

Form 33
Notice of person's wishing to be party to proceedings

Sec 274 Resource Management Act 1991

To: The Registrar
Environment Court
Wellington

Horticulture New Zealand wishes to be a party to the following proceedings:

Case Number: ENV-2018-WLG-000021

Nature of proceedings: Appeal on decisions on the Kapiti Coast District Plan Review

Parties to the proceedings: Royal Forest and Bird Protection Society of NZ Inc v Kapiti Coast District Council

Horticulture NZ made a submission and further submissions in previous proceedings on this matter.

Horticulture NZ is not trade competitors for the purposes of section 308D of the Resource Management Act 1991.

Horticulture New Zealand (HortNZ) has an interest in these proceeding that is greater than the public in general as they represent interest groups in the community that are likely to be adversely affected by the proposed relief sought by the submitters /respondents.

The parts of the proceedings Horticulture New Zealand is interested in are:

- Appeal point Para 12 – Definition of modification
- Appeal point Para 13 - Definition of trimming
- Appeal point Para 18 – Policy 3.3 New policy 3.1
- Appeal point Para 30 – Rule 3A.1.5/ New rule 3A.1.4 Trimming or modification outside urban areas and outside scheduled areas
- Appeal point Para 40 - New rule 3A.3.8 Trimming or modification of indigenous vegetation outside urban areas that does not meet 3A.1.4

Appeal point Para 12 – Definition of modification

Appeal point Para 13 - Definition of trimming

The two appeal points are related as the appellant seeks that the relationship between them is clarified. HortNZ made a submission on the definition of modification of vegetation to ensure that management of vegetation for horticultural purposes be specifically excluded from the definition of modification. HortNZ supports in part that there should be clarity as to the definitions and how they apply. However HortNZ seeks to ensure that horticultural activities are specifically excluded from the definitions.

Appeal point Para 18 – Policy 3.3/New policy 3.1 Protection

HortNZ made further submissions on Chapter 3. HortNZ opposes the relief sought as it seeks that the protection of indigenous vegetation not be limited to scheduled areas. When linked with the appeal point to broaden the definition of indigenous vegetation this would significantly broaden the scope of the Plan and potentially affect growers operations.

Appeal point Para 30 – Rule 3A.1.5/ New rule 3A.1.4 Trimming or modification outside urban areas and outside scheduled areas

HortNZ made submissions and further submissions relating to trimming or modification outside urban areas and sought that trimming and modification be permitted for rural activities. HortNZ opposes the relief sought to delete exclusions in the rule as it could potentially affect growers operations.

Appeal point Para 40 - New rule 3A.3.8 Trimming or modification of indigenous vegetation outside urban areas that does not meet 3A.1.4

HortNZ made submissions and further submissions relating to trimming or modification outside urban areas and sought that trimming and modification be permitted for rural activities. HortNZ opposes the relief sought to extend the matters of discretion in the rule as the matters of discretion should relate to Rule 3A.1.4

We agree to participate in mediation or other dispute resolution of the proceedings.

Signed:



Angela Halliday
Manager, Natural Resources and Environment

Date: 16 February 2018

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