

**BEFORE THE ENVIRONMENT COURT / I MUA I TE KOOTI TAIAO O
AOTEAROA**

AT AUCKLAND

UNDER the Resource Management Act 1991

A N D

IN THE MATTER of an appeal under clause 14 of Schedule 1 of the Act

BETWEEN **HORTICULTURE NEW ZEALAND**

(ENV - 2020 - AKL - 000087)

Appellant

WAIKATO REGIONAL COUNCIL

Respondent

**NOTICE OF WAIRAKEI PASTORAL LIMITED'S
WISH TO BE PARTY TO APPEAL**

29 SEPTEMBER 2020

Counsel instructed:
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**SECTION 274 NOTICE OF PERSON'S WISH TO BE PARTY TO
PROCEEDINGS BEFORE THE ENVIRONMENT COURT**

**TO: THE REGISTRAR
ENVIRONMENT COURT
AUCKLAND**

WAIRAKEI PASTORAL LIMITED (WPL) wish to be a party to the appeal by Horticulture New Zealand against a decision of the Respondent on Proposed Plan Change 1: Waikato and Waipa River Catchments to the Waikato Regional Plan as amended by Variation 1 (**PC1**).

WPL:

1. Made a submission on PC1 in 2016;
2. Made a submission on Variation 1 to PC1 in 2018;
3. Made a further submission on PC1 as amended by Variation 1 in 2018; and
4. Lodged an appeal on PC1 on 8 July 2020.

WPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).

WPL is interested in the parts of the appeal seeking to amend:

1. Rule 4.2
2. Rule 4.4
3. Rule 4.5
4. Rule 4.7
5. Rule 4.8
6. Rule 4.9
7. Schedule B

8. Schedule C

9. Schedule D1

10. Schedule D2

WPL supports the request for improved drafting in Schedules B, D1 and D2 as it agrees with the reasoning in the appeal.

WPL opposes the request to remove the hybrid approach in Rules 4.2, 4.5, 4.7, 4.8 which is a fundamental component of PC1 that must be retained for all sectors.

WPL opposes the request for additional record keeping in Rule 4.4 because there is no justification for using the time period 1 July 2006 to 30 June 2016 and requiring the information for this period is unworkable.

WPL opposes the request to amend the default activity status from discretionary to non-complying as it is in direct conflict with the relief sought in the WPL appeal.

WPL opposes the relief sought in Schedule C seeking to exclude commercial vegetable production from providing setbacks from waterbodies on the basis that every sector needs to implement change in order to achieve the objectives of PC1 and there is no effects based rationale for excluding commercial vegetable production.

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

WAIRAKEI PASTORAL LIMITED, by its counsel:



Signature:
Date:

B S Carruthers
29 September 2020

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TO:

Registrar, Environment Court, Auckland

AND TO:

The Respondent