

# **SUBMISSION ON** District Plan Amendments

30 August 2024

**To:** Whangarei District Council

**Name of Submitter:** Horticulture New Zealand

## **Contact for Service:**

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# OVERVIEW

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## Our submission

Horticulture New Zealand (HortNZ) thanks Whangarei District Council for the opportunity to submit on the district plan amendments.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

# HortNZ's Role

## Background to HortNZ

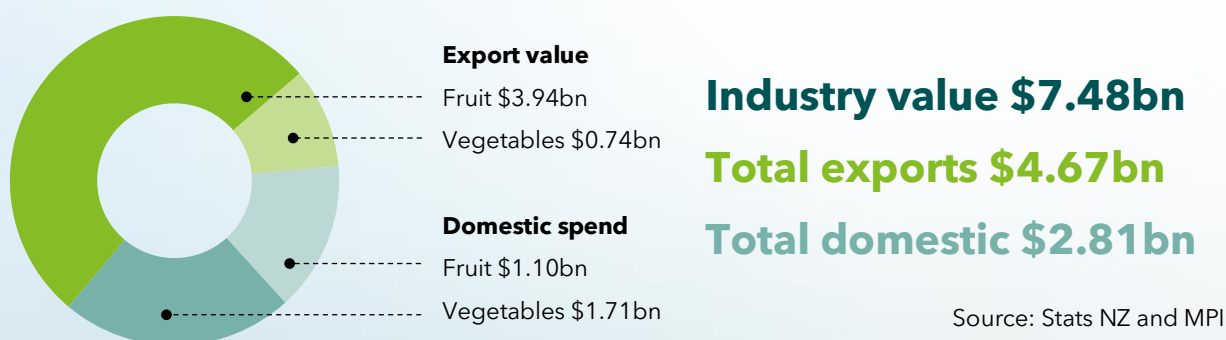
HortNZ represents the interests of approximately 4,200 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain; and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



## HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.



# Submission

## 1. Horticulture in Whangarei

There is more than 4,400ha of horticultural activity within the Northland region, approximately 1500 hectares of which is within the Whangarei District. The main crop is avocados, however other crops including kiwifruit, tamarillos, leafy green vegetables, citrus fruit, onions, berries and passionfruit, are also grown.

Whangarei has good access to a number of the factors that support successful horticulture. The biggest restraint is land supply. Due to historical regulatory frameworks, urban development is scattered throughout the rural environment. This limits the land available for primary production, but also generates on-going reverse sensitivity issues.

## 2. District Plan Amendments

HortNZ is generally supportive of the amendments however makes comment on Issue 43 below.

### 2.1. Minor Residential Units

The operative district plan RPROZ-R8 sets out the permitted activity status for minor residential units in the rural production zone. The rule allows a floor area of 90m<sup>2</sup> including the minor residential unit's deck and garage. HortNZ interpretation of the rule change proposes to include in the 90m<sup>2</sup> area, accessory buildings, garages and decks. The activity status when compliance not achieved with RPROZ-R8(4) is noncomplying (note there is an error in the Proposed Plan Change 2 Amendments to District Plan Text document - it states R8(1) instead of (4)).

Minor residential units are often used for seasonal accommodation depending on the allowable floor size. The proposed change would restrict this activity as the minor residential unit would be reduced in size as per the requirement to account for accessory buildings on the same title.

A recent Environment Court decision (2024) NZEnvC063<sup>1</sup> provides a good rule structure for minor residential units which excludes accessory buildings in the gross floor area calculations.

HortNZ supports the operative rule and does not support the inclusion of accessory buildings to be included in the calculation of the gross floor area.

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<sup>1</sup> <https://environmentcourt.govt.nz/assets/Documents/Publications/2024-NZEnvC-063-Horticulture-New-Zealand-v-Waikato-District-Council.pdf>

## Submission on Plan Change 2

Without limiting the generality of the above, HortNZ seeks the following decisions on the Plan Change 2 as set out below, or alternative amendments to address the substance of the concerns raised in this submission and any consequential amendments required to address the concerns raised in this submission.

Additions are indicated by bolded underline, and deletions by strikethrough text.

Provision	Support/oppose	Reason	Decision sought
SUB-P3	Support	HortNZ supports the restriction on additional residential activity in the rural production zone. This zone is to support primary production activities not residential developments.	Support
RPROZ-R8	Oppose	The amended rule restricts the floor area of a minor residential unit to now include accessory buildings and garages. The operative rule excludes these and includes the decking and garage areas of the minor residential unit	Oppose rule (4) and revert to operative rule