



GORE DISTRICT COUNCIL: PRACTICE NOTE REGARDING NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND



What is the National Policy Statement for Highly Productive Land 2022 (NPS-HPL)?

- National Policy Statements (NPS) are policy direction from Central Government for matters of national significance, relevant to sustainable management.
- This policy is about ensuring the availability New Zealand's most favourable soils for food and fibre production, now and for future generations. It seeks to protect highly productive land (HPL) by preventing "inappropriate subdivision and use". Of note they direct to **avoid** urban rezoning and rural lifestyle development within rural zoned land that is on HPL, unless within a limited exception.
- The policy came into effect on **17 October 2022**.

Identifying Highly Productive Land

- The Gore District has prospered from its productive land, which has helped support the success of farming industries in the District.
- Environment Southland (ES) is required to identify HPL within their Regional Policy Statement (RPS) and provide maps of all the land in its region that is highly productive land, within the next 3 years.
- Gore District Council **must** update its District Plan to reflect the NPS-HPL and RPS.
- **However**, the NPS directs in the interim, each relevant territorial authority and consent authority must apply this NPS to land that is currently zoned rural and has a Land Use Capability (LUC) Class 1, 2, or 3.
- The LUC mapping is provided by the New Zealand Land Resource Inventory and can be viewed on the GDC maps [here](#). The majority of the Gore District is classified as LUC 1, 2 or 3 soil.

The current District Plan

- Currently the Gore District Plan does not have any specific requirements to protect highly productive land for primary production.
- The Rural zone provides for subdivision down to 2 hectares.
- Under the current District Plan we will need to assess applications against the NPS-HPL **where there is scope to do so**.
- Currently the District Plan **does not** provide scope to consider highly productive land for certain controlled and restricted discretionary activities, including subdivision under rules 8.10(1), 8.10(2) and 8.10(4).
- If there is scope to consider highly productive land, which includes any fully discretionary or non-complying activity, then the NPS-HPL **must** be addressed. This includes for instance, rural lifestyle lots that breach the 2ha density, or land use activities such as industrial, which are not permitted in the rural zone.

Resource Consent Applications

- Currently, the NPS-HPL applies to resource consents where:
 - a) The land is LUC 1, 2 or 3, and
 - b) There is scope under the Gore District Plan to consider highly productive land.
- Where the NPS-HPL applies, any resource consent application will need to be assessed against the objectives and policies within the NPS-HPL.
- Clauses 3.8, 3.9 and 3.10 of the NPS-HPL provide instances where development may be appropriate, however given the direction is to 'avoid', the bar is set very high, and the policy exceptions are very limited.
- Expert evidence may be required by Applicants to demonstrate that the resource consent application can meet the exemptions in the NPS-HPL.
- While every resource consent application is considered on its merits, due to the strong and specific policy direction in the NPS-HPL, an application that is contrary to the NPS-HPL may be declined.

The full National Policy Statement for Highly Productive Land is available [here](#).

If you have any questions, please contact the council planning department, a planning professional or legal professional.

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