

IN THE MATTER

of the Resource Management Act 1991
("RMA" or "the Act")

AND

IN THE MATTER

of a hearing of submissions and further
submissions on the Proposed Central
Hawke's Bay Council District Plan Review
(Stream 6 Mapping and Rezoning Requests)

**STATEMENT OF EVIDENCE OF GREGORY STUART MORICE
ON BEHALF OF LIVINGSTON PROPERTIES LIMITED**

31 October, 2022

Introduction

1. My name is Gregory Stuart Morice of Napier. I am a Director of Morice Limited, a property, forestry, valuer and advisors business in Hawke's Bay. Since 1995 I have been practicing as a Rural Registered Valuer throughout the East Coast of the North Island. Our office is in Ahuriri, but my region of work extends from the East Cape to the north, to Taihape to the west and Southern Hawke' Bay to the south. I have undertaken many valuations and consultancy services in the Central Hawke's Bay location since 1995.
2. I hold the qualifications of Bachelor of Commerce (Agriculture) majoring in valuation and farm management from Lincoln University.
3. I am an Associate of the New Zealand Institute of Valuers. A Senior Member of the Property Institute of New Zealand and a Licensed Real Estate Salesperson under the REA Act 2008. I was appointed to the Hawke's Bay Land Valuation Tribunal in 2014 and still hold that position today. I have also sat on the Wellington Land Valuation Tribunal on two occasions in recent years. I have presented expert evidence on a number of occasions on land matter issues in the Hawke's Bay region.

Code of Conduct for Expert Witnesses

4. I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014. I confirm that I have considered all material facts that I am aware of that might alter or detract from the opinions I express, and that this evidence is within my area of expertise, except where I state that I am relying on evidence of another person.

Scope of Evidence

5. In this evidence I set out a summary of the land-use capability ("**LUC**"), and the ("**Soils**") of the land at 96 Mount Herbert Road, Waipukurau ("**the Site**") for the purpose of assessing the effects on productive land of the submission by Livingston Properties Limited ("**Livingston**") on the Central Hawke's Bay District Plan review seeking to rezone that land in accordance with Appendix A to that submission ("**the Concept Plan**").
6. In particular my evidence will cover:
 - (a) A description of the Site and Property attributes from a 'productive land' perspective;

- (b) The methodology by which the productive capacity of the Site was assessed for the purpose of this evidence;
7. In preparing this evidence I have:
- (a) Reviewed the submission and supporting documents;
 - (b) Reviewed the s 42A report;
 - (c) Conducted a site visit to the Site on 2 September 2022.
 - (d) Used various data to consider the property's LUC status, soil types, constraints, potential productive uses.

Description of the Property and Site

Legal

8. Registered Owner is:
- Golden Hills Waipukurau Limited.
9. Legal Description:
- Part of an Estate in Fee Simple being comprising Lot 12 Deposited Plan 355962 of some 142.78 hectares of a larger parcel of land in the Hawke's Bay Land Registration District.
 - Record of Title 1066836 Lot 2 Deposited Plan 575200 and Lot 12 Deposited Plan 355962.
- Note the parcel of land subject to this Evidence is Lot 12 Deposited Plan 355962.
10. Tenure – Freehold

Property Use

11. The subject property is currently utilised in conjunction with the adjoining property (Lot 2 Deposited Plan 575200) as an uneconomic sized pastoral farming property. Improvements include a woolshed, sheep and cattle yards, implement shed, fencing and a reticulated stock water supply from the Waipukurau Town water system.
12. Pastures are a mix of new grasses on the flats to average quality native pastures on the hill country. The land is subdivided by predominately conventional type post wire fences, and electric fences but would benefit from further subdivision to aid grazing management. More recently some of the permanent creeks have been fenced out from

pastoral grazing and established in Riparian planting for beautification and protection of waterways.

Climate

13. The Site is situated in a relatively dry climate of farming within averaging rainfall anywhere between 800 to 1000mm per annum. The area is noted often to be within a rain shadow and often miss critical rainfall periods during summer dry periods. Climatic weather stations in the Central Hawkes Bay show the prevailing wind is from a north/north easterly quarter. Average daily temperatures recorded at the Waipukurau Aero club range from 9.4°C in July to 12.6°C in January with an annual average of 8.1°C. As a comparison the site at Napier Nelson Park averages temperature ranges from 9.5°C to 10°C with an average 9.8°C. Overall the climate at the site is generally suited to pastoral farming within the constraints of wetter winters, and drier summers.

Land Use Capability of the Site

14. Attachment **Appendix 1** is the map of the land use capacity classification of the site. This classification is drawn from the Land Resource Information Systems Spatial Data Layers prepared by Land Care Research New Zealand Limited. It is a more refined index to that on the Hawke's Bay Regional Council website which breaks the site down into its broad definition of LUC between 3 to 6.
15. The Site comprises LUC of 3, 4 and 6 land, and this further defined in the data provided from the New Zealand Land Resource Inventory (NZLRI). From the LUC classification map (Appendix 1) you will note that the LUC 3 land area is broken down into two categories of 3s1 and 3e2. The LUC 4 land is classified as 4e5, and the steeper hill country is classified as 6e12 and 6e13. A description of these classifications is as follows:

LUC

3s 1

Flat to undulating loess-covered terraces below 200 m asl with fragic Pallic (yellow-grey earth) soils, with compact drainage impeded subsoils in low to moderate (700-1200 mm) rainfall areas with severe summer soil moisture deficits and a potential for slight wind erosion when cultivated.

3e 2

Rolling loess-covered terrace slopes and downlands below 200 m asl with Pallic (yellow-grey earth) soils in low to moderate (700-1100 mm) rainfall areas with a severe summer moisture deficit and compact

drainage impeding subsoils (fragipan), and a potential for moderate sheet, rill and wind erosion when cultivated.

4e 5

Rolling to strongly rolling 'white argillite' downlands below 350 m asl with low fertility Pallic and Brown (yellow-grey earth) soils in moderate (800-1000 mm) rainfall areas subject to periods of severe soil moisture deficit and a potential for severe sheet and rill erosion and moderate wind erosion when cultivated.

6e 12

Moderately steep hill country on crushed argillite below 600m asl with Brown, Pallic and Recent (yellow brown and intergrades between yellow grey and yellow brown earth) soils in moderate (<1200 mm) rainfall areas with a significant period of soil moisture deficiency, and a potential for severe earthflow erosion and moderate gully and soil slip erosion.

6e 13

Moderately steep to steep argillite hill country below 400 m asl with Pallic and Brown (yellow grey earth) soils of medium to low fertility in moderate rainfall areas (<1200 mm) subject to periods of soil moisture deficiency with a potential for moderate sheet, soil slip and gully erosion, and slight wind erosion.

16. A description of the LUC class coding more generally is as follows:

<i>LUC Class code</i>	<i>Description</i>
1	Land with virtually no limitations for arable use and suitable for cultivated crops, pasture or forestry
2	Land with slight limitations for arable use and suitable for cultivated crops, pasture or forestry
3	Land with moderate limitations for arable use, but suitable for cultivated crops, pasture or forestry
4	Land with moderate limitations for arable use, but suitable for occasional cropping, pasture or forestry
5	High producing land unsuitable for arable use, but only slight limitations for pastoral or forestry use
6	Non-arable land with moderate limitations for use under perennial vegetation such as pasture or forest
7	Non-arable land with severe limitations to use under perennial vegetation such as pasture or forest
8	Land with very severe to extreme limitations or hazards that make it unsuitable for cropping, pasture or forestry

17. You will note that the majority of land under consideration for “general residential zone” within the Concept Plan falls within the LUC classification of 3s1 and 3e2. The classification is the second LUC subclass modifier description is as follows:

<i>LUC subclass modifier</i>	<i>Description</i>
e	erosion susceptibility, deposition or the effects of past erosion damage first limits production
w	soil wetness resulting from poor drainage or a high water table, or from frequent overflow from streams or coastal waters first limits production
s	soil physical or chemical properties in the rooting zone such as shallowness, stoniness, low moisture holding capacity, low fertility (which is difficult to correct), salinity, or toxicity first limits production
c	climatic limitations such as coldness, frost frequency, and salt-laden onshore winds first limits production

18. For the class 3 land of the subject property the most western portion is noted as 3s1 and the land to the east of that (within the LUC 3 class area) being 3e2. This basically outlines the soils main limitations and in this case the “s” is the limitation of soil properties and the “e” is the effects of past erosion damage that first limits production.
19. The land identified for “rural lifestyle zoning” falls between the LUC 3e2 and 4e2, and the land remaining in the “rural zone” is predominately class 6e12 and 6e13.

Soils

20. Attached **Appendix 2** is the soil classification map which draws information for the New Zealand Fundamental Soil Layer. This layer originates from the relational join of features from two data bases, the NZLRI, and the National Soils Database (NSD).
21. You will note that the boundaries between the various soils of the **site** match the LUC classification map. This can be demonstrated in the following table:

LUC Soil Classification

LUC Soil

3s1 Waipukurau 9b
 3e2 Matapiro 9

4e5 Mangatarata 10
6e12 Waipawa 10dh
6e13 Waipawa 10dh

22. Description of the Soils of the site is as follows:

Waipukurau sandy loam (No.9b)

Formed with a parent material of alluvium, this soil is generally found on flatland. A typical profile comprises 15.25cm dark-grey sandy loam, 15.25-20.32cm brownish-grey sandy loam on greyish-yellow sandy clay loam. Natural fertility is medium to high with good response to phosphates.

Matapiro sandy loam (No.9)

This soil is formed from sandstone and argillaceous sandstone and occurs on rolling topography. Typical profile comprises 20cm of dark grey-brown sandy loam on grey sandy loam on yellowish-grey compact sandy clay loam. This soil has good levels of phosphate.

Mangatarata (No.10, 10d) silt loam

Formed of white argillite, this soil is generally found on rolling topography. A typical profile comprises 15.25cm dark-grey silt loam, 15.25cm light-grey silt loam, 15.25cm greyish-yellow silt loam on argillite. It has medium natural fertility with good response to phosphates.

Waipawa silt loam, hill soil (No10dH)

Formed of white argillite, this soil is generally found on moderately step topography. A typical profile comprises 15.25cm grey silt loam, 15.25cm pale-grey silt loam in greyish-yellow stony silt loam. Natural fertility is medium with good response to phosphates and slight response to lime. Is prone to sheet, slip and wind erosion.

Methodology

23. On information gained from the site visit on the 2 September 2022, and a review of both the LUC classification and Soil Classification of the site I am of the opinion that this land is very hard to classify as highly productive.
24. The LUC classification is drawn from data that has been extrapolated out on a large scale and not detailed enough to fully explain the productive potential of site. As can be seen above, all the land classes can have limitations to their productivity. In the case of the subject property the limitation is the soils and erosion. The Matapiro soils having a compacted sandy clay loam (Pan) that has a significant impact on the productivity of this class of land.
25. The pan has the unfavourable characteristics of limiting drainage in winter, creating a very wet surface that is easily damaged by heavy stock or machinery. In summer the opposite occurs where the water holding capacity of the soil is limited and it has tendencies to dry out

very quickly. Therefore from a farming prospective it is only really best suited to a pastoral grazing system preferably light stock in winter and heavier stock in summer.

26. Some limited cropping is able to be carried out, although the risks are high. The land is not suitable for permanent horticulture or viticulture or the growing of high value crops such as squash, onions and the likes. Both the growing of maize and peas can be done but is noted as being high risk because of the soil characteristics.

Conclusion

27. Due to the broad brush approach that has been used in applying LUC mapping to the Site, I consider this is a poor guide to the actual LUC based on the soil profiles. The Site is not highly productive land and is likely that it only falls in this category because of its near flat contour, and nothing else. I therefore conclude that there is minimal loss of productivity by converting this land to “general residential” zone and “rural lifestyle” zone.
28. I am of the opinion that the “general residential” zone is of the best use for the land as it creates a better outcome of more intensive residential development i.e. more lots per hectare of land, and therefore takes pressure off other land in the district being required for residential development growth in the future.

Gregory Stuart Morice

31 October 2022

Attached

Appendix 1: LUC map

Appendix 2: Soils map