

**BEFORE THE HEARINGS PANEL
AT THE RANGIORA TOWN HALL FUNCTION ROOM IN RANGIORA**

IN THE MATTER of the Resource Management Act 1991
(**‘the Act’**)

AND

IN THE MATTER of the Resource Management Act 1991
AND

IN THE MATTER of the hearing of submissions on The
Proposed Waimakariri District Plan

Hearing Stream 1 & 2

**STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON
FOR HORTICULTURE NEW ZEALAND**

28 APRIL 2023

CONTENTS

SUMMARY STATEMENT	3
QUALIFICATIONS AND EXPERIENCE.....	3
SCOPE OF EVIDENCE.....	4
THE HORTICUTURAL SECTOR IN WAIMAKARIRI DISTRICT.....	4
SUBMISSIONS AND COUNCIL RECOMMENDATIONS IN THE S42A REPORTS	5
Hearing Stream 1: Strategic Directions	5
Hearing Stream 1: Urban Form and Development	9

SUMMARY STATEMENT

1. This planning evidence addresses the Horticulture New Zealand (“**HortNZ**”) submission and the Waimakariri District Council’s (“**WDC**”) s42A Report response to the submissions on the Proposed Waimakariri District Plan (“**PDP**”), Hearing Stream 1 & 2.
2. The scope of my evidence focuses on the structure of Strategic Objectives SD-O2 *Urban Development* and SD-O4 *Rural Land* and in particular the proposed plans response to highly productive land.
3. The recommendations of the s42 Report writers are that matters concerning giving effect to the National Policy Statement for Highly Productive Land 2022 (“**NPS-HPL**”), will be heard at later hearings, namely those on the Rural Zones. The NPS-HPL was released in September 2022 (coming into force on 17 October 2022), approximately one year after the close of submissions on the PDP.
4. I agree that the Rural Zone hearings is the appropriate hearing for these matters but note that there may need to be a revisit of the Strategic Directions depending on the recommendations and evidence at that time. Notably the NPS-HPL is limited in application to the General Rural Zone, but the highly productive land resource extends across the Rural Lifestyle Zone and is relied upon for primary production to occur. This is a matter that I consider will need to be considered in an integrated resource management response.

QUALIFICATIONS AND EXPERIENCE

5. My full name is Vance Andrew Hodgson. I am a director of HPC Ltd, a resource management consultancy based in Waiuku. I have been employed in resource management related positions in local government and the private sector since 1994 and have been in private practice for 18 years. I hold a Bachelor of Resource and Environmental Planning (Hons) degree from Massey University.
6. I have worked in the public sector, where I was employed in student, assistant and senior policy planning roles by the Franklin District Council. I have provided resource management consultancy services to various district and regional councils. The scope of work for the public sector has been broad, covering plan change processes, submissions to national standards/regulations/policy statements and regulatory matters, mediation and appeals.

7. In private practice I regularly advise a range of private clients on statutory planning documents and prepare land use, subdivision, coastal permit, water permit and discharge permit resource consent applications. I have experience in resource consent applications, hearings and appeals on a range of activities, particularly for activities in the rural environment.
8. Living and working in the rural environment of South Auckland / North Waikato, I have had a continuous association with the rural production sector. From 2012, I have provided resource management advice to HortNZ on policy matters across New Zealand.
9. While these are not proceedings in the Environment Court, I consider the Environment Court's Code of Conduct for Expert Witnesses relevant, and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

10. This evidence provides a planning assessment of those provisions on which HortNZ submitted and addresses the Section 42A Reports, prepared by WDC for Hearing Stream 1.
11. The planning framework is well described in both the s32 Report and the s42A Reports provided by the WDC. I agree with the analysis. Given the agreement I do not repeat the analysis of the applicability of those planning instruments or the compliance of the PDP with those instruments.
12. The evidence focuses on the three HortNZ submission points and one further submission point considered in the s42A report for Hearing Stream 1.
 - Strategic Directions: HortNZ 297.70, 297.72, 295.205 FS47
13. I have not addressed those other submission points in the s42A reports for Hearing Streams 1 & 2 of HortNZ.

THE HORTICULTURAL SECTOR IN WAIMAKARIRI DISTRICT

14. Before assessing the submission points, I first set out a brief description of the horticultural activity in the Waimakariri District

based on information provided by Sarah Cameron the Senior Environmental Policy Advisor for the organisation.

15. There are 242.10 hectares of horticulture grown in the Waimakariri District of which 135.2 hectares is grown in the General Rural Zone (GRUZ) and 101.3 hectares in the proposed Rural Lifestyle Zone (RLZ).
16. The majority of the uncovered growing operations are located on highly productive land (HPL) and are soil reliant land-based primary production activities.
17. Of the 242ha growing area in the district, 3.28 hectares is estimated to be covered crops based on 2023 AgriBase data and HortNZ Grower information. All greenhouses are situated on HPL.
18. The Waimakariri District is a potential growth area for horticulture due to its close proximity to market and transport links. Both Progressive Enterprises and Foodstuffs South Island headquarters are located in Christchurch and there is also a strong support for local Farmers Markets in the District. There is easy access to State Highway 1, which runs through the District, Christchurch Airport and Lyttleton Port.

SUBMISSIONS AND COUNCIL RECOMMENDATIONS IN THE S42A REPORTS

Hearing Stream 1: Strategic Directions

SD-O2 Urban Development

19. In submission 297.70, HortNZ expressed support for SD-O2 Urban Development but suggested the objective could be strengthened and provide greater balance of considerations if avoidance of versatile soils and reverse sensitivity impacts on primary production were added.
20. The s42A Report writer notes that this is not a relevant change to this objective as *urban development* is intended to only occur on land that has been zoned for development and is thereby excluded from the NPS-HPL under the exclusions allowed in policies 5, 6 and 7¹. The s42A Report writer also notes that the assessment of the NPS-HPL and its application will be undertaken as part of the Section 42A Report for the Rural Zones.
21. On review of the objective, I agree with the recommendation and no amendment is required to SD-O2. The NPS-HPL will guide the

¹ Paragraph 115, s42A Proposed Waimakariri District Plan - Strategic Directions.

decision making on future proposals for urban rezoning of highly productive land.

SD-O4 Rural Land

22. HortNZ Submission 295.72 expressed support for SD-O4 but noted that the objective heading 'rural land' did not encompass all that the objective seeks to achieve. The s42A Report writer responded to the submission with a suggested change that would replace the objective heading from 'land' to 'environment'. I support the recommendation and note that this would support the policy cascade from the Strategic Direction to RURZ-O1, an objective for the rural 'environment', and RURZ-P2, a policy for rural 'land'.
23. In response to a submission of NZPork (169.11) that was supported by HortNZ (FS47), the s42A Report writer also recommends additional changes to SD-O4 to replace the term 'rural production', a defined term in SD-O4, with 'primary production'. I support the recommended change which I consider a better Strategic Direction for the broader range of primary production activities anticipated in the Rural Zones. I have provided separate evidence for NZPork on this issue as it relates to Intensive Indoor Primary Production and repeat the reasons why in addition to the s42A Report writer's reasons, I consider this recommended change necessary.
24. The plan should provide a clear Strategic Direction and inclusion of Objectives, Policies and Methods that recognise and respond to the resource management issues associated with the rural environment and primary production.
25. Section 8 (5), Zone Framework Standard of the Ministry for the Environment, November 2019: National Planning Standards, states as follows:

Except for zones that are renamed through mandatory direction 2, a local authority must choose at least one of the zones in table 13 to use in its plan.

26. Table 13: Zone names and Descriptions:

General Rural Zone:

Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

Rural lifestyle zone:

Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

27. The National Planning Standards define Primary Production as follows:

Means

(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and

(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);

(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but

(d) excludes further processing of those commodities into a different product.

28. The district plan is required by the Canterbury Regional Policy Statement to provide for primary production within the rural zone, and to ensure that this land use is not compromised by reverse sensitivity. There is direction in the methods for Territorial Authorities under Policy 5.3.12 Rural Production on how to do this in a district plan:

Territorial authorities:

Will:

2. Set out objectives and policies, and may include methods in district plans which:

a. identify areas to be used for primary production, taking into account natural resources through appropriate provisions in district plans.

b. control the adverse effects of subdivision and land-use in rural areas, including by:

i. ensuring subdivision and development does not foreclose the ability to utilise natural resources such as soil which is, or foreseeably could be, valued for rural productive purposes.

ii. ensuring appropriate separation between consented and permitted rural productive activities and those land-uses which may result in reverse sensitivity effects on rural productive activities.

iii. managing the interface between the edge of environments sensitive to the effects of rural production activities and areas in productive use to reduce...

29. The PDP provides a General Rural Zone within which the predominant land use character should comprise primary production activities. The Rural Lifestyle Zone (within which horticultural activity occurs) has a specified purpose that primary production activities and activities reliant on the natural and physical resources of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone.
30. I understand from the s42 Report² that an explanation around the term primary production will be provided in the s42A Report on the Rural Zones.
31. HortNZ also supported the submissions of NZPork (169.11) and Federated Farmers (414.53) that sought changes to SD-O4 to introduce wording on the protection of highly productive land and versatile soils for primary production. The s42A Report writer notes that the NPS-HPL will be addressed in the hearings report for the General Rural Zone.
32. As I understand it, the NPS-HPL applies to land zoned General Rural Zoned land and not the proposed Rural Lifestyle Zone.
33. Of interest to HortNZ in the upcoming hearings will be how the plan gives effect to the NPS-HPL (as far as it can through the PDP) and the land use planning response for land-based primary production and non-soil reliant primary production (including greenhouses/hydroponic growing systems) on and off HPL. That response may require consequential amendments to the Strategic Directions.
34. While the NPS-HPL is not applicable in the Rural Lifestyle Zone, the zone's purpose will require an appropriate resource management response to the highly productive land resource in this environment, as it is necessary to enable primary production to occur as per RLZ-O1.

² Paragraph 152, s42A Proposed Waimakariri District Plan - Strategic Directions.

35. The evidence of Sarah Cameron for HortNZ clarifies that greenhouse activity occurs in the district and that growers have become increasingly reliant on a variety of covered cropping methods to support rural production activities as a response to climate change, changing practice, crop types and diversification in the horticultural sector.
36. Recent guidance from MfE on the NPS-HPL has highlighted that non-soil reliant hydroponic growing systems were excluded from the definition of land-based primary production as hydroponic growing systems occur inside buildings and are not “reliant on the soil resource of the land”. The guidance on Clause 3.9 – protecting highly productive land from inappropriate subdivision, use and development suggests some scope for indoor components of a wider land-based primary production activity to be considered ‘supporting activities’ (as defined in the NPS-HPL) in some circumstances.
37. The guidance prompts local authorities to ensure there is sufficient non-HPL land available for primary production activities and other rural activities that do not directly rely on the versatility of the soil but still need to locate in a rural environment.

*As part of taking a best practice approach to integrated management, local authorities are encouraged to think about the rural environment holistically when developing provisions to give effect to the NPS-HPL. The rural sector is a significant contributor to the Aotearoa economy and supports rural communities nationwide. It includes land-based primary production activities but also other primary production activities that are not reliant on the soil resource (such as **glasshouses, hydroponic operations, intensive indoor -farming activities, seasonal worker accommodation**) and rural industries that support primary production. Page 56. [National-Policy-Statement-Highly-Productive-Land-Guide-to-implementation-March-2023.pdf](#) (environment.govt.nz)*

38. HortNZ will likely call evidence on this at those future hearings.

Hearing Stream 1: Urban Form and Development

39. Submission 295.205 of HortNZ had sought that UFD-P1 be amended to ensure that the life supporting capacity of soils are safeguarded. No changes are recommended in the s42A Report. The protection of highly productive land will be addressed in the Section 42A for the Rural zones (Stream 6, October 2023). As above, HortNZ will likely call evidence on this at that time.

Vance Hodgson
28 April 2023