

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) *Te Runanga O Ngai Tahu & Others v Southland Regional Council (ENV-2018-CHC-000047)* 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 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:
6. General
 - (a) Physiographic Zones
7. Region-wide Objective:
 - (a) Objective 6
 - (b) Objective 9A and Objective 9B
 - (c) Objective 13
 - (d) Objective 18

8. Region Wide Policies:
 - (a) Policy 13 – Management of land use activities and discharges
 - (b) Policies 15, 15A, 15B, 15C
 - (c) Policy 16 – Farming activities that affect water quality
 - (d) Policy 20 – Management of water resources
 - (e) Policy 39A – Integrated Management

9. Discharge Rules:
 - (a) Rule 20 – Farming

10. The particular issues and whether HortNZ supports, opposes or conditionally opposes the relief sought are set out in the attached table.

11. HortNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Rachel McClung

Environmental Policy Advisor – South Island
Horticulture New Zealand

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Address for service:

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

Advice

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

ATTACHMENT 1

Provisions Appealed by Te Runanga O Ngai Tahu and Others	Scope for s274 (HortNZ submission point reference)	Support / Oppose	Reasons
General - Physiographic	390.9 and 10 and FS 752.44, 210.45, 752.44	Oppose in part	The appellant supports the concept of the physiographic provisions in the plan and is concerned at the changes to how physiographics are referred to in the provisions. However, HortNZ considers that the notified provisions created uncertainty in implementing the plan and that the decisions have struck a balance as to how physiographics will be used in the Plan
Objective 2	390.FS 48.4, 279.5 752.18 and 803.7	Oppose in part	HortNZ supports the inclusion of enabling the social, economic and cultural wellbeing, including primary production. The appellant seeks to delete reference to primary production. However it is only an 'inclusion' not an exclusive activity. Given the importance of primary production to Southland it is appropriate that it is identified as a means to provide for the social, economic and cultural wellbeing. Deletion of primary production is opposed.
Objective 6	390.FS on 279.6, 752.22, 750.2, 210.27, 277.10 and 17.3	Oppose	Objective A2 of the NPSFM seeks that the overall quality of fresh water is maintained or improved. Objective 6 is consistent with the NPSFM.
Objective 9A and Objective 9B	390.3 and FS on 279.9 and 752.25	Oppose	New Objectives 9A and 9B are part of an overall framework for the Plan. The appellant considers that splitting the objectives does not achieve the same outcome. However HortNZ considers that the framework is inappropriate to

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			achieve the outcomes sought in the Plan.
Objective 13	390.5 and FS on 279.12, 277.14 and 752.29	Oppose	HortNZ supports the enabling objective to use and development of land and soils to support the economic, social and cultural wellbeing of the region. Splitting Objective13 makes the outcomes clearer. The use of resources is balanced through other objectives and policies so it is not necessary to amend the policy framework as sought by the appellant.
Objective 18	390.6 and FS 277.16 and 661.10	Oppose in part	HortNZ supports the use of good management practices in the Plan and considers that Objective18 provides an appropriate policy framework for the use of GMP's in the implementation of the Plan.
Policy 13 – Management of land use activities and discharges	390.FS on 277.21 and 895.25	Oppose in part Support in part	HortNZ supports the inclusion of use and development of Southland's land and water resources, including for primary production. The appellant seeks to delete reference to primary production. However it is only an 'inclusion' not an exclusive activity. Given the importance of primary production to Southland it is appropriate that it is identified as a means to provide for social, economic and cultural wellbeing. Deletion of enabling primary production is opposed.
Policies 15, 15A, 15B, 15C	390.10 and FS on 17.19 and 265.46	Oppose	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

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			restructured policies provide for a clearer process and framework and are consistent with the NPSFM.
Policy 16 – Farming activities that affect water quality	390.11 and FS on 210.55, 572.1, 661.24 and 803.25	Oppose	HNZ supports the decision version of Policy 16 as it is an effects based approach, rather than the more restrictive regime sought by the appellant.
Policy 20 – Management of water resources	390.20 and FS on 277.27, 265.50, 279.27 and 752.63	Oppose	The appellant seeks to delete reference to primary production. However it is only an ‘inclusion’, not an exclusive activity. Given the importance of primary production to Southland it is appropriate that it is identified as a means to provide for social, economic and cultural wellbeing. Deletion of primary production is opposed.
Policy 39A – Integrated Management	390.16	Oppose in part	HortNZ has appealed Policy 39A and sought that it be moved to follow Policy 47 under Freshwater Management Unit Process Policies as it is a more appropriate location for consideration of integrated management.
Rule 20 – Farming	390.27 and FS 62.8, 100.2, 210.82, 247.9, 361.8, 572.2, 661.37, 752.112, 803.38, and 832.21	Oppose in part	The appellant opposes new Rule 20 and the deletion of Rules 20, 21, 22 and 23 and the use of physiographics. The plan focuses on the key issues for water quality in Southland and establishes a framework in Rule 20 for ensuring that the adverse effects of farming are appropriately managed. Physiographic zones are part of the consideration in Appendix N for Farm Environmental Management Plans. HortNZ considers this to be an appropriate framework.

