

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2018-CHC-000039

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 Southland Water and Land Plan

BETWEEN **Alliance Group Ltd**

Appellant

AND **Southland Regional Council**

Respondent

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

To: The Registrar

Environment Court

Christchurch

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:
 - (a) *Alliance Group Ltd v Southland Regional Council (ENV-2018-CHC-000039)* being an appeal against decisions of the Southland Council on the proposed Southland Water and Land Plan.
2. HortNZ made submissions and further submissions on the proposed Southland Water and Land Plan (submission number 390 and further submission number 390).
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) Objective 11
 - (b) Objective 13
 - (c) Objective 18
 - (d) Policy 6 and Policy 10
 - (e) Policy 15A, Policy 15B and Policy 15C
 - (f) Policy 20
 - (g) Rule 5 and Rule 6
 - (h) Rule 50

6. 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.



Rachel McClung

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14 / 06 / 2018

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Advice

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

ATTACHMENT 1

Provision Appealed by Alliance Group Limited	Scope for s274 (HortNZ submission point reference)	Support / Oppose	Reasons
Objective 11	390.4 and FS on 190.8, 414.2, 622.8, 752.27 and 752.28	Oppose	<p>The decision amends Objective 11: <u>The amount of water abstracted is shown to be reasonable for its intended use and water is allocated and used efficiently.</u></p> <p>The focus of the objective is all water takes and use, regardless of use. The change sought by the appellant would appear to indicate that the framework should be different for community water supplies and priority takes. HortNZ considers that all water use should be used efficiently so does not support the differentiation sought.</p>
Objective 13	390.5 and FS on 279.12, 277.14 and 752.29	Oppose	Objective 13 has been restructured into three separate objectives as they address different matters. The appellant seeks to replace the restructured objectives with the notified Objective 13. HortNZ supports the enabling objective to use and development of land and soils to support the economic, social and cultural wellbeing of the region and so supports retaining the decisions version of the objectives 13, 13A and 13B.
Objective 18	390.6 and FS 277.16 and 661.10	Support in part	HortNZ supports the use of good management practices in the Plan and considers that Objective 18 provides an appropriate policy framework for the use of GMP's in the implementation of the Plan. It is recognised that industrial and trade activities are better to operate in accordance with best practicable option as defined in the RMA so the distinction sought is appropriate.
Policy 6 and Policy 10	390.9 and 390.10 and FS on 752.44, 661.18, 661.14 and 210.45	Support in part	It is recognised that industrial and trade activities are better to operate in accordance with best practicable option as defined in the RMA so the distinction sought is appropriate.

Policy 15A, Policy 15B, Policy 15C, Policy 16A	390.11 and FS on 17.19 and 265.46	Oppose in part	The decisions delete Policy 15 and replace it with three new policies. The appellant seeks that the deleted policy is retained and new policies 15A, B and C are deleted. The restructured policies provide for a clearer process and framework and are consistent with the NPSFM.
Policy 20	390.14 and FS on 277.27, 265.50, 279.27 and 752.63	Oppose	The appellant seeks that Reference to Appendix O in Policy 20 is deleted. Appendix O sets out how efficiency in water use will be determined and is important in ensuring that the objectives in the Plan and the NPSFM are met. Consideration of the practical limits of old technology should be a matter that is considered at the consent stage.
Rule 5 and Rule 6	390.21 and 390.22 and FS 17.25 and 48.30	Oppose in part	Any amendments to Rule s5 and 6 should apply across all activities, not specific for the appellants processing plants.
Rule 50	390.34 and FS 752.143	Oppose in part	Priority takes can impact on other takes and it is important that they are assessed through a robust consent process to enable affected parties to be involved.