

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2017-AKL- 000094

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 Plan Change 1 to the Waikato
Regional Plan

BETWEEN **Royal Forest & Bird Protection Society of
New Zealand Incorporated**

Appellant

AND **Waikato Regional Council**

Respondent

**NOTICE OF WISH TO BE
PARTY TO PROCEEDINGS PURSUANT TO
SECTION 274 RESOURCE MANAGEMENT ACT 1991**

To: The Registrar

Environment Court

Auckland

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) *Royal Forest & Bird Protection Society of New Zealand Incorporated v Waikato Regional Council (ENV-2017-AKL 000094)* being an appeal against decisions of the Waikato Regional Council on the Proposed Plan Change 1 to the Waikato Regional Plan.
2. HortNZ made submissions and further submissions on the Proposed Plan Change 1 (submitter number 73801).
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 adversely 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 the whole proceedings , noting particular interest to the following points.
6. HortNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Lucy Deverall

Advisor, North Island, Natural Resources and Environment
Horticulture New Zealand

29 September 2020

Addresses for service:

Horticulture New Zealand
PO Box 10232, Wellington 6143
Phone: 027 582 6655
Email: lucy.deverall@hortnz.co.nz
Contact person: Lucy Deverall



ATKINS | HOLM | MAJUREY

Helen Atkins/Tom Gray
PO Box 1585
Shortland Street
AUCKLAND 1140

Solicitor on the record	Helen Atkins	Helen.Atkins@ahmlaw.nz	(09) 304 0421
Contact solicitor	Tom Gray	Tom.Gray@ahmlaw.nz	(09) 304 0425

Advice

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

Royal Forest & Bird Protection Society Inc v Waikato regional Council ENV-2020-AKL-000094

Provision appealed	Relief sought	Support / Oppose	Reason
Objective 2	Amend the objective: <u>Immediate and constant</u> progress is made over the life of this plan towards ...	Oppose	The words “immediate and constant” do not add any value to the objective. The policy framework in the decision version and the attribute states set out in the tables provide clear indication and direction for long term improvement. Schedule C and the interim permitted activity rule already set out immediate action.
Policy 3(d) (iv)	Delete references to offsetting and compensation	Support	Support deletion of specified offsets and compensation as this is already provided for in the rule framework and Policy 5.
Policy 5	Delete references to offsetting and compensation	Oppose	S104(1)(ab) of the Resource Management Act (RMA) provides for offsetting and compensation so it is appropriate in a water quality context. The policy sets a much higher standard than the RMA, requiring that any positive benefits “demonstrably exceed” adverse

			effects.
Policy 6 and definition of Sector Scheme	Delete all references to “sector schemes” within PC1	Oppose	Sector schemes will be critical in the implementation and monitoring/compliance of PC1.
Policy 16	Amend to: Minimise <u>Prevent further loss of...</u>	Oppose	Prevent is not consistent with avoid, remedy or mitigate and is not consistent with a restricted discretionary status.
Policy 19	Amend to: <i>... seek opportunities <u>other than through offsets and compensation of residual effects to advance ...</u></i>	Oppose	Biodiversity offsets are relevant.