

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2020-CHC-58

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 Marlborough Environment Plan

BETWEEN **Federated Farmers of New Zealand**

Appellant

AND **Marlborough District 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) *Federated Farmers of New Zealand v Marlborough District Council (ENV-2020-CHC-58)* being an appeal against decisions of the Marlborough District Council on the Proposed Marlborough Environment Plan.
2. HortNZ made submissions and further submissions on the Proposed Marlborough Environment Plan (submitter number 769).
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. HortNZ is interested in part of the proceedings.
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.

J Landers

Jordyn Landers
Environmental Policy Advisor
Horticulture New Zealand

8 June 2020

Address for service of the Appellant:

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Provision or decision appealed by Appellant	HortNZ submission point for scope	Support / Oppose	Reason
Vegetation clearance	HortNZ submitted on vegetation clearance	Support	The provisions need to be practical for day-to-day primary production activities. Specifically, HortNZ agrees that the definition for vegetation clearance should not include cultivation (this activity is defined and provided for separately within the plan).
Rule 3.3.15 Excavation	HortNZ further submitted on Federated Farmers submission seeking exclusions within the definition of excavation.	Support	The provisions need to be practical for day-to-day primary production activities.
Rule 3.3.24	HortNZ submitted on 3.3.24	Support in part	HortNZ seeks practical permitted activity conditions for fertiliser application; HortNZ support the relief sought provided this does not create a gap in the plan which would require growers to get consent for fertiliser application.
Policy 5.3.1	HortNZ submitted on Policy 5.3.1	Support in part	HortNZ agrees that it is unclear how prioritisation will be applied (and seek changes to the priority list as sought in our appeal).
Policy 5.3.14	HortNZ further submitted on Policy 5.3.14	Support	HortNZ support consent durations that provide for certainty of investment.
Policy 14.4.2	HortNZ submitted on Policy 14.4.2	Support	The policy needs to reflect the need for buildings and structures for primary production activities.
Policy 14.4.3	HortNZ submitted on Policy 14.4.3	Oppose in part	HortNZ is concerned that restricting this specifically to 'residential' buildings could mean that there is a policy gap with regard to other buildings, such as those associated with sensitive activities (with regard to reverse sensitivity particularly).
Policy 14.4.5	HortNZ submitted on Policy 14.4.5	Support	HortNZ supports clear provision for primary production activities in the rural environment.
Policy 15.1.1	HortNZ submitted on Policy 5.1.1	Support	HortNZ agree that there is a need to provide for irrigation and primary production values.