

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KOOTI TAIAO
I TĀMAKI MAKAURAU ROHE**

ENV-2020-AKL-000102

IN THE MATTER of the Resource Management Act 1991 (**the Act**)

AND

IN THE MATTER of an appeal under Clause 14 of the First Schedule of the Act

BETWEEN **Federated Farmers of New Zealand Incorporated**

Appellant

AND **Waikato Regional Council**

Respondent

NOTICE OF PERSONS WISHING TO BE PARTY TO PROCEEDINGS

SECTION 274 RESOURCE MANAGEMENT ACT 1991

28 OCTOBER 2020



Pukekohe Vegetable Growers Association

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TO: The Registrar
Environment Court
AUCKLAND

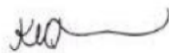
1. Pukekohe Vegetable Growers Association (**PVGA**) wish to be a party to the following proceedings in entirety:

Appeal to The Environment Court in Respect of Decisions on the Proposed Waikato Regional Plan Change 1: Waikato and Waipa River Catchments: ENV-2020-AKL- 000102: Federated Farmers of New Zealand Incorporated

2. PVGA made a submission on PC1 and has participated throughout the hearing process.
3. PVGA is not a trade competitor for the purposes of section 308D of the Act.
4. PVGA is directly affected by an effect of the subject of the appeal that –
 - (a) Adversely affects the environment; and
 - (b) Does not relate to trade competition or the effects of trade competition.
5. PVGA are an interested party to the entire proceedings, with special interest in the following parts of the proceedings:
 - (a) Unnumbered appeal point **Policy 3**
 - (i) PVGA are conditionally opposed to the amendments sought in this policy.
 - (b) Unnumbered appeal point **Policy 6**
 - (i) PVGA conditionally support amendments proposed in this Policy.
 - (c) Unnumbered appeal point Implementation Methods **3.11.3.5**
 - (i) PVGA conditionally support amendments proposed in relation to this implementation method.
 - (d) Unnumbered appeal point **Rule 3.11.4.2**
 - (i) PVGA conditionally support amendments proposed in this rule.
 - (e) Unnumbered appeal point **Rule 3.11.4.6**

- (i) PVGA conditionally support amendments proposed to this rule.
 - (f) Unnumbered appeal point **Rule 3.11.4.7**
 - (i) PVGA conditionally support the amendments proposed in paragraph 7A
 - (ii) PVGA is interested in the proposed amendments to paragraph 7B and 7C to ensure that any outcomes are consistent with the outcomes sought in the PVGA appeal, ENV-2020-AKL-000148.
 - (g) Unnumbered appeal point **Rule 3.11.4.8**
 - (i) PVGA conditionally oppose the amendments proposed to this rule.
 - (h) Unnumbered appeal point **Schedule A**
 - (i) PVGA conditionally support amendments proposed to this Schedule.
 - (i) Unnumbered appeal point **Schedule C**
 - (i) PVGA conditionally supports amendments and is interested in the proceedings to ensure that any outcomes are consistent with the outcomes sought in the PVGA appeal.
6. PVGA agrees to participate in mediation or other alternative dispute resolution of the proceedings.
7. PVGA have provided reasons for section 274, detailed in the table at **Appendix A**.

DATE: 28 October 2020



Kylie Faulkner

President, Pukekohe Vegetable Growers
Association

ENV-2020-AKL-000102 Federated Farmers of New Zealand Incorporated v Waikato Regional Council

Appeal Reference	Relief sought	Support/Oppose	Reason
Policy 3	Federated Farmers consider that a consistent and equitable approach to all activities within the PC1 catchment should be adopted, while recognising that CVP is different than pastoral farming. Federated Farmers have concerns that recognising the positive contribution that CVP has on communities elevates the status of CVP in relation to other farming communities.	Oppose in part	CVP is operationally different from pastoral farming and requires the ability to rotate crops on different parcels of land in order to produce vegetables sustainably. Fresh vegetables are essential for human health and the ability to meet growing population demand is essential for the health and wellbeing of our communities, noting that the land area occupied by CVP is less than 2%.
Policy 6	Federated Farmers seek amendment to encourage sector schemes, <u>industry bodies and farmer groups</u> to enable greater efficiency in the preparation, implementation and monitoring of Farm Environment Plans.	Support in part.	CVP supports the Federated Farmers approach to encourage industry bodies and farmer groups to enable greater efficiency in the preparation, implementation and monitoring of Farm Environment Plans, however, consider that this Policy should also provide for sector scheme certification, as per PVGA appeal point. PVGA consider that the Policy should refer to the person or entity undertaking the activity and not specifically the property owner, as the majority of land used for CVP is leased. This is also consistent with Feds

			approach to ensure provisions are effects based.
Implementation Method 3.11.3.5	Federated Farmers seek amendments to ensure that WRC will <u>In consultation with the industry and stakeholders</u> develop and disseminate industry <u>agreed good</u> management practise guidelines for managing the diffuse discharges of nitrogen.	Support in part.	WRC support Federated Farmers approach to ensure consultation and collaboration with industry and stakeholders and agree that industry agreed good management practice guidelines are a suitable approach in the management of diffuse discharges.
Rule 3.11.4.2	Federated Farmers seek deletion of Schedule C – Minimum Farming Standards	Support in part.	PVGA support deleting Minimum Farming Standards from interim Permitted Activity Rule
Rule 3.11.4.6.	Federated Farmers does not support a restricted discretionary activity for existing operations in the Whangamarino Wetland Catchment.	Support in part.	PVGA also acknowledge the significance of the Whangamarino Wetland Catchment but agree that existing activities should not be considered Restricted Discretionary activities. PVGA support a Controlled Activity status for existing activities. PVGA reiterate that CVP requires the ability to farm on more than one property as a part of normal crop rotations. Expansion of CVP activities is already captured under rule 3.11.4.8 as a Discretionary Activity.
Rule 3.11.4.7	Paragraph 7A. Federated Farmers consider that a more restrictive consenting framework should not be required for farming on more than one property.	Support in part.	PVGA support Federated Farmers comments in relation to Paragraph 7A. PVGA are interested in outcomes sought for paragraph 7B and 7C.

Rule 3.11.4.8	Federated Farmers consider that rule needs to be consistent with rest of rule framework and have removed word 'extant' in relation to resource consents granted for CVP under Chapter 3-11.	Oppose in part.	PVGA consider that there are issues with proposed amendments for CVP in regard to implementation and wish to be party to discussions surrounding this rule.
Schedule A	Federated Farmers seek to put onus on person undertaking activity and have proposed new paragraph to ensure that information provided to Council is for PC1 purposes only and cannot be disclosed for any other purpose.	Support in part.	PVGA support supplied information being solely for the purpose of PC1, with information not being supplied to third parties or used for any other purposes, given the commercial sensitivity of some information.
Schedule C	Federated Farmers seek numerous changes in relation to stock exclusion and definition of water body. They propose amendment to water body setback of 1m with tailored approach in FEP.	Neutral.	PVGA would like to be party to discussions to ensure that relief sought gives effect to PVGA appeal.