

**IN THE ENVIRONMENT COURT  
WELLINGTON REGISTRY**

**ENV-2019-WLG-000125**

**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** **Rangitane Tu Mai Ra Trust and  
Rangitane O Wairarapa Incorporated  
Society**

Appellant

**AND** **Wellington Regional Council**

Respondent

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

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**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:

*Rangitane Tu Mai Ra Trust and Rangitane O Wairarapa Incorporated Society ENV-2019-WLG-000125* 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) 1 Entire Plan
  - b) 4. Definition Drain
  - c) 7 Definition fertiliser
  - d) 8. Definition good management practices
  - e) 10 Definition upgrade
  - f) 17 Objective O24
  - g) 19 Objective O31
  - h) 20 Objective 32
  - i) 27 Entire Plan
  - j) 28 Entire Plan
  - k) 30 Entire Plan
  - l) 32 Table 1.1
  - m) 33 Objective O2

- n) 37 Objective O17
- o) 38 Objective O23
- p) 39 Objective O25
- q) 41 Objective O42
- r) 42 Objective O46
- s) 43 Objective O47
- t) 51 Policy P48
- u) 52 Policy P49
- v) 53 Policy P63
- w) 55 Policy P65
- x) 61 Policy P95
- y) 62 Policy P111
- z) 63 Policy P117
- aa) 64 Policy P129
- bb) 66 Rule R42

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
1	Entire Plan	HortNZ made submissions and further submissions relating to over-allocation	Oppose	The relief sought by the appellant does not set out desired timeframes.
4.	Definition Drain	HortNZ made a further submission on the definition of drain	Oppose	The appellant seeks the deletion of the note. However the note is important to provide clarity as to where the definition would apply.
7	Definition fertiliser	HortNZ made submissions and further submissions relating to the definition of fertiliser	Oppose	The definition of fertiliser should be consistent with the definition in the ACVM Regulations.
8.	Definition good management practices	HortNZ made submissions and further submissions relating to the definition good management practices	Oppose	The term 'good management practices' is used in a range of contexts in the Plan and needs to be generic across activities.
10	Definition upgrade	HortNZ made a further submission on the definition of upgrade	Oppose in part	There needs to be clarity as to what constitutes upgrade.
17	Objective O24	HortNZ made submissions and further submissions relating to O24	Oppose	The appellant seeks to amend O24 and include numeric objectives in Tables 3.1 and 3.2 to give effect to the NPSFM. The tables are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
19	Objective O31	HortNZ made a further submission on O31	Oppose	The appellant is seeking that a full assessment of outstanding water bodies is undertaken and describing the values to be protected. Such an assessment should have been undertaken

Appeal ref	Provision Appealed	Scope for s274	Support / Oppose	Reasons
				prior to notification of the Plan.
20	Objective 32	HortNZ made a further submission on O32	Oppose	The appellant is seeking that a full assessment of outstanding natural features and landscapes is undertaken and describing the values to be protected. Such an assessment should have been undertaken prior to notification of the Plan.
27	Entire Plan	HortNZ made submissions and further submissions across the range of provisions in the Plan	Oppose	The appellant seeks that provisions are amended to ensure that they are consistent with s5 (2) c). However specific changes sought are not stated.
28	Entire Plan	HortNZ made submissions and further submissions across the range of provisions in the Plan	Oppose	The appellant seeks that provisions are amended to ensure that the Plan gives effect to the RPS. However specific changes sought are not stated.
30	Entire Plan	HortNZ made submissions and further submissions across the range of provisions in the Plan	Oppose	The appellant seeks that provisions are amended to include freshwater limits and the regime and timeframes to achieve these. The Plan is pending the outcomes of the whitua process and so should be retained until those outcomes are known.
32	Table 1.1	HortNZ made a submission on Table 1.1	Support in part	HortNZ supported a clear statement of values and that they be included in the objectives or policies rather than an introduction to the Plan. However it is not clear what additional values the appellant specifically seeks added.
33	Objective O2	HortNZ made a further submission on O2	Support in part	Recognition of the health of people is supported.
37	Objective O17	HortNZ made a further submission on O17	Support in part	There should be clarity as to the natural character assessment being undertaken.
38	Objective O23	HortNZ made a	Oppose	The Plan specifically listed the waterbodies to which the

Appeal ref	Provision Appealed	Scope for s274	Support / Oppose	Reasons
		submission on O23		objective would apply rather than using the generic term surface water bodies.
39	Objective O25	HortNZ made submissions and further submissions on O25	Oppose	The appellant seeks to amend O25 and Tables 3.1 – 3.8 to give effect to the NPSFM. The tables are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
41	Objective O42	HortNZ made a further submission on O42	Oppose in part	The objective should be able to stand alone without cross reference to other objectives. Horticulture NZ supports that life supported capacity of soils is safeguarded
42	Objective O46	HortNZ made a further submission on O46	Oppose	The focus of the objective is on minimising the adverse effects which are implemented through the policies.
43	Objective O47	HortNZ made a further submission on O47	Oppose	The focus of the objective is on minimising the adverse effects which are implemented through the policies
51	Policy P48	HortNZ made a further submission on P48	Oppose	The appellant is seeking that a full assessment of outstanding natural features and landscapes is undertaken and describing the values to be protected with policies, rules and methods added as a consequence. Such an assessment should have been undertaken prior to notification of the Plan.
52	Policy P49	HortNZ made a submission on P49	Oppose	The appellant is seeking that a full assessment of outstanding natural features and landscapes is undertaken and describing the values to be protected with policies, rules and methods added as a consequence. Such an assessment should have been undertaken prior to notification of the Plan.
53	Policy P63	HortNZ made a further submission on P63	Oppose	The appellant seeks to amend P63, including timeframes to achieve outcomes The Policy and linked tables are interim pending the outcomes of the whitua process and so should be retained until those outcomes are known.
55	Policy P65	HortNZ made a submission and a further	Oppose	The appellant is seeking a range of management regimes to be put in place to manage agricultural activities and associated

Appeal ref	Provision Appealed	Scope for s274	Support / Oppose	Reasons
		submission on P65		discharges. The Whaitua processes are designed to address those issues at an FMU scale.
61	Policy P95	HortNZ made a submission on P95	Oppose	Policy P95 sets out how discharges to land will be managed. The appellant seeks to ensure that discharges will not occur on sites of significance to mana whenua unless the effects on the values of those sites are avoided. It is anticipated that the policy framework in P95 should address the concern of the appellant.
62	Policy P111	HortNZ made a further submission on P111	Oppose in part.	The appellant seeks to ensure that the policy does not allow for takes below the water quantity limits established in the Plan or establish a secondary minimum flow for essential takes. A two tiered approach may be appropriate.
63	Policy P117	HortNZ made a further submission on P117	Oppose	The policy has a framework for supplementary allocations to meet Objective O25. The additional matters sought are not necessary.
64	Policy P129	HortNZ made a further submission on P129	Oppose	The matters the appellant seeks to include are considered as part of setting the minimum flows and minimum water levels, so are not necessary to be added to the policy.
66	Rule R42	HortNZ made a further submission on R42	Oppose	Rule R42 is intended to provide for minor discharges that are not specifically provided for in other rules. The provisions are appropriate for a general 'catch all rule' subject to changes sought by other appellants.