

**IN THE ENVIRONMENT COURT  
WELLINGTON REGISTRY**

**ENV-2019-WLG-000128**

**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  
Proposed Natural Resources Plan for  
Wellington Region

**BETWEEN** **BP Oil NZ Ltd, Mobile Oil NZ Ltd and Z  
Energy Ltd (The Oil Companies)**

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:  
*BP Oil NZ Ltd, Mobile Oil NZ Ltd and Z Energy Ltd (The Oil Companies) v Wellington Regional Council* **ENV-2019-WLG-000128**  
being an appeal against decisions of the Wellington Regional Council on Proposed Natural Resource Plan for Wellington Region
2. HortNZ made submissions and further submissions on 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) Para 10 Rule 42 Minor discharges – Permitted activity
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
Para 10	Rule 42 Minor discharges – permitted activity	HortNZ made a further submission on S310/042 on Rule 42.	Support in part	<p>Rule 42 is a permitted activity rule for minor discharges where there is no specific rule providing for the discharge.</p> <p>The appellant is concerned about the addition of clause a) ‘the contaminant is not a hazardous substance’. This means that the discharge has a zero tolerance threshold for discharges that may contain hazardous substances.</p> <p>While many horticultural activities are addressed through specific rules the requirement for a zero tolerance for hazardous substances means that incidental discharges outside the rules would require a resource consent.</p> <p>HortNZ supports the appellant to seek modification of the rule to ensure that some activities are exempt from the rule, however consider that the scope of changes should apply a limited threshold across activities.</p>