

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2021-AKL-000105

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 a decision
of Hawkes Bay Regional Council on
Proposed Plan Change 7 (Outstanding
Water Bodies)

BETWEEN **ROYAL FOREST AND BIRD PROTECTION
SOCIETY OF NEW ZEALAND
INCORPORATED**

Appellant

AND **HAWKES BAY 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 and Bird Protection Society of New Zealand Incorporated v Hawkes Bay Regional Council (**ENV-2021-AKL-000105**) being an appeal against decisions of the Hawkes Bay Regional Council on Proposed Plan Change 7 to the Regional Resource Management Plan.
2. HortNZ made submissions and further submissions on Proposed Plan Change 7 to the Regional Resource Management Plan (submission number 19 and further submission number F110).
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 Appellant.
4. HortNZ is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. The parts of the decision subject to appeal are those listed in Table 1 of the appeal notice.
6. HortNZ is interested in all of the of the proceedings.
7. HortNZ opposes the relief sought because:
 - (a) HortNZ generally supports the decision version of PC7; and

- (b) Do not consider that there should be broad open-ended consideration of what is an outstanding waterbody, and that the provisions relating to outstanding waterbodies should be limited to those listed in Schedule 25. The addition of other waterbodies should be via a plan change process.
 - (c) Support the distinction on the decision version between existing and new activities, in terms of the policy response – while still achieving the requirements of the NPSFM (and NZCPS);
 - (d) Do not support removal of ‘extractive/economic values’ as significant values (should significant values be re-instated Schedule 25).
 - (e) Do not support removal of lead-in time to Policy LW3A taking effect (once the relevant catchment based regional plan change is operative or after 31 December 2025, whichever is sooner).
8. HortNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Michelle Sands
Manager, Environment
Horticulture New Zealand

27 August 2021

Address for service:
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Advice

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