

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV-2018-CHC-000040**

**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** **Federated Farmers of New Zealand**

Appellant

**AND** **Southland 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

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) *Federated Farmers of New Zealand v Southland Regional Council* (**ENV-2018-CHC-000040**) 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) Policy 39
  - (b) Rule 13
  - (c) Rule 25 (a)
  - (d) Rule 49
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**

Environmental Policy Advisor – South Island  
Horticulture New Zealand

14 / 06 / 2018

**Address for service:**

Horticulture New Zealand  
PO Box 10232, Wellington 6143  
Phone: 04 470 5664  
Email: [rachel.mcclung@hortnz.co.nz](mailto:rachel.mcclung@hortnz.co.nz)  
Contact person: Rachel McClung

**Advice**

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

Provision Appealed by Federated Farmers	Scope for s274 (HortNZ submission point reference)	Support / Oppose	Reasons
Policy 39 – Application of permitted baseline	390.FS on 277.27	Support	HortNZ supports the appeal by Federated Farmers to delete Policy 39 as a plan policy should not override a statutory discretion and the policy is inequitable as it does not include all land use activities.
Rule 13 Discharge from subsurface drainage systems	390.27 and FS 249.20, 247.8, 279.63, 622.18 and 752.105	Support in part	The appellant seeks that Rule 13 provide for cleaning of the subsurface drainage network and deletion of the mapping requirements. It is appropriate that there is provision for cleaning of the drains in the rule so that they can function efficiently and effectively.
Rule 25 (a) Cultivation	390.30 and FS 279.71, 190.14, 265.88, and 752.118	Support in part	The appellant seeks to reduce setbacks for all cultivation. HortNZ has appealed Rule 25 to ensure that good management practices are used for cultivation including appropriate setbacks.
Rule 49 Abstraction, diversion and use of surface water	390.32 and FS on 265.100, 414.9, 752.142 and 247.14	Support in part	While metering and recording of water takes is appropriate a daily recording requirement is an unnecessary requirement unless there is a water shortage. HortNZ supports the amendment of the provisions to be a more workable and reasonable requirement.

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Appellant

**AND** **Southland Regional Council**

Respondent

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4. HortNZ is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
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PO Box 10232, Wellington 6143  
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**Advice**

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Rule 13 Discharge from subsurface drainage systems	390.27 and FS 249.20, 247.8, 279.63, 622.18 and 752.105	Support in part	The appellant seeks that Rule 13 provide for cleaning of the subsurface drainage network and deletion of the mapping requirements. It is appropriate that there is provision for cleaning of the drains in the rule so that they can function efficiently and effectively.
Rule 25 (a) Cultivation	390.30 and FS 279.71, 190.14, 265.88, and 752.118	Support in part	The appellant seeks to reduce setbacks for all cultivation. HortNZ has appealed Rule 25 to ensure that good management practices are used for cultivation including appropriate setbacks.
Rule 49 Abstraction, diversion and use of surface water	390.32 and FS on 265.100, 414.9, 752.142 and 247.14	Support in part	While metering and recording of water takes is appropriate a daily recording requirement is an unnecessary requirement unless there is a water shortage. HortNZ supports the amendment of the provisions to be a more workable and reasonable requirement.



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