

**BEFORE THE ENVIRONMENT COURT
AT WELLINGTON**

ENV-2019-WGN-000130

UNDER

the Resource Management Act 1991

IN THE MATTER OF

an appeal under clause 14(1) of Schedule 1 of the Act in relation to the Proposed Natural Resources Plan for the Wellington Region

BETWEEN

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

Appellant

AND

WELLINGTON REGIONAL COUNCIL

Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS



**FEDERATED
FARMERS**
OF NEW ZEALAND

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NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To: **The Registrar**
Environment Court
Wellington

1. Federated Farmers of New Zealand Inc (**FFNZ**) wishes to be a party to proceedings with Environment Court reference ENV-2019-WGN-000130 (**Proceedings**) in the appeal by The Royal Forest and Bird Protection Society of New Zealand Incorporated (F&B) against decisions of Wellington Regional Council (Council) on the Proposed Natural Resources Plan (pNRP) for the Wellington Region.
2. FFNZ made a submission and further submissions on the pNRP.
3. FFNZ has an interest in the proceedings that is greater than the interest that the general public has:
 - 3.1 The subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the region in making their livelihoods.
 - 3.2 There is a potential for farmers in the region to be directly impacted by the terms of the appeal.
 - 3.3 FFNZ is a representative body for farmers, so it is in an appropriate position to represent the interests of farmers who may be impacted by the terms of the appeal.
4. FFNZ is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. FFNZ is interested in all the proceedings.
6. FFNZ supports *or* opposes *or* conditionally opposes the relief sought as follows—

- 6.1 FFNZ opposes the reinstatement of **O5** as sought by the Appellant. O5 is not consistent with the Regional Policy Statement Objective 012 which directs that the quantity and quality of water meet the range of uses and values for which water is required. Objective 5's intent is more clearly articulated in other objectives and re-instatement will not add any value. O5 deletion was and is the most appropriate way to achieve the purpose of the RMA.
- 6.2 FFNZ opposes the relief sought by the Appellant seeking that **Objectives O23, O24, O25, O31, O35 and Tables 3.1-3.7** be amended based on a draft national policy statement. The draft national policy statement is not operative, has no legal or statutory weight and is anticipated to be amended. If it becomes operative, in whatever form, before this appeal is considered by the Environment Court, then the scope and appropriateness for making any amendments should still be considered including the impact on the wellbeing of farmers. Given FFNZ's interest, it seeks to be a party to the development of any such amendments.
- 6.3 FFNZ opposes the relief sought by the Appellant to **Objectives O44-O48**. The decision version of the objectives is more appropriate at implementing the Regional Policy Statement including Obj 6, 12 and 13 and more appropriate than the alternative proposed by the Appellant. Further 'minimising' and 'reducing' adverse effects are consistent with the concept of Te mana o te Wai and Ki uta ki ti.
- 6.4 FFNZ opposes the amendments sought by the Appellant to **P32** and **addition of tables including a new table** - with limits - attaching to P32. FFNZ considers the decision version of P32 more appropriately provided for a hierarchy. FFNZ considers limits will be more appropriately developed through the whaitua process as set out in the Council's NPS implementation programme.
- 6.5 FFNZ opposes the relief sought on **P37** – values of wetlands. P37 is consistent with the NPSFM, and the amendment proposed

would not give effect to the NPSFM and is not the most appropriate provision to achieve the objectives.

6.6 FFNZ opposes the relief sought on **P65** – rural land use activities. P65 is consistent with the NPSFM. The Appellant's proposed relief would be disproportionately restrictive as contributions to contaminants cannot reliably be linked to property level. The decision version of P65 is more appropriate than the relief proposed by the Appellant.

6.7 FFNZ opposes the relief sought on **P99** – livestock access. FFNZ does not agree that preventing livestock access to waterbodies other than Category One is the most appropriate way to give effect to the collective objectives.

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



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Martin Meier

For Federated Farmers of New Zealand Inc

DATE: 9 October 2019

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