

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2017-AKL- 000093

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 **Balance Agri-Nutrients**

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) *Balance Agri-Nutrients v Waikato Regional Council* (**ENV-2017-AKL 000093**) 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 points set out in the attached table.
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.

Ballance Agri-Nutrients Ltd v Waikato Regional Council ENV-2020-AKL-000093

Provision appealed	Relief sought	Support / Oppose	Reason
Schedule B	<p>That clarification is provided in Schedule B:</p> <ul style="list-style-type: none"> - for addressing potential impacts of changes in NLLR number for farms due to new versions of Overseer; and - on the approval process for Overseer alternatives to ensure consistency of outputs between different models. 	Support in part	Support clarification of impacts resulting from Overseer version changes and any changes to Schedule B, Clause 3 will have impacts on the horticultural industry.
Schedule C	<p>That the 30kgN/ha per dressing cap is removed from the proposed Plan Change and a focus is placed on total nitrogen outputs on-farm, or otherwise amendments to clause 6 regarding 'mean values' of fertiliser application.</p> <p>That Schedule C, Clause 7 is amended to reflect the established CoP.</p>	Support in part	Any changes to the fertiliser cap will have impacts on non-commercial vegetable horticultural operations. Generally, these activities do not apply fertiliser during the months of June and July but HortNZ is interested in monitoring any unintended consequences from changes to Clause 7.
Schedules D1, D2 and Table 3.11-3	That timeframes for providing FEPs be reconsidered to focus firstly on priority areas and operations where the greatest gains can be achieved and reflect the	Oppose in part	HortNZ agrees there is a disconnect between the availability of CFEPs and requirements for FEPs, however we are concerned at the prioritisation based on "high risk operations" and how this would impact

	practical capacity and capability of CFEP resources.		on the regulatory package set out in the decision version of PC1.
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