

**IN THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2019-WLG-000130

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 Natural Resources Plan
for Wellington Region

BETWEEN **Royal Forest and Bird Protection
Society of NZ Inc**

Appellant

AND **Wellington Regional Council**

Respondent

**NOTICE OF WISH TO BE
PARTY TO PROCEEDINGS PURSUANT TO
SECTION 274 RESOURCE MANAGEMENT ACT 1991**

To: The Registrar
Environment Court
Wellington

1. Horticulture New Zealand (“**HortNZ**”) wishes to be a party pursuant to section 274 of the Resource Management Act 1991 (“**RMA**”) to the following proceedings:

Royal Forest and Bird Protection Society of NZ Inc v Regional Council **ENV-2019-WLG-000130** being an appeal against decisions of the Wellington Regional Council on the Proposed Natural Resource Plan for Wellington Region.

2. HortNZ made submissions and further submissions on the Proposed Natural Resources Plan for Wellington Region.
3. HortNZ also has an interest in these proceedings that is greater than the general public as it represents interest groups in the community that are likely to be adversely affected by the proposed relief sought by the Respondent.
4. HortNZ is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. The parts of the proceedings HortNZ is interested in are:
 - a) AP4 Objective O5
 - b) AP7 Objective 19
 - c) AP10 Objectives O23, O24, O25, O31, O35 and Tables 3.1-3.7
 - d) AP12 Objective O44-O48
 - e) AP17 Policy P31
 - f) AP18 Policy P32
 - g) AP19 Policy P37
 - h) AP20 Policy P41
 - i) AP24 Policy P65
 - j) AP26 Policy P67
 - k) AP30 Policy P95
 - l) AP32 Policy P100
 - m) AP34 Policy P107
 - n) 35 Policy P128

6. The parts of the proceedings HortNZ is interested in, including the particular issues and whether HortNZ supports, opposes or conditionally opposes the relief sought are set out in the attached table.
7. HortNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Jordyn Landers
Environmental Policy Advisor
Natural Resources and Environment
Horticulture New Zealand
9 October 2019

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ATTACHMENT 1

Appeal ref	Provision Appealed	Scope for s274	Support / Oppose	Reasons
4	Objective O5	HortNZ made a submission and further submission on O5 S308/015	Oppose in part	The appellant seeks to reinstate O5 with amendments. There needs to be evidence of a regulatory gap that requires the objective to be reinstated and amended.
7	Objective 19	HortNZ made a submission and further submission on O19 S308/019	Oppose	Objective 19 was deleted by decisions. The appellant seeks to reinstate O19 with amendments. There needs to be evidence of a regulatory gap that requires the objective to be reinstated and amended.
10	Objectives O23, O24, O25, O31, O35 and Tables 3.1-3.7	HortNZ made submissions and further submissions on O23, O24, O25, O31, O35 and Tables 3.1-3.7	Oppose	The appellant seeks broad changes to give effect to the NPSFM. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
12	Objective O44-O48	HortNZ made submissions and further submissions on O44 – O48	Oppose	The appellant seeks broad changes to give effect to the NPSFM. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known
17	Policy P31	HortNZ made a further submission on P31 S146/094	Oppose in part	The appellant seeks broad changes to give effect to the NPSFM and consistent with O25. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known
18	Policy P32	HortNZ made a submission on P32	Oppose	The policy sets out how adverse effects are to be managed by establishing a hierarchy. It is uncertain how the appellant seeks that the policy is reframed.
19	Policy P37 Values of wetlands	HortNZ made a submission on P37	Oppose	The policy seeks to maintain and where appropriate restore conditions of natural wetlands. This policy does not imply that loss or degradation is appropriate.

Appeal ref	Provision Appealed	Scope for s274	Support / Oppose	Reasons
20	Policy P41	HortNZ made a submission on P41	Oppose	Policy P41 sets out a hierarchy for managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values.
24	Policy P65	HortNZ made a submission and further submission on P65 S308/062	Oppose	The appellant seeks new conditions to apply to agricultural activities linked to Tables 3.4 – 3.8 and Objective O25. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
26	Policy P67	HortNZ made a further submission on P107 S310/034	Oppose	Policy P67 sets out a hierarchy for minimising discharges to water or land. The appellant seeks that it is amended to link to Tables 3.4 – 3.8 and Objective O25. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
30	Policy P95	HortNZ made a submission on P95	Oppose	Policy P95 sets out how discharges to land will be managed. The appellant seeks that it is amended to link to Tables 3.4 – 3.8 and Objective O25. The provisions, particularly the tables, are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
32	Policy P100	HortNZ made a submission and further submission on P100 S352/175	Oppose	The policy was deleted by decisions. The matters are addressed through Policy P95. There needs to be evidence of a regulatory gap that requires the policy to be reinstated.
34	Policy P107	HortNZ made a further submission on P107 S308/071 and S352/177	Oppose	The policy was deleted by decisions. There needs to be evidence of a regulatory gap that requires the policy to be reinstated.
35	Policy P128	HortNZ made a submission on P128	Oppose	The conditions for managing transfers are designed to manage adverse effects.

