

**BEFORE THE HEARING COMMISSIONERS  
AT WHANGAREI**

**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 Proposed  
Plan Change 85, 85A-85D to the Whangarei  
District Plan

---

**STATEMENT BY ANGELA PHYLLIS HALLIDAY  
FOR HORTICULTURE NEW ZEALAND**

**29 JUNE 2017**

---

## **SUMMARY STATEMENT**

1. This statement provides an overview of Horticulture New Zealand (“HortNZ”) involvement in Plan Changes 85, 85A-85D to the Whangarei District Plan and provides the context in which HortNZ has undertaken its involvement in the district planning processes.

## **QUALIFICATIONS AND EXPERIENCE**

2. My name is Angela Phyllis Halliday. I am the Manager, Natural Resources and Environment with Horticulture New Zealand (“HortNZ”). I have been in this role since July 2016 and prior to this I was Advisor, Natural Resources and Environment with HortNZ from April 2014.
3. Prior to that I was in a compliance role at the Southland District Council which focused on Resource Management and Environmental Health. Prior to this I worked in an Economic Development Agency in Southland in a marketing based role and was a member of the Southland Conservation Board from 2008 – 2010.
4. I have qualifications in science (BSc) with a major in Zoology and a graduate Diploma of Wildlife Management from Otago University. I am currently studying extramurally towards a Masters in Resource and Environmental Planning and have a Graduate Diploma of Environmental Health from Massey University. I am involved with District and Regional Council policy and planning processes throughout New Zealand in both the pre-plan collaborative process and post plan implementation process.
5. In my role at HortNZ I am responsible for overseeing HortNZ’s involvement in district and regional planning processes throughout New Zealand and implementing HortNZ’s wider resource management and research programme.
6. As a result of this role, my qualifications, and previous experience, I consider that I have an understanding of farming systems and the impacts of policy decisions from both a farming/growing perspective and a from an environmental health/ecosystem health perspective.

## **SCOPE OF EVIDENCE**

7. This evidence provides a statement about horticulture in the Whangarei District and how the Proposed Rural Plan Changes will affect those operations.

8. In preparing this evidence I have relied on:
  - (a) The evidence on horticulture in Whangarei District by Jerome Hardy
  - (b) The evidence on soils and mapping by Bob Cathcart
  - (c) The economic evidence by Stuart Ford
  - (d) The planning assessment by Vance Hodgson
  - (e) The grower case studies attached to this evidence by:
    - i. Sue Culham Glenbervie- Kiripaka
    - ii. Kathy Woods – Maungakaramea
    - iii. Lindsay Wells – Apotu Rd
    - iv. Thomas Schumtz - Maungatapere
9. Attached to this evidence are maps of the Rural Living areas of concern to HortNZ – Glenbervie, Maungatapere – Kara Rd South and Apotu Rd. These maps include an overlay of soil data with the proposed Rural Living areas and demonstrate that areas of high quality soil are included within the Rural Living Environments.
10. Matters addressed in this evidence are:
  - (a) HortNZ and its RMA involvement
  - (b) Horticulture in Whangarei District
  - (c) Involvement in the rural plan changes
  - (d) Overall approach to PC85
  - (e) Evidence presented on behalf of HortNZ
  - (f) HortNZ's approach to subdivision and Rural Living areas
  - (g) What HortNZ seeks

## **HORTICULTURE NEW ZEALAND AND ITS RMA INVOLVEMENT**

11. HortNZ was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

12. The vision of HortNZ is 'Healthy food for all forever.'
13. The vision is supported through the Mission statement: 'Creating an enduring environment where growers prosper.'
14. The vision and mission are implemented through enabling, promoting and advocating for growers in NZ.
15. HortNZ's involvement in resource management planning processes is part of achieving these outcomes.
16. The principles that HortNZ considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:
  - a) The effects based purpose of the RMA;
  - b) Non-regulatory methods should be employed by councils;
  - c) Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
  - d) Early consultation of land users in plan preparation;
  - e) Ensuring that RMA plans work in the growers' interests both in an environmental and economic production sense.
17. Involvement in RMA processes began under the Vegetable and Potato Growers Federation in 1997, extending to the Fruitgrowers Federation in 2000 and has continued and expanded under the combined organisation.
18. Many of the issues are common between plans so HortNZ brings that experience and background into current planning processes.
19. Nationally, the sector represents 5600 growers producing around 110 crops (focused on producing food for people). Roughly \$2.9 billion in domestic revenue is generated yearly, and another \$3.2 billion of fresh on board value is produced for export.
20. The industry body is committed to continuous environmental improvement, and has spent significant resource on a good management practice program for growers, covering issues of significance to markets and councils, known as NZGAP.
21. HortNZ is the umbrella organisation for 21 separate product groups covering 110 crops that are outlined in the Commodity Levies (Vegetables and Fruit) Order 2007. Product groups are also levy collecting organisations working on sector specific matters in collaboration with HortNZ which is working on industry specific matters. (HortNZ does not represent winegrowers or wine makers).

22. The two key product groups in the Whangarei District are the kiwifruit product group, NZ Kiwifruit Growers Inc and Avocado's NZ the avocado product group. HortNZ has worked closely with both these product groups and growers throughout the PC85 process.

## **HORTICULTURE IN WHANGAREI DISTRICT**

23. Whangarei District has significant areas of avocado and kiwifruit orchards as well as smaller pockets of persimmons, citrus and vegetable crops.
24. The evidence of Mr Hardy outlines details of avocado and kiwifruit in the district.
25. Horticultural plantings are located in key areas where the components necessary for a production system are available. These include suitable soils, access to water, suitable climate and infrastructure to support the production. These areas include Glenbervie – Kirapaka, Maungatapere, Maungakamea, and Apotu Rd Kauri areas. It is important to ensure that these areas are retained in rural production so that these resources can be utilised.
26. Some of the main constraints for horticulture in the district are linked to the potential for reverse sensitivity with non-rural neighbours complaining about the activities being undertaken on adjacent blocks. The case studies of growers attached to this evidence identify these issues.

## **INVOLVEMENT IN THE RURAL PLAN CHANGES**

27. HortNZ has been involved in discussions, comments and submissions on the rural plan changes since 2012.
28. While some of this involvement was prior to my time at HortNZ I have reviewed the comments and submissions made and note consistent themes over that time.
29. Through the Northland Horticultural Forum (NHF) HortNZ was involved in discussions on the Rural development strategy, followed by comments on the Draft Plan Changes. A meeting was held with Council staff following comments to discuss HortNZ concerns and look for a way forward. Supplementary comments were provided in May 2015 following that meeting. These comments are attached in Appendix 1. In particular it is noted the outcomes that HortNZ sought:
  - (a) The Council work with NHF and HortNZ to identify, through a geographical mapping process, areas where horticulture is currently undertaken, and where there is productive potential for horticulture and to include those areas on the

Plan Change maps. The areas would be determined collaboratively between Council NHF and HortNZ.

- (b) Those areas would be reviewed, including modified constraints criteria, to see if they are appropriate as countryside living areas. Consideration could also be given to identifying alternative countryside living areas and greater protection of production values.
  - (c) The interface between growing and countryside living areas is robustly managed through the policy and rule framework.
  - (d) The economic benefits and costs of the proposed changes on horticulture to the District and Northland be included in the s32 Report.
  - (e) Horticulture NZ and Northland Horticulture Forum arrange a bus trip for councillors on a mutually suitable date to visit the locations and meet and discuss issues with growers. Similar trips have been arranged in other regions and have shown to be mutually beneficial.
30. Unfortunately most of these outcomes have not been achieved and the Plan, apart from some changes to the identified Rural Living Environment in Glenbervie, are similar to the Draft Plan.
31. Throughout the Proposed Plan phase HortNZ has met and consulted with growers to confirm the approach to the changes. A number of growers have supported the HortNZ submission and the approach taken.
32. Ensuring that horticulture is able to be undertaken and not compromised through the extension of the Rural Living areas is a key issue for growers.
33. Given the concerns with the Proposed Plan Changes has led to significant investment in the submission and hearing process.

#### **OVERALL APPROACH TO RURAL PLAN CHANGES**

34. HortNZ recognises that Whangarei District Council needs to review the District Plan and alter the approach to rural subdivision that has led to the scattered development over recent years.
35. Reverse sensitivity is a key issue for growers so HortNZ supports the principle of identifying areas for rural living in areas which will not compromise horticultural activities.
36. HortNZ seeks to ensure that high value production land is retained for productive use through:

- (a) Enabling rural production activities
  - (b) Recognition of high value production including irrigation schemes
  - (c) Including adequate mechanisms to address reverse sensitivity
  - (d) Having clear descriptions of rural character and amenity expectations
  - (e) Ensuring that horticulture operations identified as Rural Living Environment have a framework to enable them to continue current operations
  - (f) Ensuring that the identification of Rural Living areas is based on robust criteria including that the existence of small lots don't necessarily equate to rural production being compromised.
  - (g) Adequately managing non-rural activities in rural production areas.
37. A number of horticultural blocks are included within the Proposed Rural Living Environment. I attach maps in Appendix 3 that HortNZ have prepared to identify some of this activity at a property level. based on A key question is whether horticulture can continue in the RL zone. Constraints on legally established activities are a concern as the amenity that is being sought for the Rural Living Environment will limit the ability of growers to operate through constraints on noise and the existence of a higher density of residential development.

#### **EVIDENCE PRESENTED BY HORTICULTURE NEW ZEALAND**

38. HortNZ has engaged a number of experts to present evidence to on Proposed Plan Changes 85 and 85 A-D.
39. This evidence is:
- (a) Jerome Hardy - Horticultural crop information
  - (b) Bob Cathcart – Soils information
  - (c) Stuart Ford – Economic considerations
  - (d) Vance Hodgson – Planning assessment

#### *Horticultural crop information – Mr Jerome Hardy*

40. HortNZ calls on Jerome Hardy of AvoGro Ltd a Horticultural Consultant with a specific focus on avocados, advising growers in

the Whangarei area including Maungatapere and Glenbervie, and has owned and leased avocado orchards in Northland.

41. Mr Hardy sets out the conditions that make Whangarei suitable for both avocado and kiwifruit production – Soils, Water, Climate, Contour, labour. He notes the major constraint is the availability of suitable land which highlights the need to protect this limited resource from activities that would affect the accessibility of the resource or its use in the rural production system.
42. Mr Hardy provides specific evidence on the nature and sensitivity of the avocado and kiwifruit growing systems in Whangarei:
  - New avocado rootstocks are performing extremely well in Whangarei resulting in investment in converting older orchards to new rootstock. For HortNZ this highlights the need to protect the resources that support the rural production system for the future and not compromise this potential through introduction of rural living areas causing potential reverse sensitivity situations. Just because a crop or use is not performing now is not an argument to subdivide. Local nurseries have invested to supply new rootstock.
  - The volcanic soils and mild climate of the Whangarei district suit both Gold 3 and Hayward very well. Kiwifruit Gold 3 has proven to be particularly well-suited to the volcanic soils and climate of the Whangarei district and is arguable the most profitable field-horticultural activity in NZ.
  - Commercial avocado orchards in this area vary in size from 1 canopy ha to around 35 canopy ha, with the majority of orchards being in the 2-6 ha range.
  - Commercial kiwifruit orchards in this area vary in size from 0.5 canopy ha to around 14 canopy ha, with the majority of orchards being in the 1-6 ha range.Therefore many orchards will be under the 4ha threshold used to assess suitability for Rural Living.
43. Mr Hardy then highlights his on the ground experience with aspects of the horticultural rural production system that can create conflict with sensitive activities.
  - Sprays
  - Pollination by Bees
  - Shelterbelts
  - Noise
44. Mr Hardy concludes by setting out the significant contribution of avocado and kiwifruit to Whangarei and addresses an issue important to HortNZ- Risk and Supply.

*Soils information – Mr Bob Cathcart*

45. HortNZ calls evidence from Mr Robert (Bob) William Cathcart, a Land and Environment Management Consultant at AgFirst Northland.
46. Mr Cathcart's experience includes assistance with a project to identify in Northland, land suited to horticulture and impediments to that land being development. Through that project actual or potential horticultural land was broken into three categories:
1. The most versatile land which has deep, free-draining soils, suited to crops such as avocado and tamarillo, e.g. younger/less weathered volcanic soils which can be cultivated or machinery worked all year round;
  2. Less free-draining or less fertile soils which, while suited field and vegetable crops and to shallow-rooted crops such as citrus, persimmon, kiwifruit and the like, has some soil limitations (stoniness, clay subsoil, etc.) which limit the range of crops or trees that can be successfully grown, e.g. older, more weathered volcanic soils; and
  3. Soils suited to field crops such as corn/maize, kumara, vegetables, etc., e.g. alluvial soils which are only able to be worked during summer and autumn.
47. Mr Cathcart's evidence sets out the information basis available for identifying soils in Whangarei and identifying highly versatile soils. He makes an important point that the Northland Regional Council used an interpreted version of data to generate maps to accompany its Regional Plan policies on protecting versatile soils but expected the District Councils to produce more detailed or scale-accurate mapping when defining land subject to District Plan policies and rules – it indicated general areas where the District Councils would need to develop more site-specific plans and rules. HortNZ are concerned that WDC have not done this and consider that the economic costs associated with identifying and mapping these soils may generate additional consenting requirements and costs.
48. Mr Cathcart provides clarity on the distribution of versatile soils and other land with production potential in Whangarei. What is clear is a diverse range of soils and land types (with inputs e.g. water) can support a diverse range of horticultural activities producing food. Versatile soils are limited in extent in Whangarei and nationally, critical to the food production system.
49. He also provides his expert opinion on why horticultural soils should be retained.
- There is potential for growth – particularly for kiwifruit and avocados through irrigation development
  - These crops can provide full time employment.

- Alternative crops such as raspberry are being developed to fill any gaps in year – round employment.
- The Maungatapere Irrigation Scheme is an important part of the growth aspiration for Hort.
- Irreversible small block rural living subdivision and development is a threat to the accessibility of versatile soils and viability of ongoing production.
- Loss of production land in Auckland to urban growth (Hort also notes Tuakau and restrictions on land use change in the Waikato) may provide opportunity in Whangarei to pick up the lost production and the provision of food to Auckland.

50. Mr Cathcart provides a specific assessment of the soils in identified Rural Living Areas of concern to HortNZ and of areas sought to be added as Rural Living Environments:

#### Maungatapere – Kara Rd South

- The area is within the significant rural infrastructure of the Maungatapere Irrigation Scheme.
- The area contains land suitable for horticultural activity.

#### Glenbervie – Kiripaka

- A more detailed soil survey of this area would more clearly define this mosaic of soil types and identify, at a reliable scale, land more or less suited to horticulture

#### Kauri-Apotu Road

- While not suited to deep rooted trees, the northern face of this hill is sheltered from cool winds to create a micro-climate well suited to persimmon and similar shallow rooted tree crops.

#### Maungakaramea

- assessed as Class 1c1, the highest ranked, most versatile Land Use Capability unit/soil type in Northland, and a worthy of protection.

### *Economic assessment – Mr Stuart Ford*

51. Mr Stuart Ford provides an economic assessment addressing:

- The extent and nature of horticulture in Whangarei District and its contribution to the Whangarei District's economy.
- How the requirements of horticultural production has been treated in the planning process and the loss of the highly desirable outcomes (protecting high class soils and reducing reverse sensitivity) identified in the Whangarei Growth Strategy.

- Economic considerations including the potential for future development opportunities and the most effective use of the districts land.
- The potential for horticulture in the Northland region identified in the Tai Tokerau Regional Growth Study and the Waikato University Report.

*Planning assessment – Mr Vance Hodgson*

52. Mr Vance Hodgson provides planning evidence for HortNZ on the rural plan changes. While he is generally supportive of the resource management direction, he considers that the Plan Changes could be improved to better protect and support rural production activities and deliver on the growth management vision for Whangarei.
53. In particular, while supporting an approach of defined areas of rural living as opposed to more scattered methods, he considers the plan could be strengthened to avoid rural living activity that would conflict with rural production and constrain food production.
54. Mr Hodgson notes that the evidence of HortNZ refutes the assumption that smaller blocks in the rural environment of Whangarei are compromised in terms of rural production capacity, being one of the primary criteria used to determine the Rural Living Environments.
55. He also notes that on the basis of HortNZ evidence concerning high quality soils and other production land, greater emphasis should be placed on the value of this resource to the District.

**HORTNZ'S APPROACH TO SUBDIVISION AND RURAL LIVING AREAS**

**Subdivision**

56. Subdivision can be a very contentious issue and positions of growers can vary greatly. The HortNZ Board determined that HortNZ would not generally get involved in subdivision in district plans, apart from ensuring that where subdivision occurs in rural areas that growers are protected from potential reverse sensitivity complaints.
57. The position is that HortNZ is in the business of protecting land for growing.
58. It is noted that some growers have submitted on the rural plan changes seeking greater subdivision opportunities. That is their prerogative as a landowner. However HortNZ's view is that they make such submissions as a landowner, who happens to do some horticultural activity.

59. HortNZ did seek a special rule for Rural Production Lots in the RPE to take into account that horticulture can operate on small parcels of land and the 20ha minimum lot size could be excessive for horticultural operations. The s42A Report does not support such an approach.
60. However the s42A Report has recommended changes to Policy RPE1.3.10 that introduces a policy framework against which any subdivision application less than 20ha would be assessed.
61. We have considered the position regarding the Rural Production Lots and determined that on balance the revised policy framework would achieve a similar outcome to the specific provisions sought, albeit as a non-complying activity rather than an RDA.
62. We are also cognisant of the need to ensure that the policy framework is robust enough to prevent incremental subdivision for rural residential in the RPE.

#### **Rural living areas**

63. HortNZ made a number of further submissions opposing requests for areas to be re-zoned Rural Living.
64. After consultation with growers and site visits to the respective areas HortNZ seeks to retain an interest in such further submissions in the following areas:
  - Maungatapere Kara Rd Sth
  - Glenbervie – Kiripaka
  - Apotu Rd
  - Maungakaramea
65. HortNZ does not support further Rural Living in these areas. The evidence of Mr Bob Cathcart, Mr Jerome Hardy and Mr Vance Hodgson do not support further Rural Living development in these areas. The grower statements by Sue Culham (Glenbervie) Thomas Schmutz (Maungatapere), Lindsay Wells (Apotu Rd) and Kathy Wells (Maungakaramea) also support this position and set out the potential impacts on the existing horticultural operations.
66. HortNZ also made further submissions on requests for additional Rural Living areas the following areas:
  - Kara Rd North
  - Three Mile Bush
  - Snooks Rd
  - Corsair Dr
  - Springs Rd

67. As a result of the groundtruthing exercise HortNZ has decided not to pursue the further submissions that relate to these areas.
68. While many of them do have potential for horticulture the nature of the areas is such that it is considered that the focus would be better be on the areas above (Para 51) which have the greatest potential for horticulture development.
69. In respect of Apotu Rd HortNZ opposed a submission by Malcom Alyward, who is also a grower. Mr Alyward has a persimmon block adjacent to Lindsay Wells, who manages the blocks together. Lynette Wharfe, on behalf of HortNZ, visited the site and met with Mr Alyward and Mr Wells. There is a case study by Mr Wells attached to my statement.
70. It would appear that some of the land adjacent to the road has been deemed Rural Living and that Mr Alyward seeks to extend Rural Living to cover all the lot adjacent to Mr Wells.
71. The land drops away quite sharply from the road and the lower slopes are where the current persimmon orchards are located.
72. I concur with Mr Wells that the lower slopes should remain a Rural Production to try and avoid the potential for reverse sensitivity that could arise if all of Mr Alyward's property was Rural Living.
73. I understand that Mr Alyward does not support such an approach but note that the s42A Report recommends that the submission to re-zone the area Rural Living be rejected due to the proximity to the Kauri Dairy Factory Farm.
74. I note that Mr Wells has identified that the Rural Living/ Rural Production boundary dissects his property and actually puts his packing shed into the Rural Living Zone. It would be appropriate that the line be amended to ensure that the buildings associated with the Rural Production activity are located in the Rural Production Environment Zone.

#### **WHAT OUTCOMES HORTNZ SEEKS**

75. Through this hearing process HortNZ seeks the following outcomes:
- (a) Retention of land for food production
  - (b) Recognition of importance of horticulture to Whangarei
  - (c) Greater recognition of horticulture operations in RL zones
  - (d) Provisions that enable horticulture to operate if located in a RL zone

- (e) Recognition that horticulture can be an economic activity on a small block of land
- (f) Robust criteria about how RL are determined
- (g) Consideration of whether RL zones are appropriate
- (h) No further RL areas created in areas where horticulture currently established or on high value production areas
- (i) Commercial development in rural areas to be clearly linked to rural service activities

**Angela Halliday**  
**29 June 2017**

## **Appendix 1**

### **Supplementary comments by Horticulture NZ on Whangarei District Council's Draft Plan Changes 85 A-D**

Horticulture NZ submitted comments on the Draft Plan Changes 85 A-D on 13 February 2015.

Concern was expressed at the approach in the Plan Changes, particularly regarding areas identified for countryside living.

A meeting was held with growers on 23 March 2015 to discuss the plan changes and the identified areas. No one had received notice of the plan change being available for comment and considerable concern was expressed as the proposals significantly affect growing operations.

A meeting was held with council staff on 24 March 2015 to clarify how the areas had been identified. It became apparent that much of the land used for growing is Class III and IV and so not excluded from the constraints criteria used by council in identifying potential countryside living areas. The fact that horticulture blocks are smaller also appeared to have led to a conclusion that the areas were already compromised by subdivision.

The areas of particular concern where horticulture is undertaken and some grower observations are:

Lifestyle/ countryside living areas

- Whatitiri – has irrigation scheme, boundary issues with northern land, covered crops in the area
  - Newton Rd – has irrigation scheme, V good soil, north of highway is OK
  - Apotu Rd – Major growing area
  - Glenbervie – should be called Kiripaka
  - Kara Rd Nth – some growing
  - Kara Rd Sth – key growing area
  - Snooks Rd – Move the boundary. The top area is developed in Avocados
- The proposed changes to make these areas countryside living would totally compromise the growing operations and would be damaging to the economy of Whangarei and Northland.

This approach does not seem consistent with the Rural Development Strategy which sought to protect the productive areas in the Rural environment. Small lots should not be taken as a proxy for areas compromised by lifestyle development as horticulture can be undertaken on small lots.

#### **Horticulture NZ seeks that:**

- The Council work with NHF and Horticulture NZ to identify, through a geographical mapping process, areas where horticulture is currently undertaken, and where there is productive potential for horticulture and to include those areas on the Plan

Change maps. The areas would be determined collaboratively between Council NHF and Horticulture NZ.

- Those areas would be reviewed, including modified constraints criteria, to see if they are appropriate as countryside living areas. Consideration could also be given to identifying alternative countryside living areas and greater protection of production values.

- The interface between growing and countryside living areas is robustly managed through the policy and rule framework.

- The economic benefits and costs of the proposed changes on horticulture to the District and Northland be included in the s32 Report.

- Horticulture NZ and Northland Horticulture Forum arrange a bus trip for councillors on a mutually suitable date to visit the locations and meet and discuss issues with growers. Similar trips have been arranged in other regions and have shown to be mutually beneficial.

## **Appendix 2 – Grower case studies**

## Appendix 3 - Maps