
**BRIEF OF SECOND SUPPLEMENTARY EVIDENCE OF FELICITY ANN BOYD
LF – LAND AND FRESHWATER (HIGHLY PRODUCTIVE LAND)**

Qualifications and Experience

- 1 My qualifications and experience are set out in paragraphs 13 to 15 of my section 42A report titled *Chapter 9: LF – Land and Freshwater* and dated 4 May 2022.

Code of Conduct

- 2 I have read and agree to comply with the Environment Court’s Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014. I have complied with the Code in preparing my evidence. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 3 This supplementary statement of evidence updates recommendations made in s42A reports that are impacted by the recent introduction of the National Policy Statement for Highly Productive Land 2022 (NPSHPL).
- 4 The relevant s42A reports are:
- 4.1 Chapter 1: Introduction and planning context and general themes
 - 4.2 Chapter 9: LF – Land and freshwater
 - 4.3 Chapter 15: UFD – Urban form and development
- 5 This statement of evidence is in addition to the supplementary statements of evidence for LF – Land and Freshwater,¹ and UFD – Urban Form and Development published on 11 October 2022.²

¹ Brief of Supplementary Evidence of Felicity Ann Boyd. LF – Land and Freshwater. 11 October 2022.

² Brief of Supplementary Evidence of Elizabeth Jane White Urban Form and Development Chapter. 11 October 2022.

- 6 This supplementary statement of evidence addresses the following provisions in the pORPS that I am recommending changes to, to give effect to the NPSHPL:
 - 6.1 The definitions of:
 - 6.1.1 Food and fibre production
 - 6.1.2 Highly productive land
 - 6.2 LF-LS-O11A
 - 6.3 LF-LS-P19
 - 6.4 LF-LS-M12
 - 6.5 UFD-O4
 - 6.6 UFD-P4
 - 6.7 UFD-P7
 - 6.8 UFD-P8
- 7 I am also recommending the addition of a new method – LF-LS-M11A.
- 8 In the sections below, and in relation to each matter above, I have:
 - 8.1 Identified the recommendation that is to be amended or replaced.
 - 8.2 Identified the related provision in the NPSHPL.
 - 8.3 Identified the scope relied upon to make these amendments or replacements.
 - 8.4 Provided an explanation for the amendment or replacement.
 - 8.5 Evaluated the amendment or replacement in accordance with section 32AA of the RMA (where applicable).
 - 8.6 Set out the proposed amendments to the relevant pORPS provisions.
- 9 Where I have recommended additional amendments to provisions, my recommendations are shown in addition to my original section 42A recommendations. The key below sets out how these different recommendations are shown.

Key to proposed amendments

Appearance	Explanation
Black text	Text as notified.
Black text with <u>underlining</u> or strikethrough	Amendments recommended in section 42A report.
Brown text with <u>underlining</u> or strikethrough	Additional amendments recommended in first statement of supplementary evidence where there has been no previous amendment to the 'as notified' provision text.
Black text with <u>red underlining</u>	Text that was recommended to be deleted in s42A report but subsequently recommended to be retained ("un-deleted") by first statement of supplementary evidence.
Black text with <u>brown underlining</u>	Text that was recommended to be deleted in s42A report but subsequently recommended to be retained ("un-deleted") by second statement of supplementary evidence.
Brown strikethrough with <u>black underlining</u> .	Text that was recommended to be inserted in s42A report (black underline) but subsequently recommended to be deleted by first statement of supplementary evidence (brown strikethrough).
Brown strikethrough with <u>red underlining</u> .	Text that was recommended to be inserted in the first statement of supplementary evidence (red underline) but subsequently recommended to be deleted by second statement of supplementary evidence (brown strikethrough).

- 10 In the same way as the original section 42A report recommendations, the scope for all proposed amendments is included as a footnote in the amended provisions. Where the amendments were recommended in the section 42A report, the supporting explanation is in the section 42A report. Where the amendments are recommended through this supplementary evidence, the supporting explanation is contained in this supplementary evidence.

National Policy Statement for Highly Productive Land 2022 (NPSHPL)

- 11 The NPSHPL was gazetted on 19 September 2022 and came into force on 17 October 2022. The NPSHPL seeks to improve the way highly productive land is managed under the RMA. It directs councils on how to identify and map highly productive land, and how to manage the subdivision, use, and development of this resource.
- 12 Part 1 of the NPSHPL contains preliminary provisions, and definitions for words and terms used in the NPSHPL. Part 2 of the NPSHPL contains the objective and policies. The objective of the NPSHPL is:

“Highly productive land is protected for use in land-based primary production, both now and for future generations.”

- 13 Nine policies give effect to the objective. The policies acknowledge that highly productive land is a resource with finite characteristics and that its identification and management require consideration of the interactions of managing highly productive land with freshwater management and urban development. The policies require that highly productive land is mapped in regional policy statements and district plans. The policies prioritise the use of highly productive land for land-based primary production. Urban and rural lifestyle rezoning, and subdivision must be avoided, except as provided for in the NPSHPL itself. Highly productive land is to be protected from inappropriate use and development. The policies also require that reverse sensitivity effects are managed so as not to constrain land-based primary production on highly productive land.
- 14 Part 3 of the NPSHPL sets out a number of things that local authorities must do to give effect to the objective and policies. Part 3 broadly aligns with the policies in Part 2 and provides further detail on how these policies must be implemented. This Part includes the criteria for identifying and mapping highly productive land and sets out the circumstances in which rezoning, use, development and subdivision of highly productive land may be appropriate.
- 15 Highly productive land is defined as:³
- ...“land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)”.*
- 16 Clauses 3.4 and 3.5 set out the requirements for mapping and identifying highly productive land. Clause 3.4 sets out the method that regional councils must follow for mapping highly productive land in their region. Clause 3.5(1) requires that those maps must be included in the regional policy statement as soon as practicable, and no later than 3 years after the commencement date (i.e. 17 October 2025). Until highly productive land is mapped in the regional policy

³ NPSHPL, clause 1.3.

statement, clause 3.5(7) sets out the interim definition of highly productive land that applies. Clause 3.5(7) states:

“Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is:

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.”

Council’s obligation to implement the NPSHPL

17 Clause 4.1 of the NPSHPL sets out when the NPSHPL takes effect and states that:

“(1) Every local authority must give effect to this National Policy Statement on and from the commencement date (noting that, until an operative regional policy statement contains the maps of highly productive land required by clause 3.5(1), highly productive land in the region must be taken to have the meaning in clause 3.5(7)).

(2) Every territorial authority must notify changes to objectives, policies, and rules in its district plan to give effect to this National Policy Statement (using a process in Schedule 1 of the Act) as soon as practicable, but no later than 2 years after maps of highly productive land in the relevant regional policy statement become operative.”

18 The NPSHPL does not contain any compulsory direction that must be included in a regional policy statement without a Schedule 1 process.

- 19 In accordance with section 62(3) of the Resource Management Act, a regional policy statement must give effect to a national policy statement. I understand that because the NPSHPL has been introduced 'mid-process', the extent to which the pORPS can give effect to the NPSHPL is confined by the scope of the submissions lodged that seek changes to the pORPS provisions. This is a legal matter and will be addressed further by counsel for ORC.
- 20 Having considered the content of the NPSHPL, the provisions of the pORPS, and the submissions on the pORPS provisions, I recommend several amendments to the pORPS to give effect to the NPSHPL. I consider that these recommendations give effect to the NPSHPL to the extent that there is scope in submissions. In the section below, I have outlined the background to the development of the NPSHPL as it relates to the pORPS and the limitations to some of the submission points seeking amendments to align with the NPSHPL.

Submissions relating to the NPSHPL

- 21 In 2019, the Government consulted on the NPSHPL. A summary of submissions for the draft NPSHPL was released in July 2020 and, at the time of notification of the pORPS (June 2021), the Government was continuing to work on the document with a view to finalising it and bringing it into effect in the second half of 2021.
- 22 Several submitters on the pORPS acknowledged the proposed NPSHPL in their submissions and sought that the provisions of the pORPS better align with the (then draft) NPSHPL. The New Zealand Cherry Corp sought any further relief necessary to give effect to the NPSHPL when it is gazetted⁴, while Beef and Lamb + DINZ sought that the LF Chapter be better aligned with the NPSHPL when it is made operative.⁵
- 23 I understand that while these submissions appear to provide the scope necessary to make amendments to the pORPS, caution must be exercised in relying solely on them to make recommended amendments to provisions. That is because those submitters, at the time of writing their submissions, could not have known what the final content of the NPSHPL would be and therefore other submitters could not have reasonably responded to those original submissions. This is a matter of natural justice and fairness.

⁴ 00413.002 New Zealand Cherry Corp

⁵ 00237.024 Beef and Lamb + DINZ

- 24 In light of that, in the sections below I discuss the specific pORPS provisions that are relevant to the NPSHPL, consider whether any amendments are necessary to give effect to the NPSHPL, and identify any specific submission points seeking amendments that are aligned with the amendments I consider are necessary.

Definitions

Food and fibre production

- 25 In section 9.8.3.1 of my s42A report on *LF – Land and freshwater*, I discussed submissions on “primary production” and other associated terms.
- 26 The term “primary production” is defined as per the mandatory definition in the National Planning Standards and is used throughout the RPS. The term is used in all provisions that relate to the management of highly productive land, on the basis that the availability and productive capacity of highly productive land for primary production should be maintained.
- 27 Several submissions were received on the need for some differentiation where primary production is used in reference to highly productive land, as some submitters considered that activities such as mining, quarrying and forestry are not reliant on highly productive land and should not be given preference to occur on highly productive land.⁶
- 28 I recommended that the term “primary production” be replaced with the term “food and fibre production” in the context of highly productive land (being provisions LF-LS-O11, LF-LS-P19, LF-LS-E4, LF-LS-PR4 and UFD-P7). I recommended the use of the term “food and fibre production” as a way to exclude mining, quarry and permanent forestry from being prioritised on highly productive land.
- 29 These terms were discussed at pre-hearing meetings, and I was in the process of reconsidering their use, and definition, when the NPSHPL was introduced.
- 30 The NPSHPL seeks to protect and prioritise the use of highly productive land for land-based primary production. The NPSHPL includes a definition for the term “land-based primary production” which is:⁷

“means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land”

⁶ 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁷ NPSHPL, clause 1.3.

- 31 As I recommended the use of the term “food and fibre production” in the context of managing highly productive land, I consider that adopting an alternative term with a similar purpose that is consistent with the NPSHPL is appropriate.
- 32 I recognise that the NPSHPL definition includes “forestry activities”, which is partly contrary to the reasoning for the recommendation in the s42A report (which recommended including plantation forestry in the definition but excluding permanent or carbon forestry). The s42A recommended definition is more stringent than the NPSHPL definition because it excludes permanent forestry from being prioritised on highly productive land.
- 33 Unlike some other national policy statements (for example, clause 3.1(2)(a) of the NPSFM), the NPSHPL does not explicitly state that local authorities may adopt more stringent measures than required by the NPS. Instead, it states that “*nothing in [Part 3] limits the general obligation under the Act to give effect to [the objective and policies].*” If the Government’s intention was for local authorities to have the ability to adopt more stringent measures, I would expect this would have been made clear in its provisions.
- 34 On that basis, I consider that consistency with the NPSHPL is appropriate in relation to the activities included in the definition and therefore to be prioritised on highly productive land. I recommend adopting the term “land-based primary production” as defined in the NPSHPL:

land-based primary production⁸

has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)

means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land

- 35 As consequential amendments, I also recommend replacing the term “food and fibre production” with “land-based primary production” in LF-LS-P19, LF-LS-E4, LF-LS-PR4 and UFD-P7, and deleting the proposed definition of “food and fibre production”.

Section 32AA evaluation

⁸ 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

36 The amendments I recommend do not alter the scope of the recommended definition of the term “food and fibre production”, outside the inclusion of forestry. The inclusion of forestry is consistent with the use of the term “primary production” in the notified version of the pORPS as assessed in the original s32 assessment. Additionally, the NPSHPL itself has recently been subject to evaluation under section 32 and the Council is obliged to give effect to it. Therefore, I do not consider that further evaluation is required under section 32AA.

Highly productive land

37 In section 9.8.3.2 of the s42A report for LF – Land and freshwater, I discussed submissions on highly productive land, and whether the term required a definition, as a definition was not included in the notified pORPS.

38 OWRUG and Horticulture NZ seek that the term “highly productive land” be defined in the pORPS, referring to both the highly productive land as identified in accordance with LF-LS-P19, and an interim definition referring to Land Use Capability (LUC) classification, including land in the rural area that is classified as LUC classes 1, 2 and 3,⁹ or 1, 2, 3 and 4.¹⁰ NZ Pork seeks that highly productive land should be defined, but does not include definition wording.¹¹

39 I recommended including a definition of “highly productive land” as per Horticulture NZ’s submission (i.e. incorporating both an interim definition to apply before identification of highly productive land has occurred and the identified land once identification has occurred).

40 In a similar way, the NPSHPL defines the term “highly productive land” in clause 1.3 and includes both an identification protocol for regional councils to implement (clause 3.4(1)-(3)), and an interim definition to apply before that identification has occurred (clause 3.5(7)).

41 The NPSHPL interim definition of highly productive land is largely consistent with the definition recommended in the s42A report, utilising LUC classes and zoning, and acknowledging any future urban development already identified.

42 To ensure consistency with the NPSHPL, I recommend replacing the definition of “highly productive land” as recommended in my section 42A report with the

⁹ 00236.013 Horticulture NZ

¹⁰ 00235.009 OWRUG

¹¹ 00240.025 NZ Pork

definition in the NPSHPL and italicising all references to highly productive land in the pORPS.

highly productive land¹²

means:

(a) — land that has been identified in accordance with LF-LS-P19; or

(b) — where the identification in (a) has not occurred, land in the rural area that is classified as LUC 1, 2 or 3 as mapped by the NZ Land Resource Inventory or by more detailed site-specific research.¹³

has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)

means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)

Section 32AA evaluation

- 43 The amendments I recommend do not alter the scope of the definition, and ensure the definition is consistent with the NPSHPL. Therefore, I do not consider that further evaluation is required under section 32AA.

LF-LS-O11A and “productive capacity”

- 44 In my supplementary statement of evidence for *LF – Land and Freshwater*, I recommend that LF-LS-O11 be split into two objectives, with LF-LS-O11A being specific to highly productive land as follows:

“The availability and productive capacity of *highly productive land* for *food and fibre production* is maintained now and for future generations.”

- 45 The objective of the NPSHPL uses similar language to LF-LS-O11A, although requires the protection, rather than maintenance, of highly productive land for

¹² 00235.009 OWRUG, 00236.013 Horticulture NZ, 00240.025 NZ Pork

¹³ 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

land-based primary production, with no reference to the availability or productive capacity of that land.

- 46 I have reviewed the submission points on LF-LS-O11 as notified and do not consider that any of them seek to increase the stringency of this objective (including the portion which is now recommended to be included in LF-LS-O11A). Although I consider it would be preferable to adopt the same wording as the NPSHPL for consistency, I do not consider there is scope to make this amendment. Additionally, I do not consider there is a significant difference between “maintaining” and “protecting” – both actions seek to retain something in a particular state.
- 47 However, I do not consider that the objective is inconsistent with the NPSHPL as it requires maintaining the availability and productive capacity of highly productive land which is not dissimilar to protecting the use of that land for land-based primary production. As I have set out in the sections below, the policies in the pORPS are largely consistent with the relevant policies in the NPSHPL, meaning that although the objectives of the pORPS and the NPSHPL may be different, many of the same actions will be employed to achieve both outcomes.
- 48 The term “productive capacity” is used in LF-LS-O11A and several other provisions but is not defined. Horticulture NZ made a general submission noting that defining highly productive land needs to recognise the natural and physical factors that contribute to the productivity capacity of the land.¹⁴ The submitter seeks that protection of highly productive land focuses on protecting the productive capacity of that land.¹⁵ Several submitters seek that productive capacity assessments take into consideration a range of factors beyond LUC.¹⁶ I consider the definition of “productive capacity” in the NPSHPL acknowledges these other factors, including physical factors and legal constraints.
- 49 The term “productive capacity” is defined in the NPSHPL as follows:¹⁷

in relation to land, means the ability of the land to support land-based primary production over the long term, based on an assessment of:

¹⁴ 00236.004 Horticulture NZ

¹⁵ 00236.005 Horticulture NZ

¹⁶ 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁷ NPSHPL, clause 1.3.

- (a) *physical characteristics (such as soil type, properties, and versatility); and*
- (b) *legal constraints (such as consent notices, local authority covenants, and easements); and*
- (c) *the size and shape of existing and proposed land parcels*

50 This is consistent with the criteria set out in LF-LS-P19(1) for identifying highly productive land, including the capability and versatility of land, suitability of the climate, and the size and cohesiveness of the area of land. The NPSHPL definition is specific to land-based primary production, rather than the more widely defined primary production used in the pORPS. The NPSHPL definition is not specific to highly productive land.

51 The use of the term “productive capacity” in the pORPS is not specific to primary production or highly productive land in all cases. In the case of LF-LS-O11A, LF-LS-P19, LF-LS-M12, UFD-P7(6), the term is used in a particular context – “the productive capacity of highly productive land”. However, in other parts of the pORPS, productive capacity is not explicitly used in the context of highly productive land. For example, UFD-O4(4) refers to productive capacity in the context of primary production in rural areas, while UFD-P7(2) refers to the productive capacity of rural areas, with no reference to primary production. Neither of the latter examples references highly productive land, although that land will form part of rural areas.

52 In these cases, although the context is broader, I consider that the NPSHPL definition of “productive capacity” is appropriate to use in UFD-O4(4) and UFD-P7(2) and conveys the same concept as was intended by the undefined term.

53 I recommend the following amendments:

productive capacity¹⁸

has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)

in relation to land, means the ability of the land to support land-based primary production over the long term, based on an assessment of:

¹⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

- (a) physical characteristics (such as soil type, properties, and versatility); and
- (b) legal constraints (such as consent notices, local authority covenants, and easements); and
- (c) the size and shape of existing and proposed land parcels

LF-LS-O11A – Highly productive land

The availability and *productive capacity*¹⁹ of highly productive land²⁰ for land-based primary production ~~food and fibre production~~²¹ is maintained²² now and for future generations.²³

54 In addition, I recommend italicising “productive capacity”, and therefore applying the definition set out above, in the following provisions:

54.1 LF-LS-P19,

54.2 LF-LS-M12,

54.3 UFD-O4(4), and

54.4 UFD-P7(2) and (6).

Section 32AA evaluation

55 The amendments I recommend do not alter the scope of the objective or its purpose, so I do not consider further evaluation is required under section 32AA.

LF-LS-P19

56 In section 9.8.10 of the s42A report on *LF – Land and freshwater*, I discussed submissions on LF-LS-P19, which sets out the ways by which the availability and productivity of highly productive land will be maintained.

57 Each clause of LF-LS-P19 will be discussed separately below, given they relate to different aspects of the NPSHPL.

¹⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

²⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00240.025 NZ Pork

²¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

²² 00239.093 Federated Farmers

²³ 00322.021 Fulton Hogan, 00322.022 Fulton Hogan, 00509.068 Wise Response

LF-LS-P19(1)

- 58 This clause sets out the criteria for identifying highly productive land. In the s42A report, I recommended several changes to the sub-clauses contained within LF-LS-P19(1). These changes acknowledged that LUC is not the only way to classify highly productive land and ensured LUC would not be the only factor considered. I considered that this flexibility would enable the identification of land that is not classified as ‘traditionally’ productive (such as land suited to growing stone fruit).
- 59 Several submissions were received on the identification of highly productive land. Tōitu Te Whenua seeks that the LUC system be used to classify highly productive land, alongside the other factors that make land highly productive.²⁴ Similar to Tōitu Te Whenua, DCC seeks that Clause 1(a) is amended to specify which LUC classes apply.²⁵
- 60 CODC supports the focus on productive capacity, rather than the use of LUC classes 1-3, but considers that mapping of highly productive land should be done at a regional level.²⁶
- 61 The identification of highly productive land, including the criteria and responsibility for identification, is addressed in the NPSHPL. Clause 3.4 sets out the procedure for identifying highly productive land, including the criteria that must be used, and the parties that must be involved in the identification process. The key criteria contained in clause 3.4 are set out below:

“(1) Every regional council must map as highly productive land any land in its region that:

(a) is in a general rural zone or rural production zone; and

(b) is predominantly LUC 1, 2, or 3 land; and

(c) forms a large and geographically cohesive area.

(2) However, despite anything else in this clause, land that, at the commencement date, is identified for future urban development must not be mapped as highly productive land.

²⁴ 00101.044 Tōitu Te Whenua

²⁵ 00139.122 DCC

²⁶ 00201.019 CODC

(3) *Regional councils may map land that is in a general rural zone or a rural production zone, but is not LUC 1, 2, or 3 land, as highly productive land if the land is, or has the potential to be (based on current uses of similar land in the region), highly productive for land-based primary production in that region, having regard to the soil type, physical characteristics of the land and soil, and climate of the area.”*

62 The NPSHPL defines the term “identified for future urban development”, with the following definition:²⁷

“means:

(a) *identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years; or*

(b) *identified:*

(i) *in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and*

(ii) *at a level of detail that makes the boundaries of the area identifiable in practice”*

63 LF-LS-P19(1) and clause 3.4 both require the use of the LUC system, and consideration of cohesiveness. However, clause 3.4 is more directive about the land that must, may, and must not be identified as highly productive, while LF-LF-P19(1) provides discretion in the identification process.

64 I consider that the NPSHPL criteria for identifying highly productive land are consistent with the amendments sought by submitters to use both the LUC system as well as other factors that make land highly productive to identify highly productive land.

65 It is desirable for the pORPS to follow the directions in the NPSHPL for identifying and mapping highly productive land. The submissions give scope to do so. I recommend the following amendments to LF-LW-P19:

²⁷ NPSHPL, clause 1.3.

Maintain the availability and *productive capacity*²⁸ of *highly productive land* by:

(1) identifying *highly productive land* based on the following criteria:

~~(a) the capability and versatility of the land to support food and fibre production primary production²⁹ based on, including using³⁰ the Land Use Capability classification system,~~

~~(b) the suitability of the climate for food and fibre production primary production,³¹ particularly crop production, and~~

~~(c) the size and cohesiveness of the area of land for use for food and fibre production primary production,³² and~~

~~(d) land must be identified as *highly productive land* if:~~

~~(i) it is in a general rural zone or rural production zone, and~~

~~(ii) it is predominantly *LUC 1, 2, or 3 land*, and~~

~~(iii) it forms a large and geographically cohesive area,~~

~~(e) land may be identified as *highly productive land* if:~~

~~(i) it is in a general rural zone or rural production zone, and~~

~~(ii) it is not *LUC 1, 2, or 3 land*, and~~

~~(iii) it is or has the potential to be highly productive for land-based primary production in Otago, having regard to the soil type, the physical characteristics of the land and soil, and the climate, and~~

~~(f) land must not be identified as *highly productive land* if it was identified for future urban development on or before 17 October 2022, and³³~~

²⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

²⁹ 00235.008 OWRUG

³⁰ 00114.025-031 Mt Cardrona Station, 00118.025-031 Maryhill Limited, 00209.012-015 Universal Developments, 00210.011-013 & 015 Lane Hocking, 00211.011-013 & 015 LAC Properties Trustees Limited

³¹ 00235.008 OWRUG

³² 00235.008 OWRUG

³³ 00101.044 Tōitu Te Whenua

66 As a consequential amendment to the recommendations for LF-LS-P19(1), and to ensure consistency with the NPSHPL, I also recommend adopting the term “identified for future urban development” as defined in the NPSHPL. This term is also used in UFD-P8(2), in the context of establishment, development or expansion of rural lifestyle or rural residential zones avoiding land identified for future urban development. I consider the definition in the NPSHPL is appropriate in this context. I recommend the following additional amendments:

identified for future urban development³⁴

has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)

means:

(a) identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years:

or

(b) identified:

(i) in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and

(ii) at a level of detail that makes the boundaries of the area identifiable in practice

67 I also recommend italicising the term “identified for future urban development” in UFD-P8(2).

68 For the same reasons, I also recommend including the term “LUC 1, 2, or 3 land” as defined in the NPSHPL as follows and italicising its use in LF-LS-P19:

LUC 1, 2, or 3 land³⁵

³⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

³⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)

means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification

Section 32AA evaluation

- 69 The amendments I recommend ensure the identification of highly productive land under the pORPS is consistent with the identification and mapping requirements under the NPSHPL. I acknowledge that there may be some land that would have been identified as highly productive under the pORPS, and will not be under the NPSHPL, and vice versa. For example, the notified version did not list specific LUC classes or include a qualifier (such as “large”) with respect to the size of an area of land which may have increased the areas of land that could potentially be identified as highly productive. However, the NPLSHPL includes additional criteria not addressed by the pORPS, such as general rural zoned and rural production zoned land, which may capture some land not identified under the pORPS provisions.
- 70 This inconsistency could have environmental costs for highly productive land, and economic costs for new activities, as well as for the Council in having to administer two definitions and identification protocols for highly productive land. The recommended amendment will be more effective in implementing LF-LS-O11A, by ensuring that highly productive land is able to be identified, in order for its availability and productive capacity to be maintained. As noted previously, the NPSHPL itself has been evaluated recently under section 32 and the Council is obliged to give effect to it.

LF-LS-P19(2)

- 71 In my s42A report on *LF – Land and freshwater*, I recommended an exception to the prioritisation of highly productive land for regionally and nationally significant infrastructure, as described by EIT-INF-P12 and EIT-INF-P16. This inclusion was on the basis of a submission by Transpower.³⁶

³⁶ 00314.027

- 72 Clause 3.9 of the NPSHPL provides a pathway for the use or development of highly productive land where it would otherwise be considered inappropriate. Clause 3.9 sets out several situations where the use or development of highly productive land is not inappropriate, which includes the maintenance, operation, upgrade or expansion of specified infrastructure. “Specified infrastructure” is defined in the NPSHPL. The NPSHPL definition is similar to the NPSFM definition, although it captures nationally as well as regionally significant infrastructure.
- 73 It is likely that most regionally or nationally significant infrastructure would be considered to be specified infrastructure, and its maintenance, operation, upgrade or expansion therefore provided for under clause 3.9 of the NPSHPL.
- 74 To ensure that LF-LS-P19(2) gives effect to the NPSHPL, I recommend removing the reference to EIT-INF-P12 and EIT-INF-P16.³⁷ Exceptions to the requirement to prioritise land for land-based primary production are set out in the NPSHPL and will be implemented by territorial authorities as they amend their district plans to give effect to the NPSHPL.
- 75 I recommend the following amendments:
- (2) prioritising the use of *highly productive land* for land-based primary production³⁸ ~~food and fibre production~~ primary production³⁹ ahead of other land uses,⁴⁰ except as provided by EIT-INF-P12 and EIT-INF-P16,⁴⁴ and

Section 32AA evaluation

- 76 The amendments I recommend do not alter the effect of clause LF-LS-P19(2) from the notified version of the pORPS so I do not consider that further evaluation is required under section 32AA.

LF-LS-P19(3)

³⁷ I note that the supplementary evidence of Marcus Langman dated 11 October 2022 recommends moving these policies to the EIT-EN section of the EIT chapter but retaining their content.

³⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

³⁹ 00235.008 OWRUG

⁴⁰ 00413.004 New Zealand Cherry Corp, 00414.002 Infinity Investment Group

⁴¹ 00314.027 Transpower

- 77 In my first supplementary statement of evidence for *LF – Land and Freshwater* dated 11 October 2022, I recommend that LF-LS-P19(3) be amended to apply to development more generally. I consider this amendment is consistent with the NPSHPL because the direction in Policies 5 and 6 of the NPSHPL is reflected in the UFD provisions referenced in LF-LS-P19(3) (i.e. UFD-P4, UFD-P7 and UFD-P8).
- 78 I do not recommend any additional amendments to LF-LS-P19(3).

LF-LS-M11A

- 79 Central Otago District Council submits that highly productive land should be identified at a regional level. In paragraph 1514 of my section 42A report, I did not recommend accepting that submission point. My reasoning was that while the draft National Policy Statement for Highly Productive Land had indicated that identification would be a regional council function, that document was not in force and may be amended before coming into force. Because of that uncertainty, I considered it was preferable for the LF-LS provisions to remain silent on who would be responsible for identification.
- 80 Alongside CODC several other submitters sought changes regarding the mapping of highly productive land. Trojan and Wayfare sought that LF-LS-P19(1) include reference to mapping, as well as identifying highly productive land.⁴² OWRUG sought that the requirement to map and identify highly productive land be included in LF-LS-M11.⁴³
- 81 Policy 3 of the NPSHPL requires that maps of highly productive land are included in regional policy statements and district plans, while Clauses 3.4 and 3.5 of the NPSHPL describe how land will be mapped as highly productive, and when and where the maps of highly productive land shall be published.
- 82 I recommend introducing a new method to provide direction on the identification and mapping of highly productive land as follows:

⁴² 00206.040 Trojan, 00411.052 Wayfare

⁴³ 00235.110 OWRUG

LF-LS-M11A – Identification of highly productive land⁴⁴

- (1) In collaboration with territorial authorities and in consultation with tangata whenua, Otago Regional Council must identify *highly productive land* in Otago in accordance with LF-LS-P19(1), and
- (2) Otago Regional Council must include maps of the *highly productive land* identified in accordance with (1) in the Regional Policy Statement by 17 October 2025.

Section 32AA evaluation

83 My recommendation to include a new method provides clarity for the respective roles of territorial authorities and the regional council in identifying highly productive land, and is consistent with, and gives effect to, the NPSHPL. As the new method does not require the implementation of additional or different actions to those anticipated under the notified version of the pORPS, there will be no change to the overall effectiveness or efficiency of the provisions as assessed in the Section 32 Evaluation Report.

LF-LS-M12

84 Based on the amendments recommended above for LF-LS-M11A, I recommended a consequential amendment to LF-LS-M12(4), such that it acknowledges that highly productive land is identified and mapped under LF-LS-M11A.

85 I recommend the following amendment:

- (4) maintain the availability and *productive capacity*⁴⁵ of *highly productive land* identified and mapped under LF-LS-M11A⁴⁶ in accordance with LF-LS-P19.

Section 32AA evaluation

86 The amendments I recommend do not alter the scope or purpose of the method, so I do not consider further evaluation is required under section 32AA.

⁴⁴ 00201.018 CODC, 00201.019 CODC, 00206.040 Trojan, 00235.110 OWRUG

⁴⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

⁴⁶ Clause 16(2), Schedule 1, RMA

UFD-O4

- 87 In the s42A report on *UFD – Urban form and development*, several changes to clauses 2 and 4 of UFD-O4 were recommended, as well as the addition of clause 4A. In the supplementary evidence on urban form and development,⁴⁷ several minor amendments to clause (3) and (4) of UFD-O4 are recommended.
- 88 Most of the provisions in UFD-O4 do not relate specifically to highly productive land. However, clauses (2), and to a lesser extent (3) and (4) are relevant to the management of highly productive land.

UFD-O4(2)

- 89 UFD-O4(2) requires that development of land in rural areas is avoided where it has been identified as highly productive by LF-LS-P19, unless there is an operational or functional need for the activity.
- 90 Silver Fern Farms seeks amendments to clarify the spatial application of the clause.⁴⁸ Several submitters seek that UFD-O4(2) provide greater direction on supporting activities for primary production,⁴⁹ while others seek a greater emphasis on the protection of highly productive land.⁵⁰
- 91 The NPSHPL requires the protection of all highly productive land and provides an interim definition of highly productive land for the period prior to highly productive land being mapped in the regional policy statement.
- 92 Clause 3.9 of the NPSHPL sets out several situations where the use or development of highly productive land is not inappropriate. Functional and operational need is only referenced in relation to specific development situations.
- 93 The ambiguity of wording in UFD-O4(2) does not reflect the interim definition of highly productive land and suggests that the direction only applies to highly productive land that has been identified by the regional council in the regional policy statement.
- 94 To ensure that UFD-O4(2) is consistent with the NPSHPL, I recommend amending wording so that development is required to avoid all highly productive

⁴⁷ Brief of Supplementary Evidence of Elizabeth Jane White. UFD - Urban Form and Development Chapter. 11 October 2022

⁴⁸ 00221.013 Silver Fern Farms

⁴⁹ 00208.009 AgResearch, 00410.007 Rural Contractors

⁵⁰ 00121.099 Ravensdown, 002204.004 Daisy Link

land as a first priority. Exceptions to this priority will be provided through the NPSHPL and by territorial authorities as they give effect to the NPSHPL. This amendment will clarify the spatial application of this clause in a way that gives effect to the NPSHPL.

95 I recommend the following amendments:

- (2) avoids as the first priority, *highly productive land* ~~land and soils~~⁵⁴ ~~identified as highly productive by LF-LS-P19 unless there is an operational need or functional need~~⁵² ~~for the development to be located in rural areas,~~⁵³

Section 32AA evaluation

96 The amendments I recommend do not alter the effect of the objective so I do not consider further evaluation is required under section 32AA.

UFD-O4(3)

97 UFD-O4(3) provides for urban expansion and development in locations identified through strategic planning or zoned within district plans as being suitable for such development. UFD-O4(3) is not specific to highly productive land.

98 Clause 3.6 of the NPSHPL provides for the urban rezoning of highly productive land, but only in specified circumstances, and subject to several considerations.

99 UFD-O4(3) only provides for development where it has been identified by the territorial authority as being suitable. Territorial authorities must implement the NPSHPL in determining the suitability of land for rezoning, therefore I consider the clause is considered to be consistent with the NPSHPL and no amendments are necessary.

UFD-O4(4)

100 UFD-O4(4) provides for the use of rural areas for primary production, while supporting rural industry, and ensures that other activities do not compromise these areas. The scope of this clause is broader than the NPSHPL for two reasons: it relates to rural areas generally (not just highly productive land) and primary production (which, as defined in the pORPS, includes more activities than

⁵¹ 00322.038 Fulton Hogan, 00236.099 Horticulture NZ

⁵² 00414.003 Infinity, 00413.05 NZ Cherry Corp

⁵³ 00221.013 Silver Fern Farms

the definition of land-based primary production used in the NPSHPL in relation to highly productive land).

- 101 With this context, I consider the clause gives effect to the NPSHPL insofar as it relates to matters managed by that NPL. I do not consider any amendments are necessary.

UFD-P4

- 102 In the s42A report on UFD – Urban form and development, several changes to UFD-P4 are recommended. In the supplementary evidence on urban form and development, several minor amendments to the chapeau and clause 7(a) of UFD-P4 are recommended.⁵⁴
- 103 Most of the provisions in UFD-P4 do not relate specifically to highly productive land. However, clauses (6), and to a lesser extent (7)(a) are relevant to the management of highly productive land.

UFD-P4(6)

- 104 UFD-P4(6) requires that expansion of urban areas avoids, as a first priority, highly productive land identified in accordance with LF-LS-P19.
- 105 Policy 4 of the NPSHPL requires that the use of highly productive land for land-based primary production is prioritised and supported, while Policy 5 seeks that urban rezoning of highly productive land is avoided.
- 106 UFD-P4(6) is generally consistent with policies 4 and 5 of the NPSHPL. However, in the same manner as UFD-O4(2), the reference to LF-LS-P19 does not reflect the interim definition of highly productive land in the NPSHPL and suggests that the direction only applies to highly productive land that has been identified by the regional council in the regional policy statement.
- 107 I recommend the following amendments:

- (6) avoids, as the first priority, *highly productive land*,⁵⁵ ~~identified in accordance with LF-LS-P19,~~

⁵⁴ Brief of Supplementary Evidence of Elizabeth Jane White. UFD – Urban Form and Development. 11 October 2022.

⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

Section 32AA evaluation

108 The amendments I recommend alter the scope of the policy by applying the “avoidance” direction to all highly productive land, regardless of whether it is identified through the interim definition or identified and mapped by the regional council. The amendments will better give effect to the objective of the NPSHPL, which requires that highly productive land is protected for use in land-based primary production, both now and future generations. The objective of the NPSHPL is an expression of sustainable management for highly productive land, in accordance with Section 5 of the RMA.

UFD-P4(7)

109 UFD-P4(7)(a) manages the expansion of existing urban areas and is not specific to highly productive land. It requires consideration of reverse sensitivity effects on primary production generally, rather than on just land-based primary production, and on rural industry activities which are activities not included in the definition of land-based primary production.

110 I consider this clause gives effect to the NPSHPL (insofar as it is relevant) and do not recommend any amendments.

UFD-P7

111 In the s42A report on UFD – Urban form and development, several changes to UFD-P7 are recommended. In the supplementary evidence on urban form and development, amendments to clauses (4), (5), (5A) and (6) of UFD-P7 are recommended, alongside the deletion of clause (7).⁵⁶

112 Most of the provisions in UFD-P7 do not relate specifically to highly productive land. However, clauses (3) and (6), and to a lesser extent (4) are relevant to the management of highly productive land.

UFD-P7(3)

113 UFD-P7(3) requires that the management of rural areas prioritises food and fibre production on highly productive land in accordance with LF-LS-P19. Lauder Creek seeks that UFD-P7 be amended to ensure productive land is protected.⁵⁷

⁵⁶ Brief of Supplementary Evidence of Elizabeth Jane White Urban Form and Development Chapter

⁵⁷ 00406.011 Lauder Creek

- 114 Policy 4 of the NPSHPL requires that the use of highly productive land for land-based primary production is prioritised and supported.
- 115 UFD-P7(3) is generally consistent with Policy 4 of the NPSHPL. However, in the same manner as UFD-O4(2), the reference to LF-LS-P19 does not reflect the interim definition of highly productive land in the NPSHPL and suggests that the direction only applies to highly productive land that has been identified by the regional council in the regional policy statement.
- 116 I recommend the following amendments:
- (3) ~~enables~~⁵⁸ ~~prioritises~~ land-based primary production ~~feed and fibre production~~⁵⁹ ~~primary production~~⁶⁰ particularly on land or soils within areas⁶¹ ~~identified as on~~ highly productive land⁶² ~~in accordance with LF-LS-P19,~~⁶³

Section 32AA evaluation

- 117 The amendments I recommend alter the scope of the policy by applying the direction to prioritise land-based primary production on all highly productive land, regardless of whether it is identified through the interim definition or identified and mapped by the regional council. The amendments will better give effect to the objective of the NPSHPL, which requires that highly productive land is protected for use in land-based primary production, both now and future generations. The objective of the NPSHPL is an expression of sustainable management for highly productive land, in accordance with Section 5 of the RMA. The NPSHPL itself has been subject to a recent evaluation under section 32 of the RMA and the Council is obliged to implement it.

⁵⁸ 00226.318 Horticulture NZ, Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁶⁰ 00226.310 Kāi Tahu ki Otago and General Themes Section, in response to 00235.008 OWRUG

⁶¹ 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

⁶² 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

⁶³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

UFD-P7(4)

- 118 UFD-P7(4) requires that the management of rural areas facilitates primary production, rural industry, and supporting activities. Highly productive land forms part of rural areas but UFD-P7(4) applies more broadly to rural areas.
- 119 I consider this clause gives effect to the NPSHPL (insofar as it is relevant) and do not recommend any amendments.

UFD-P7(6)

- 120 UFD-P7(6) requires that the management of rural areas restricts the establishment of non-rural activities, based on their adverse effects, unless the activities are undertaken in accordance with UFD-P4, UFD-P8 or UFD-P9. The adverse effects include “by way of reverse sensitivity, or fragmentation, the productive capacity of highly productive land”.
- 121 Policy 9 of the NPSHPL requires that reverse sensitivity effects are managed, so as not to constrain land-based primary production on highly productive land. Clause 3.13 provides additional direction on the management of reverse sensitivity, which is required to be implemented by territorial authorities.
- 122 I consider UFD-P7(6) broadly gives effect to Policy 9 and clause 3.13 of the NPSHPL, noting that the more detailed management of reverse sensitivity will come through the NPSHPL and district plans. I do not recommend any amendments.

UFD-P8

- 123 In the s42A report on UFD – Urban form and development, several changes to UFD-P8 are recommended, including to clauses (3) and (4). In the supplementary evidence on urban form and development, minor amendments to clause (2) of UFD-P8 are recommended.⁶⁴
- 124 Most of the provisions in UFD-P8 do not relate specifically to highly productive land. However, clauses (4), and to a lesser extent (3) are relevant to the management of highly productive land.

UFD-P8(3)

⁶⁴ Brief of Supplementary Evidence of Elizabeth Jane White Urban Form and Development Chapter

- 125 UFD-P8(3) requires that the establishment, development or expansion of rural lifestyle and rural residential zones minimises impacts on existing primary production and rural industry and minimises the potential for reverse sensitivity effects. As with other provisions in the UFD chapter, while this clause incorporates highly productive land it has a broader scope than only that land.
- 126 I consider this clause gives effect to the NPSHPL (insofar as it is relevant) and do not recommend any amendments.

UFD-P8(4)

- 127 As notified, UFD-P8(4) requires that the establishment, development or expansion of rural lifestyle and rural residential zones only occurs where they avoid, as a priority, highly productive land identified in accordance with LF-LS-P19. In paragraph 391 of his section 42A report on UFD – Urban form and development, Mr Balderston recommends deleting “as the first priority” from this clause in response to submissions seeking more protection of highly productive land. The supplementary evidence on the UFD chapter prepared by Ms White does not alter this recommendation.
- 128 Policy 6 of the NPSHPL requires that the rezoning and development of highly productive land is avoided, except as provided elsewhere in the NPSHPL. In my view, the recommended amendment to remove “as the first priority” from UFD-P8(4) means this clause is more stringent than Policy 6 of the NPSHPL because it does not provide any exceptions to the requirement to avoid rezoning and developing highly productive land.
- 129 To ensure UFD-P8 gives effect to the NPSHPL, I recommend reinstating “as the first priority”. I consider that this removes the problematic stringency from the clause and allows for exceptions to full avoidance to be determined by territorial authorities as they amend their plans to implement the NPSHPL.
- 130 Additionally, in the same manner as UFD-O4(2), the reference to LF-LS-P19 does not reflect the interim definition of highly productive land in the NPSHPL, and suggests that the direction only applies to highly productive land that has been identified by the regional council in the regional policy statement.
- 131 I recommend the following amendments to UFD-P8(4):

...

(4) avoids, as the first priority,⁶⁵ highly productive land,⁶⁶ ~~identified in accordance with LF-LS-P169,~~⁶⁷

...

Section 32AA evaluation

132 The amendments I recommend alter the scope of the policy by applying the direction to avoid, as the first priority, establishing, developing, or expanding rural lifestyle and rural residential zones on all highly productive land, regardless of whether it is identified through the interim definition or identified and mapped by the regional council. The amendments will better give effect to the objective of the NPSHPL, which requires that highly productive land is protected for use in land-based primary production, both now and future generations. The objective of the NPSHPL is an expression of sustainable management for highly productive land, in accordance with Section 5 of the RMA. The NPSHPL itself has been subject to a recent evaluation under section 32 of the RMA and the Council is obliged to implement it.

Felicity Ann Boyd

21 October 2022

⁶⁵ 00121.102 Ravensdown, and 00413.008 NZ Cherry Corp, 00414.006 Infinity in part

⁶⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00240.025 NZ Pork

⁶⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork