

IN THE MATTER of an appeal under clause 14(1) of
the First Schedule of the Resource
Management Act 1991

AND IN THE MATTER OF the Marlborough Environmental
Plan

BETWEEN **Horticulture New Zealand**

Appellant

AND **Marlborough District Council**

Respondent

**NOTICE PURSUANT TO SECTION 274
OF THE RESOURCE MANAGEMENT ACT 1991**

Address for Service:
Kim Reilly
Federated Farmers of New Zealand Inc
PO Box 5242
Dunedin 9058
Mobile: 021 887537
Email: kreilly@fedfarm.org.nz

To:
The Registrar
Environment Court
Christchurch

Federated Farmers of New Zealand (Inc) gives notice pursuant to s274 of the Resource Management Act 1991 that it wishes to appear as a party to the above proceedings.

This Notice is made upon the following grounds:

1. Federated Farmers of New Zealand (Inc) lodged a submission and Further submission to the Plan to which this appeal relates and/or has an interest in these proceedings that is greater than the public generally.
2. Federated Farmers of New Zealand (Inc) is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (the Act).

Extent of interest

3. Federated Farmers has an interest in the following aspect of the appeal:
 - a. **Policy 5.2.4**
 - We support the appellants relief for this policy.
 - Environmental flows for Freshwater Management Units are informed by the values identified for that FMU. We consider it is appropriate to include irrigation, cultivation, and food production as values for considering when calculating the environmental flows.
 - b. **Rule 2.2.1 and Permitted Activity Standard 2.3.1**
 - We support the appellant's relief for this policy
 - The current definition of 'dwelling' excludes workers accommodation from being able to access water as a permitted activity if the site is not on municipal supply. Water should be available for the domestic needs of farm worker accommodation.
 - c. **Policy 14.4.10 & Policy 14.4.15(c)**
 - We support the appellant's relief for these policies to manage reverse sensitivity threats to farming.
 - The policy should apply to all sensitive activities, not just residential activities in the rural zones.

- We agree that Policy 14.4.10 should be amended to:

Control the establishment of residential activity and other sensitive activities within rural environments as a means of avoiding conflict between rural and residential amenity expectations and avoiding reverse sensitivity effects on existing activities.

and

Policy 14.4.15(c)

controlling residential activity and other sensitive activities, other than that associated with primary production, to avoid conflict between rural and residential amenity expectations;

d. Definition of Farming

- We support the appellant's relief to include farm buildings or structures as part of the farming activity.
- By including associated buildings or structures in the definition, these activities would be clearly provided for but still managed by the standards that apply to all activities (e.g. height, site coverage).
- Federated Farmers supports the following amendments to the definition of farming:

Farming means a land based activity, having as its primary purpose the commercial production and sale of any livestock or vegetative matter, and associated buildings or structures. Farming does not include intensive farming, forestry, and in the case of vegetative matter, does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the farming unit. For clarity farming includes the slaughtering and processing of animals for personal consumption but not for sale purposes.

e. Policy 15.3.4 (Air) and 16.3.10 (Discharges to Land)

- We support the relief sought by the appellant
- A blanket 'avoid' for spray drift is neither practical nor achievable.
- Federated Farmers supports the following proposed amendment:

Manage the use of agrichemicals by adopting best practice methods of application and exercising reasonable care to minimise the potential for off-target drift.

f. **Standard 3.3.24.5 Fertiliser Application**

- We support in part the relief sought by the appellant as drift of fertiliser or lime beyond the subject site is not always practical nor achievable.
- Federated Farmers supports the following amendment:

~~All reasonable care must be exercised with t~~The application of fertiliser must not result in so as to ensure that the fertiliser or lime ~~must~~ does not passing beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.

g. **Objective 15.4**

- We support the relief sought by the appellant as it is not always practical to enhance soil quality or quantify any enhancement.
- Federated Farmers supports the following amendment:

Maintain ~~and~~ or enhance the quality of Marlborough's soil resource.

or

Maintain and where necessary enhance the quality of Marlborough's soil resource

4. Federated Farmers of New Zealand (Inc) agrees to attend mediation and/or dispute resolution in regard to these proceedings.

Dated the 4th of June 2020

Kim Reilly
South Island Regional Policy Manager
Federated Farmers of New Zealand Inc