

**IN THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2025-WLG

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under Clause 14(1) of the First
Schedule of the Act in relation to the
Proposed Wairarapa Combined District Plan

BETWEEN **Horticulture New Zealand**

Appellant

AND **Masterton, Carterton and South Wairarapa
District Councils**

Respondent

**NOTICE OF APPEAL
ON THE PROPOSED WAIRARAPA COMBINED DISTRICT PLAN**

To: The Registrar

Environment Court

Wellington

1. Horticulture New Zealand ("**HortNZ**") appeals part of a decision of Masterton, Carterton and South Wairarapa District Councils on the Proposed Wairarapa Combined District Plan.
2. HortNZ made a submission and further submissions on the Proposed Wairarapa Combine District Plan (submission number 221).
3. HortNZ is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. HortNZ received notice of the decision on 8 October 2025.
5. The decision was made by the Masterton, Carterton and South Wairarapa District Councils.
6. Decision appealed against:
 - (a) GRUZ-R11
7. The reasons for the appeal and relief sought are detailed in the table below.
8. General relief sought:
 - (a) That consequential amendments be made as a result of the relief sought from the specific appeal point above.
9. The following documents are attached to this notice:
 - (a) a copy of HortNZ's submission and further submissions
 - (b) a copy of the relevant parts of the decision
 - (c) a list of the names and addresses of persons to be served with a copy of this notice



Emily Levenson
Environmental Policy Advisor
Horticulture New Zealand

14 November 2025

Address for service of the Appellant:

Horticulture New Zealand
PO Box 10232, Wellington 6143
Phone: 027 305 4423
Email: emily.levenson@hortnz.co.nz
Contact person: Emily Levenson

Decisions of Masterton, Carterton and South Wairarapa District Councils on the Proposed Wairarapa Combined District Plan which are appealed by HortNZ:

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
1.	GRUZ-R11 Rural produce retail	HortNZ submitted on Definitions, 'Rural produce retail' 221.024 HortNZ submitted on GRUZ-R11, 'Rural produce retail' 221.143 HortNZ submitted on RLZ-R7, 'Rural produce retail' 221.158 HortNZ submitted on FUZ-R11, 'Rural produce retail' 221.166	HortNZ sought that GRUZ-R11, RLZ-R7 and FUZ-R11 be retained as notified with an amended definition of 'rural produce retail'. HortNZ expressed support for a permitted activity status for rural produce retail. The S42a author accepted the relief sought by HortNZ for amendments to the definition of 'rural produce retail' and retained RLZ-R7 and FUZ-R11 but adopted amendments to GRUZ-R11 which HortNZ does not support. As drafted with amendments in the Decisions Version, GRUZ-R11 only permits rural produce retail where there is no sale of food or beverages to the general public for consumption on the site. Otherwise, the activity has discretionary status. The purpose of rural produce retail is for the sale of food, and often beverages, to the general public, so this amendment defeats the purpose of the permitted activity. Rural produce retail is an anticipated activity in the rural zones in line with the objectives and policies for those zones.	Amend GRUZ-R11 1. Activity status: Permitted Where: a. Compliance is achieved with: i. GRUZ-S1; ii. GRUZ-S2; iii. GRUZ-S3; and iv. GRUZ-S6; b. There is no more than one building or structure used for the rural produce retail activity per site; c. The gross floor area of any building or structure used for the rural produce retail activity is no more than 40m² ; and d. The activity does not use direct vehicle access to a State Highway. e. There is no sale of food or beverages to the general public for consumption on the site.

APPENDIX A – HortNZ’s submission and further submissions

Submission Point / Further Submission Point	Submitter (S) / Further Submitter (FS)	Section	Provision	Position	Summary of Decision Requested	Reasons	Panel Decision
S221.024	Horticulture New Zealand	Definitions	Definitions	Amend	Amend definition of 'Rural produce retail': Means the use of land and/or buildings on, or within which, rural produce grown or produced by the same operation on-site , and products manufactured by them	The submitter states that the word 'operation' would be more appropriate than 'site'. Growers may have multiple sites where they grow (meaning land with different certificates of title). These sites could be in close proximity to each other but produce from multiple land parcels are brought together to be sold in one place.	Accept

					from it , are offered for sale. This includes the further processing of products manufactured by the same operation on-site .		
--	--	--	--	--	---	--	--

S221.143	Horticulture New Zealand	GRUZ-R11	GRUZ-R11	Support	Retain GRUZ-R11 but amend definition of 'rural produce retail'.	A permitted activity for small rural produce is supported.	Accept
----------	--------------------------	----------	----------	---------	---	--	--------

S221.158	Horticulture New Zealand	RLZ-R7	RLZ-R7	Support	Retain RLZ-R7 as notified.	The submitter supports rural produce retail being a permitted activity status.	Accept
----------	--------------------------	--------	--------	---------	----------------------------	--	--------

S221.166	Horticulture New Zealand	FUZ-R11	FUZ-R11	Support	Retain FUZ-R11 as notified.		Accept
----------	--------------------------	---------	---------	---------	-----------------------------	--	--------

APPENDIX B – Relevant parts of the decision

GRUZ-R11	<i>Rural produce retail</i>
	1. Activity status: Permitted Where: a. Compliance is achieved with: i. GRUZ-S1; ii. GRUZ-S2; iii. GRUZ-S3; and iv. GRUZ-S6; b. There is no more than one <i>building</i> or <i>structure</i> used for the <i>rural produce retail</i> activity per <i>site</i>; c. The <i>gross floor area</i> of any <i>building</i> or <i>structure</i> used for the <i>rural produce retail</i> activity is no more than 40m²; and d. The activity does not use direct vehicle access to a State Highway. e. There is no sale of food or beverages to the general public for consumption on the site.
	2. Activity status: Discretionary Where: a. Compliance is not achieved with GRUZ-R11(1).

APPENDIX C – Name and address of persons to be served with a copy of this notice

Carterton District Council
28 Holloway Street
Carterton 5713

Masterton District Council
161 Queen Street
Masterton 5810

South Wairarapa District Council
PO Box 6
Martinborough 5741

feedback@wairaraplan.co.nz

Organisation	Name	E-Mail
Māori Trustee	Teree Brown	resource.management@tetumupaeroa.co.nz
	Nigel & Philippa Broom	nigel.broom@xtra.co.nz

APPENDIX D: Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act. You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.