

**BEFORE THE HEARINGS PANEL  
AT THE FAR NORTH DISTRICT COUNCIL**

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

**AND**

**IN THE MATTER** of the hearing of submissions on The  
Proposed Far North District Plan  
  
Hearing Stream 16: Subdivision

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**STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON**

**FOR HORTICULTURE NEW ZEALAND**

**13 OCTOBER 2025**

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## SUMMARY STATEMENT

1. This planning evidence addresses the Horticulture New Zealand ("**HortNZ**") submission and the s42A Report response to the submissions on the Proposed Far North District Plan ("**PDP**"), Hearing Stream 16 – Subdivision.
2. I have been asked by HortNZ to review the PDP relative to my experience with the horticultural sector, rural plan change/subdivision work and the changes sought by HortNZ in its submission and further submissions.
3. This evidence expresses support for the section 42A report writers' recommendations to the submissions of HortNZ. In my opinion these recommendations give better effect to the National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**").
4. Key Issue 4 of the s42A Report sets out an overview of the structural change, new provisions and amendments recommended by the report writer as follows:

### 5.2.4 Key Issue 4: Rural Subdivision

#### Overview

Provision(s)	Officer Recommendation(s)
SUB-OX	New objective to protect the long-term availability and productive capacity of highly productive land from inappropriate subdivision.
SUB-PX	New avoid subdivision policy that relates to the protection of highly productive land within the Horticulture Precinct and the RPROZ.
SUB-P8	Amendments to clarify the specific provisions (SUB-R6, SUB-R7 and SUB-R3) that allow rural lifestyle subdivision in the RPROZ where it is otherwise to be avoided.
SUB-R9	Amendments so this policy relates specifically to the Rural Lifestyle zone and clarify the specific provision (SUB-R7) that allows rural residential subdivision in this zone where it is otherwise to be avoided.

SUB-RYY	New discretionary rule for any subdivision creating one or more allotments that contain highly productive land.
SUB-R3	Amendments to decrease the required average size of lots.
SUB-R6	Amendments to decrease the required minimum size of lots and other consequential amendments.
SUB-R3	Amendments to enable subdivision around existing residential units in the RPROZ subject to certain requirements.
RPROZ-P6	Consequential amendments because of the recommended amendments to SUB-R3.

5. I support these amendments which also resolve the issues raised through the submissions and further submissions of HortNZ to this topic.

#### **QUALIFICATIONS AND EXPERIENCE**

6. 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 21 years. I hold a Bachelor of Resource and Environmental Planning (Hons) degree from Massey University.
7. 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.
8. 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. I have provided independent resource

management advice to HortNZ on policy matters across New Zealand since 2012.

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 evaluation and recommendations to those submissions in the Section 42A Report, prepared for Hearing Stream 16: Subdivision.
11. The submissions focused on the provisions for subdivision in the rural production and horticulture zones and seek to ensure the provisions enable and support the ongoing primary production activities of horticulture and supporting activities in the district, recognising existing activities and making provision for growth and land use change.
12. The particular interest in this topic centres on the ability to access land parcels of suitable land use capability, sizes and shapes to enable primary production and protecting primary production activities from reverse sensitivity.
13. I did not prepare the submissions for HortNZ but have been asked to review the PDP relative to my experience with the horticultural sector, rural plan change/subdivision work and the changes sought by HortNZ in its submission and further submissions.
14. The planning framework is well described in both the s32 Report and the s42A Report provided by the FNDC. I agree with the analysis and understand the planning history and growth management direction from the statutory and non-statutory documents that have informed the Plan Changes.
15. Given the general agreement I do not repeat the analysis of the applicability of those planning instruments or the

compliance of the PDP with those instruments. Rather this evidence expresses support for the s42 report writers' recommendations that would in my opinion better give effect to, be not inconsistent with, or have regard to (as the case may be), the various relevant documents.

## **SUBDIVISION CHAPTER**

### **Objectives SUB-O1 and SUB-O2**

16. The submissions of HortNZ (S159.065 & S159.066) both supported the retention of SUB-O1 and SUB-O2 as notified.
17. SUB-O1(c) seeks an outcome that *subdivision results in the efficient use of land, which: avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate.*
18. No changes are recommended to this clause through the s42 Report. I support the retention of what is a clear and important objective. Reverse sensitivity is a significant risk to primary production activities and often associated with sensitive activities locating in rural environments.
19. SUB-O2(a) was supported by HortNZ as a clause that sought that *subdivision provides for the: protection of highly productive land.*
20. Responding to a submission of the Department of Conservation and reflecting the commentary outlined in Hearing 9 in relation to Highly Productive Land, the s42A report writer recommends<sup>1</sup> removing SUB-O2(a) and including a new framework to give effect to the NPS-HPL. I understand that the NPS-HPL was not in force at the time the PDP was notified, and it was only gazetted partway through the PDP submission period on 19 September 2022.
21. I agree with the s42A report writer that changes are required.
22. A new objective is recommended as follows:

#### SUB-OX

'Subdivision protects the long-term availability and productive capacity of highly productive land by

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<sup>1</sup> Section 42A Report Subdivision, Paragraph 218-221

avoiding inappropriate subdivision that would compromise its use for farming and forestry activities'.

23. I support a standalone objective that seeks to achieve an outcome of protecting highly productive land for use in land-based primary production. This is consistent with the single objective of the NPS-HPL and its policies.

### **Policy SUB-P3**

24. HortNZ (\$159.067) supported SUB-P3 in part and expresses that any adequate building platform should be located within the applicable zone setbacks. The submitter requested the following amendment to the policy to reflect this requirement:

'c. have an adequate size and appropriate shape to contain a building platform, within setbacks for the zone'.

25. I agree with the s42 report writer that the amendment sought is too specific for inclusion within a policy and that subdivision standard SUB-S2 is the appropriate mechanism for ensuring compliance with technical matters such as building platform location. I have discussed this with HortNZ who also support the s42 report writer's conclusion on this point.

### **Policy SUB-P8**

26. Horticulture New Zealand (\$159.068) partially supported SUB-P8 and noted the absence of a specific Policy framework addressing subdivision in the Horticulture Zone and proposed the term 'versatile soils' in subsection (b) be replaced with 'highly productive land'.
27. It is the recommendation of the s42A report writer that a new policy is proposed, linking to SUB-OX to give effect to the NPSHPL and the issues raised by HortNZ and others on the structure of SUB-P8.
28. The new policy to read as follows:

SUB-PX

Avoid subdivision that:

- a. Within the Horticulture Precinct, is not provided for in PREC1-P5:

b. In all other parts of the Rural Production Zone:

- i. results in any potential cumulative loss of the availability or productive capacity of highly productive land for use by farming or forestry activities;
- ii. cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term;
- iii. fragments land into parcel sizes that are no longer able to support farming or forestry activities in accordance with RPROZ-P6(c);
- iv. Results in rural lifestyle subdivision unless provided for in SUB-P8.

29. I support the new policy, and this resolves the issues raised by HortNZ.

30. I agree with the s42 report writers reasons<sup>2</sup> for the new policy and that the intent is to avoid subdivision in the Horticulture Precinct unless specifically provided for in PREC1-P5, and elsewhere in the RPROZ where it would reduce long-term productive capacity, fragment land into lots too small for farming or forestry, or create rural lifestyle blocks, except where specifically provided for in SUB-P8.

**Policy SUB-P11**

31. HortNZ (\$159.069) requests to amend SUB-P11 to require the potential for reserve sensitivity effects to be a relevant consideration when assessing and managing the effects of subdivision.

32. The s42 report writer agrees and recommends alternative wording<sup>3</sup> as follows:

a. the potential for reverse sensitivity effects that would prevent or adversely affect activities already established on land from continuing to operate....

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<sup>2</sup> Section 42A Report Subdivision, Paragraph 305

<sup>3</sup> Section 42A Report Subdivision, Paragraph 491



33. I agree with the s42 report writers reasons for including the clause and repeat those as follows:

492. *The proposed addition strengthens the policy framework by explicitly acknowledging reverse sensitivity as a relevant consideration in subdivision assessments. This aligns with the broader strategic intent of the PDP to manage land use conflicts and protect the viability of established rural and productive activities.*

493. *Reverse sensitivity is already addressed in the objectives and policies for discretionary activities. However, its explicit inclusion in SUB-P11 enhances clarity and reinforces the importance of proactive planning in rural contexts, particularly where sensitive land uses may encroach upon established operations.*

### **Standard SUB-R3**

34. HortNZ (\$159.070) sought further restrictions on the subdivision of land within the Rural Production and Horticulture zones, including restricted discretionary activity status and notification requirements.
35. I agree with the s42 report writer<sup>4</sup> that these amendments are not needed. I agree that the minimum lot sizes for these zones and precincts, are of an adequate size to achieve the objectives and purpose of the zones. These outcomes are further secured by the recommended removal of the controlled activity pathway for subdivision in the Horticulture zone and the structural changes recommended by the s42A report writer to the subdivision chapter which include:

#### **5.2.4 Key Issue 4: Rural Subdivision**

##### **Overview**

<b>Provision(s)</b>	<b>Officer Recommendation(s)</b>
SUB-OX	New objective to protect the long-term availability and productive capacity of highly productive land from inappropriate subdivision.

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<sup>4</sup> Section 42A Report Subdivision, Paragraph 322

SUB-PX	New avoid subdivision policy that relates to the protection of highly productive land within the Horticulture Precinct and the RPROZ.
SUB-P8	Amendments to clarify the specific provisions (SUB-R6, SUB-R7 and SUB-R3) that allow rural lifestyle subdivision in the RPROZ where it is otherwise to be avoided.
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SUB-R3	Amendments to enable subdivision around existing residential units in the RPROZ subject to certain requirements.
RPROZ-P6	Consequential amendments because of the recommended amendments to SUB-R3.

## CONCLUSION

36. I have been asked by HortNZ to review the PDP relative to my experience with the horticultural sector, rural plan change/subdivision work and the changes sought by HortNZ in its submission and further submissions.
37. As expressed in this evidence, I support the retention of SUB-O1 and clause SUB-O1(c) which is to avoid reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate.
38. I support the s42A report writers recommended new standalone objective SUB-OX with a focus on subdivision

outcomes for highly productive land. I consider this better aligned with the NPS-HPL.

39. I also support the recommendation of the s42A report writer of a new policy, linking to SUB-OX to give effect to the NPS-HPL and the issues raised by HortNZ and others on the structure of SUB-P8.
40. The amendments recommended by the s42A report writer to SUB-P11 to require the potential for reserve sensitivity effects to be a relevant consideration when assessing and managing the effects of subdivision is an amendment that adds strength to the policy framework.
41. In terms of the rural subdivision minimum lot sizes for the Rural Production Zone and Horticulture Zone, I agree with the s42A report writer that these are of an adequate size to achieve the objectives and purpose of the zones. These outcomes are further secured by the recommended removal of the controlled activity pathway for subdivision in the Horticulture zone and the structural changes recommended by the s42A report writer to the subdivision chapter.