imperative that locally grounded research is conducted to validate such claims before adopting overseas evidence within the context of New Zealand land use policies.

This proposed amendment appears to open a consent pathway that could potentially lead to the designation of flat, easily accessible land without adequate consideration for the diminishing availability of fertile and highly desirable soils, essential for food and fibre production. It is essential to emphasize that globally, solar farms have been successfully established on undulating terrain and land not in immediate proximity to the ultimate energy consumers. These arguments should not be exploited to legitimize the loss of highly productive soil classes, further eroding their suitability for their best purpose, which contradicts the fundamental purpose of the National Policy Statement for High-Quality Land (NPS-HPL).

In light of these concerns, we object to the Ministry for the Environment/Ministry for Primary Industries (MfE/MPI) proposed preferred option, which would establish a clear consent pathway for the construction of new specified infrastructure on HPL.

Position Statement - Issue 2: Absence of a Clear Pathway for New Intensive Indoor Primary Production and Greenhouses

The definition of land-based primary production within the framework of the National Policy Statement for High-Quality Land (NPS-HPL) has been developed to give priority to Highly Productive Land (HPL) for utilization in land-based primary production – activities that are inherently grounded in and reliant upon the soil. Confusingly, the National Planning Standards present a broader interpretation of activities defined as

'primary production.' Therefore, the challenge emerges when considering the development of new intensive indoor primary production facilities and greenhouses on HPL.

The suggestion of needing a defined consent pathway poses a critical issue, in cases where operational necessity is claimed as overarching the valve lost in the placement on HPL. These intensive indoor primary production and greenhouse activities have the potential for permanent HPL loss, a central rationale behind the initial exclusion of a consent pathway for such activities during the development of the NPS-HPL.

We believe that these arguments may be informed by outdated concepts of indoor cultivation and greenhouse systems. Historically, intensive indoor primary production and greenhouse facilities have often been situated on terrain that was not near level or of the footprint shape required and therefore necessitated extensive earthworks. This process majorly disrupted the natural HPL soils, and the soils were not then able to be utilised in the production systems, or were never intended to be. Even with near level terrain, earthworks are likely still required to create the necessary falls for correct flow of water within the systems. Given the systems are indoor under modified and controlled environments the local climate is not a significant factor to their operations.

Thus suggesting these facilities are best placed on LUC 1-3 land, is founded upon several incorrect reasons:

- Flat land does not necessarily provide a cost-effective solution, as it necessitates extensive earthwork interventions, and in doing so renders the margins susceptible to erosion and nutrient runoff.
- It is a generalisation to suggest LUC class 1-3 land is always strategically situated in proximity to labour markets given the massively improved transportation networks.
- There is irony considering the 3W challenges in suggesting existing infrastructure has the capacity for managing nutrient solutions and other discharges presumably as a trade waste contributor to already stretched treatment capacity.
- These indoor growing facilities are highly sophisticated in their ability to deal with biosecurity incursions and it is unreasonable to suggest land in non-rural zones may suffer from a higher susceptibility to biosecurity risks.
- The adverse effects of "reverse sensitivity," including concerns related to noise, light pollution, odours, or increased vehicular traffic is an issue many other industries have addressed.

While we acknowledge the concerns expressed by stakeholders, we believe it is more important to strike a balance between addressing climate change resilience, supporting the food production sector, and safeguarding the finite, non-renewable resource that is HPL.

Thus, for these reasons, we do not support the proposed amendments, in alignment with the concerns articulated by the Ministry for Primary Industries/Ministry for the Environment (MPI/MfE).

We are available for further consultation on these issues, so please do not hesitate to reach out.

Please, direct any inquiries to:

Stephen McNally
Principal Technical Advisor, IrrigationNZ
smcnally@irrigationnz.co.nz
Phone: 027 687 5299
Level 5, 342 Lambton Quay
Wellington 6011