

**Before the Hearings Panel
At Kapiti Coast District Council**

**Statement of evidence of Juliet Chambers on behalf of the Kāpiti Coast
District Council (Highly Productive Land)**

Date: 14 July 2026

INTRODUCTION:

- 1 My full name is Juliet Patricia Chambers. I am employed as an Agribusiness and Environmental Consultant for AgFirst Manawatu-Whanganui.
- 2 I have prepared this statement of evidence on behalf of the Kāpiti Coast District Council (**Council**) in respect of technical related matters arising from the submissions and further submissions on the Private Plan Change 5 (PPC5) to the Kāpiti Coast District Plan (District Plan).
- 3 Specifically, this statement of evidence relates to the following matters:
 - a. Identification of Highly Productive Land (HPL)
 - b. Land Use Capability (LUC) and constraints
 - c. Application of the National Policy Statement for Highly Productive Land (NPS-HPL)
 - d. Loss of productive capacity
- 4 I am authorised to provide this evidence on behalf of the Council.

QUALIFICATIONS AND EXPERIENCE

- 5 I hold the qualifications of Bachelor of Laws and Bachelor of Arts majoring in Geography from Canterbury University and intermediate and advanced Sustainable Nutrient Management. I am a member of the New Zealand Institute of Rural Professionals.
- 6 I have over 20 years' experience across multiple land uses, rural productivity analysis, environmental assessment and planning policy, with over 8 years in agribusiness and environmental consultancy with AgFirst and the remainder in environmental, rural policy and planning.

For the last approximately 3 and a half years I have been engaged in various capacities regarding assessments related to the National Policy Statement for Highly Productive Land (NPS-HPL). These have included:

- a. Peer review work for Manawatu District Council, Whanganui District Council, Masterton District Council, and Kāpiti Coast District Council.
- b. Various assessments against Clauses 3.6, 3.8, 3.9 and 3.10 of the NPS-HPL.
- c. Production of the Article for the “The Journal”, Vol.28, No2, June 2024 on “Rural subdivision and the issue of highly productive land”.
- d. Provision of evidence for the Wairarapa Councils on behalf of the Masterton, Carterton, and South Wairarapa District Councils in respect of technical matters arising from submissions and further submissions on the Proposed Wairarapa Combined District Plan (PDP).

CODE OF CONDUCT

- 7 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023¹. I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the Council hearing panel. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

¹ <https://environmentcourt.govt.nz/assets/Practice-Note-2023-.pdf>

SUMMARY

- 8 My name is Juliet Chambers.
- 9 I have been asked by the Council to provide expert evidence on Highly Productive Land (HPL) to support the Independent Hearing Panel's assessment of Proposed (Private) Plan Change 5 – 100 & 110 Te Moana Road, Waikanae.
- 10 My statement of evidence addresses the following matters:
- a. Identification of HPL
 - b. Land Use Capability (LUC) and constraints
 - c. Application of National Policy Statement for Highly Productive Land (NPS-HPL)
 - d. Loss of productive capacity

INVOLVEMENT WITH PRIVATE PLAN CHANGE 5

- 11 I have been involved in PPC5 since 24 June 2026. I was not involved in the earlier technical reviews of the adequacy of information for the lodged PPC5, but I have familiarised myself with those technical reviews in preparing this evidence.

INFORMATION RELIED ON

- 12 In preparing this evidence, I have relied on the following information:
- a. Osborne Land Productivity Report, Lachie Grant, LandVision Ltd, February 2023.
 - b. Peer Review of LUC Report 100+110 Te Moana Rd, Waikanae, Sharn Hainsworth, Whenua Korero Ltd, January 2025

- c. Proposed Plan Change to the Kapiti Coast District Plan and Section 32 Assessment, 100 and 110 Te Moana Road, Waikanae, Mitchell Daysh, 6 May 2025
- d. Mitchell Daysh letter - RE: Response to Request for Further Information – Planning Matters: Private Plan Change at 100/110 Te Moana Road, 9 July 2025.

SCOPE OF EVIDENCE

13. Identification of Highly Productive Land

- 13.1 The National Policy Statement for Highly Productive Land 2022 (NPS-HPL) came into effect on 17 October 2022 and establishes a framework for the identification and protection of Highly Productive Land (HPL).
- 13.2 The applicant's application document refers to proposed amendments to the NPS-HPL that were under consultation at the time the application was prepared in May 2025. Among the proposals consulted on was the removal of LUC 3 land from the definition of HPL. However, the amendments ultimately gazetted in December 2025 did not remove LUC 3 land from the definition of HPL. Instead, the amended NPS-HPL retained reference to LUC 1, 2 and 3 land in both the interpretation section and the transitional identification provisions in clause 3.5(7). The amendments did, however, exempt urban rezoning of LUC 3 land from the requirements of clauses 3.6(1)–(4) and amended clause 3.5(7)(b)(iii) so that certain resource consent applications relating to LUC 3 land are excluded from the transitional HPL provisions. As these amendments are now operative, my assessment has been undertaken with reference to the current provisions of the amended NPS-HPL.
- 13.3 The site is located within the jurisdictions of Kāpiti Coast District Council and Greater Wellington Regional Council. As Greater Wellington Regional Council has not yet incorporated operative maps of HPL into

the Regional Policy Statement (RPS), the transitional provisions in clause 3.5(7) of the NPS-HPL apply.

13.4 Until the RPS containing maps of HPL becomes operative, HPL includes land that, at 17 October 2022:

- was zoned General Rural or Rural Production; and
- was identified as Land Use Capability (LUC) Class 1, 2 or 3 land.

but is not:

- identified for future urban development at 17 October 2022;
- subject to a council-initiated or adopted notified plan change at 17 October 2022 to rezone the land from General Rural or Rural Production to urban or rural lifestyle; or
- subject to a resource consent application for subdivision, use or development on LUC 3 land for any activity other than rural lifestyle, lodged at or after 17 October 2022.

13.5 Based on the information before me, none of the exclusions in clause 3.5(7) apply.

13.6 The site was zoned General Rural on 17 October 2022 and therefore satisfies the zoning criterion in clause 3.5(7).

13.7 Appendix 1 shows that the New Zealand Land Resource Inventory (NZLRI) identifies 1.83 hectares (ha) of the site as LUC 2 and 3.66 ha as LUC 6.

13.8 A more detailed site-specific LUC and soil resource assessment was undertaken in 2023 by Lachie Grant of LandVision Ltd, with the findings contained in the 'Osborne Land Productivity Report' (The Report). The assessment concluded that the site is more appropriately classified as shown in Table 1.

Table 1: Site specific LUC assessment over the site as per The Report

LUC Unit	Area (ha)	%
3w3	0.76	13.1
4e4	1.29	22.3
6e5	1.96	33.8
8w1	0.17	2.9
6s4	0.80	13.8
6w1	0.82	14.1
Total	5.80	100

13.9 The Report does not include a direct spatial comparison between the NZLRI mapping and the site-specific LUC mapping. Accordingly, it is not possible to accurately quantify the relationship between the 1.83 ha of NZLRI LUC 2 land and the individual LUC units identified in the site-specific assessment. Based on my review of the available mapping, the area identified as LUC 2 in the NZLRI appears to broadly correspond with land classified as LUC 3 and 4 in the site-specific assessment, together with a small area of LUC 6 land. As no formal spatial reconciliation has been undertaken, this observation should be regarded as indicative rather than definitive.

13.10 For the purposes of identifying HPL under clause 3.5(7) of the NPS-HPL, the site contains 1.83 ha of land identified as LUC 2 in the NZLRI and was zoned General Rural at 17 October 2022. Accordingly, that land meets the definition of HPL under the transitional provisions of the NPS-HPL.

13.11 In considering the land resource characteristics of the site, I place greater weight on the findings of the site-specific LUC and soil resource assessment than on the NZLRI mapping. The NZLRI is a regional-scale land resource inventory that provides a useful strategic overview of land capability across New Zealand but was not intended to provide definitive assessments at an individual property scale.

13.12 The NZLRI mapping for the Wellington region was prepared at a scale of approximately 1:50,000. By comparison, the site-specific assessment was undertaken at a scale of 1:6,000 and involved detailed field investigations, with observations undertaken at an average density of approximately one observation per 3,600m². The site-specific assessment therefore provides a substantially finer level of detail than the regional-scale NZLRI mapping and is based on direct evaluation of the site's soils, topography, drainage and other physical land resource characteristics.

13.13 Accordingly, while the NZLRI remains the appropriate dataset for determining whether land meets the transitional definition of HPL, the site-specific assessment provides the more reliable basis for assessing the physical characteristics, productive capacity and versatility of the land.

14. **LUC and constraints**

14.1 The site-specific LUC and soil resource assessment identifies 0.76 ha of LUC 3w3 land (13.1% of the site). No LUC 2 land was identified within the site-specific assessment area. The balance of the site is classified as LUC 4, 6 and 8 land.

14.2 For the purposes of clause 3.10(1)(a) of the NPS-HPL, the assessment identifies wetness, drainage limitations, lack of irrigation water and site scale as the principal constraints affecting the economic viability of land-based primary production. The assessment also notes the presence of a natural wetland on the site. In this regard, while the report refers to the

National Policy Statement for Freshwater Management 2020 (NPS-FM), the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 are also relevant (NES-F), as they place restrictions on activities in and within 100 metres of natural inland wetlands.

- 14.3 Wetness and drainage limitations are identified as the defining characteristics of the LUC 3w3 land. The assessment notes evidence of historical drainage works; however, these measures have not been successful in overcoming the limitation due to the site's position within a natural depression. In my opinion, this provides a reasonable basis to conclude that wetness and drainage are inherent characteristics of the LUC 3w3 land and are appropriately characterised as long-term constraints. While some improvements may be achievable through drainage works and land management practices, the evidence indicates that these constraints are unlikely to be fully removed through reasonably practicable means.
- 14.4 The assessment also identifies site scale as a limitation to productive use. However, clause 3.10(4) of the NPS-HPL states that the size of a landholding in which HPL occurs is not, of itself, a determinant of a permanent or long-term constraint. While site scale may influence the practicality and efficiency of land-based primary production, it should not be relied upon in isolation as evidence of a permanent or long-term constraint for the purposes of clause 3.10.
- 14.5 The lack of irrigation water is also identified as a constraint. While irrigation availability may influence productive potential, insufficient information has been provided regarding water availability, allocation status, storage opportunities or the feasibility of securing an irrigation supply to determine whether this constitutes a permanent or long-term constraint.
- 14.6 The LUC 3w3 land is interspersed with areas classified as LUC 4e4, which are described as free draining. This indicates that drainage

characteristics vary across the site and that the identified wetness limitations are not uniformly expressed. Furthermore, the site-specific assessment does not include a direct spatial comparison between the NZLRI LUC 2 land and the farm-scale LUC units. Accordingly, while I am satisfied that wetness and drainage represent long-term constraints affecting the LUC 3w3 land, I am unable to determine the extent to which those constraints apply across the full 1.83 ha of land identified as HPL under the transitional provisions of the NPS-HPL.

14.7 In summary, the site-specific LUC and soil resource assessment identifies long-term wetness and drainage limitations affecting the LUC 3w3 land. The assessment also identifies the presence of a natural wetland, which together with the associated regulatory framework may limit the range of land-based primary production activities that can be undertaken. The lack of irrigation water may also influence the versatility of the land; however, insufficient information has been provided to determine whether this represents a permanent or long-term constraint.

14.8 In my opinion, the available evidence demonstrates that long-term wetness and drainage constraints affect the land identified as LUC 3w3 within the mapped HPL. The available evidence also identifies factors that may limit the versatility of the site for land-based primary production. However, based on the information before me, I am unable to conclude that permanent or long-term constraints apply across the full 1.83 ha of HPL identified under the transitional provisions of the NPS-HPL.

15. Application of Clause 3.10 of the NPS-HPL

15.1 Clause 3.10(1)(a) – Permanent or long-term constraints and economic viability

The applicant relies on clause 3.10 of the NPS-HPL to support the proposed rezoning of land identified as HPL under the transitional provisions of clause 3.5(7).

- 15.2 In my opinion, the available evidence demonstrates long-term constraints affecting part of the mapped HPL. However, for the reasons set out above, the evidence does not establish the nature and extent of those constraints across the full 1.83 ha of HPL identified under the transitional provisions of the NPS-HPL.
- 15.3 Accordingly, I am unable to conclude that the identified permanent or long-term constraints apply across the entirety of the mapped HPL.
- 15.4 I have reviewed the economic assessment in The Report which considers the economic viability of land-based primary production on the site.
- 15.5 Mr Grant assesses the economic viability of the property using the previous 10 years' data from the Beef and Lamb New Zealand economic survey for the Western North Island Class 5 finishing farms. Whilst I agree with the application of this industry data, I was unable to reconcile the Economic Farm Surplus (EFS) figures presented on page 12 in the report with the published Beef + Lamb New Zealand Economic Service survey data. If the published EFS per hectare figures were not used, it would be helpful for the methodology to explain how the EFS values were derived. One possible explanation is that provisional or forecast data available at the time the assessment was undertaken (assumed to be 2023) was used, with the published figures subsequently updated.
- 15.6 I also note that the economic assessment is based on approximately 0.8 ha of HPL, whereas approximately 1.83 ha of the site is identified as HPL under the transitional provisions of the NPS-HPL. While the assessment provides useful information regarding the productive potential of the assessed area, it does not evaluate the full extent of the mapped HPL.
- 15.7 While the economic assessment provides useful context regarding the productive potential of the site, for the reasons outlined above I do not consider it provides sufficient evidence to demonstrate that the use of the full 1.83 ha of HPL for land-based primary production is not

economically viable for at least 30 years because of permanent or long-term constraints, as required by clause 3.10(1)(a).

15.8 Clause 3.10(1)(b) – Avoidance of significant loss, fragmentation, reverse sensitivity

Clause 3.10(1)(b) requires that the proposed rezoning avoids any significant loss, either individually or cumulatively, of the productive capacity of HPL in the district, avoids the fragmentation of large and geographically cohesive areas of HPL, and avoids potential reverse sensitivity effects on surrounding land-based primary production.

15.9 The proposed rezoning would result in the permanent loss of approximately 1.83 ha of land identified as HPL under the transitional provisions of the NPS-HPL.

15.10 The site-specific LUC and soil resource assessment indicates that the productive capacity and versatility of the site are more constrained than suggested by the regional-scale NZLRI mapping. The assessment identifies 0.76 ha of LUC 3 land and no LUC 2 land, with the balance of the site-specific assessment area classified as LUC 4, 6 and 8. The identified wetness and drainage limitations, together with the presence of a natural wetland and the associated regulatory framework, reduce the range of land-based primary production activities that can reasonably be undertaken on the site.

15.11 Accordingly, while the proposal would result in the permanent loss of 1.83 ha of HPL, the available evidence indicates that the versatility of the land for land-based primary production is relatively limited compared with unconstrained LUC 2 or 3 land.

15.12 The site comprises approximately 5.8 ha in total, including 1.83 ha identified as HPL. While the proposal would result in the permanent loss of that HPL, I consider the significance of the loss to be moderated by

the site's overall land resource characteristics, the extent of HPL affected, and the surrounding land use context.

- 15.13 The permanent loss of HPL can only be avoided by retaining the HPL in rural use or by reducing the extent of HPL proposed for rezoning. The applicant has also identified an alternative option involving a deferred residential precinct. However, while this may defer the timing of the loss of HPL, it would not avoid the permanent loss of HPL should urban development ultimately proceed.
- 15.14 No specific assessment of fragmentation effects has been provided by the applicant. However, based on my review of aerial imagery, district plan mapping and available land resource information (Appendix 2), the site is bounded by land that is not identified as HPL to the east, urban zoned land to the north, and Te Moana Road to the west. Although an area of HPL is located to the south of the site, it is separated from the site by an existing sealed access and is further separated by the Kāpiti Expressway, Te Moana Road and intervening areas of non-HPL. In my opinion, the proposal is therefore unlikely to materially fragment a larger, geographically cohesive area of HPL.
- 15.15 No specific assessment of reverse sensitivity effects has been provided by the applicant. Based on my review of the surrounding land uses, the potential for significant reverse sensitivity effects appears to be limited. The site is bounded by existing urban development to the north, Te Moana Road to the west, and land that is not identified as HPL to the east. While an area of HPL is located to the south of the site, it is physically separated from the proposed rezoning by an existing sealed access, with the wider HPL area further separated by the Kāpiti Expressway and intervening areas of non-HPL. In my opinion, this existing land use and physical context is unlikely to give rise to significant reverse sensitivity effects on surrounding land-based primary production.

15.16 The loss of HPL contributes incrementally to a reduction in the district's productive land resource. However, based on my review of the applicant's information, aerial imagery, district plan mapping and other available land resource information, I consider the cumulative effects to be moderated by the extent of HPL affected, the site's overall land resource characteristics, and its apparent physical separation from other areas of HPL by existing urban development and transport infrastructure.

15.17 Overall, while the proposal would result in the permanent loss of approximately 1.83 ha of HPL, the available evidence indicates that the productive capacity and versatility of that land are more constrained than would typically be expected of unconstrained LUC 2 or LUC 3 land. In my opinion, the significance of that loss is moderated by the extent of HPL affected, the site's overall land resource characteristics, the limited potential for fragmentation of a larger, geographically cohesive area of HPL, and the limited potential for significant reverse sensitivity effects.

15.18 **Clause 3.10(1)(c) Environmental, social, cultural, and economic costs/benefits.**

Clause 3.10(1)(c) requires consideration of whether the environmental, social, cultural and economic benefits of the proposed urban rezoning outweigh the corresponding costs associated with the loss of HPL for land-based primary production.

15.19 In the Mitchell Daysh letter titled *Response to Request for Further Information – Planning Matters: Private Plan Change at 100/110 Te Moana Road* dated 9 July 2025; the applicant concludes that the social and economic benefits of the proposal outweigh the longer-term costs associated with the loss of HPL. My evidence does not assess the broader environmental, social, cultural or planning benefits of the proposal. Rather, it is confined to the agribusiness and land resource implications associated with the loss of HPL.

15.20 From an agribusiness and land resource perspective, I agree that the site-specific LUC and soil resource assessment indicates that the productive capacity and versatility of the site are more constrained than would typically be expected of unconstrained LUC 2 or LUC 3 land. However, I also note that the applicant's economic assessment considers approximately 0.8 ha of HPL, whereas approximately 1.83 ha of the site is identified as HPL under the transitional provisions of the NPS-HPL. Furthermore, for the reasons set out in Sections 14 and 15.1, I am unable to conclude that permanent or long-term constraints apply across the full extent of the mapped HPL.

15.21 Whether the broader environmental, social, cultural and economic benefits of the proposal outweigh the costs associated with the loss of HPL is ultimately a matter for the Hearing Panel, informed by the planning evidence.

15.22 **Clause 3.10(2) Alternatives to retain productive capacity**

Clause 3.10(2) requires consideration of whether any identified permanent or long-term constraints on economic viability could be addressed through the matters set out in that clause.

15.23 As discussed in Section 14, the available evidence indicates that the wetness and drainage limitations affecting the LUC 3w3 land are inherent characteristics of the site and are unlikely to be fully overcome through reasonably practicable drainage works or land management measures. While some improvement in productive capacity may be achievable, the evidence indicates these limitations would remain.

15.24 However, beyond the matters discussed above, the information before me does not include a comprehensive assessment of the matters identified in clause 3.10(2). Accordingly, I am unable to conclude whether those matters could address the identified permanent or long-term constraints across the full 1.83 ha of HPL identified under the transitional provisions of the NPS-HPL.

15.25 **Clause 3.10(3) Evaluation of reasonably practicable options**

Clause 3.10(3) sets out the matters that are to be considered when evaluating the reasonably practicable options referred to in clause 3.10(2).

15.26 As discussed in relation to clause 3.10(2), the information before me does not comprehensively address the matters relevant to the evaluation of reasonably practicable options. Accordingly, I am unable to conclude whether the evaluation required by clause 3.10(3) has been undertaken in respect of the full 1.83 ha of HPL identified under the transitional provisions of the NPS-HPL.

16. **Overall conclusions**

16.1 Approximately 1.83 ha of the site meets the definition of HPL under the transitional provisions of clause 3.5(7) of the NPS-HPL.

16.2 The site-specific LUC and soil resource assessment provides the most reliable assessment of the site's productive capacity and versatility. It identifies long-term wetness and drainage constraints affecting the land classified as LUC 3w3.

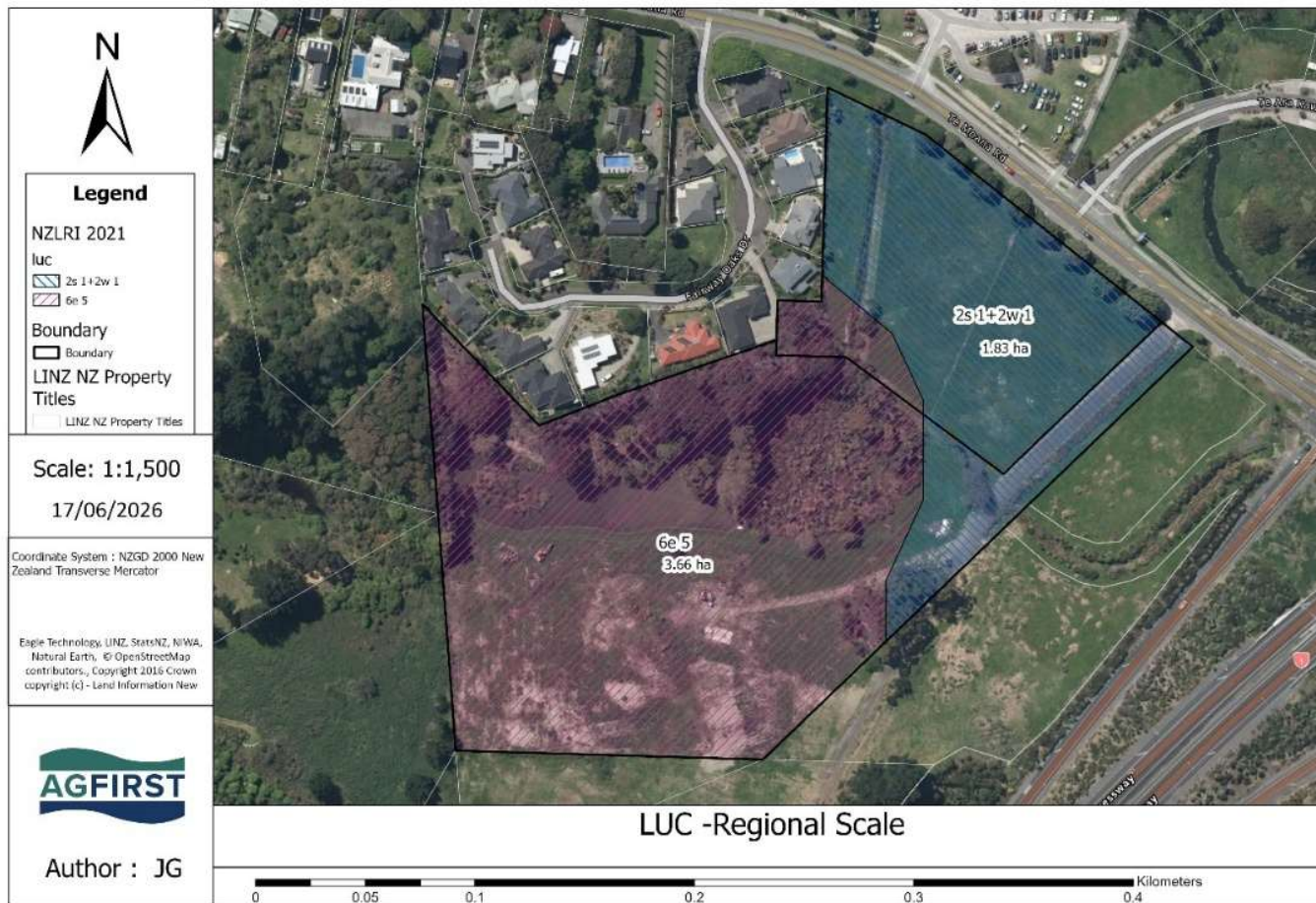
16.3 Based on the information before me, I am unable to conclude that permanent or long-term constraints apply across the full 1.83 ha of HPL identified under the transitional provisions of the NPS-HPL. Accordingly, I do not consider the available evidence demonstrates that the requirements of clause 3.10(1)(a) have been established across the full extent of the mapped HPL.

16.4 The proposed rezoning would result in the permanent loss of approximately 1.83 ha of HPL. In my opinion, the significance of that loss is moderated by the site's overall land resource characteristics, the extent of HPL affected, the limited potential for fragmentation of a

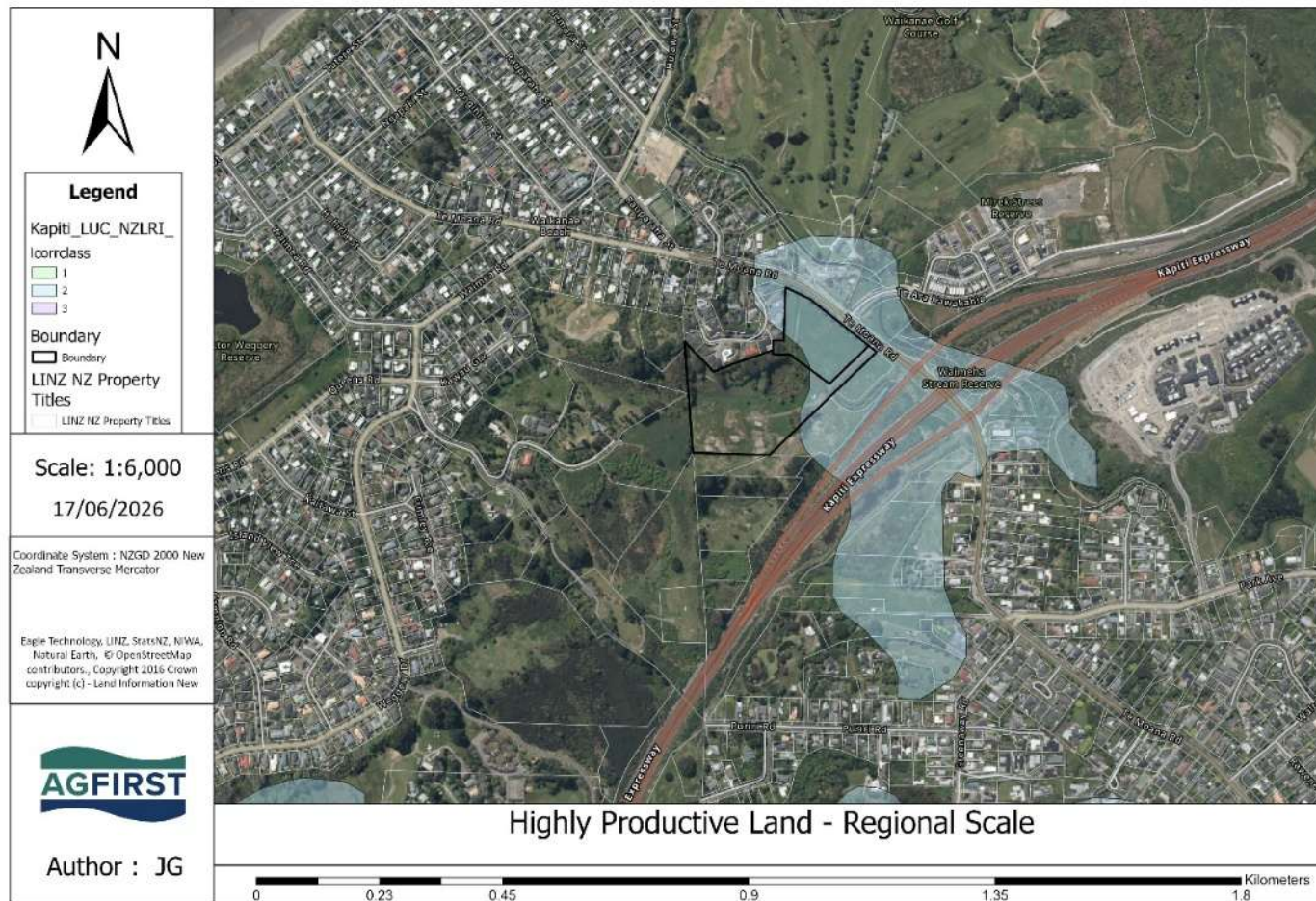
larger, geographically cohesive area of HPL, and the limited potential for significant reverse sensitivity effects.

- 16.5 Based on the information before me, I am unable to conclude whether the requirements of clauses 3.10(2) and 3.10(3) have been satisfied.

17. Appendix 1: NZLRI as it applies to the plan change site



18. Appendix 2: Surrounding HPL at the plan change site



Date: 14 July 2026

Juliet Chambers

Agribusiness and Environmental
Consultant

A handwritten signature in black ink, appearing to read 'Juliet Chambers', written over a horizontal dotted line.