

BEFORE THE ENVIRONMENT COURT

ENV-2019-WLN-000130

AT WELLINGTON

I MUA I TE KOOTI TAIAO

O AOTEAROA

IN THE MATTER

of an appeal under clause 14
of Schedule 1 of the Resource
Management Act 1991

BETWEEN

**The Royal Forest and
Bird Protection Society of
New Zealand
Incorporated**

Appellant

AND

**Wellington Regional
Council**

Respondent

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE
MINISTER OF CONSERVATION**

Dated: 9 October 2019

Department of Conservation
Solicitor acting: K Anton/M Downing
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Telephone: 027 427 5900

Notice of person's wish to be a party to proceedings

Section 274 Resource Management Act 1991

To: The Registrar
Environment Court
WELLINGTON

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
 - 1.1. The Royal Forest and Bird Protection Society of New Zealand Incorporated v Wellington Regional Council,
ENV-2019-WLN-000130
2. The Minister made submissions and appeared at the Council hearing on the proposed Natural Resources Plan for the Wellington Region (proposed Plan). The Minister also has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister is interested in part of the proceedings.
5. The Minister is interested in the following particular issues:
 - 5.1. Policy P32 – Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai;
 - 5.2. Policy P37 – Values of wetlands;
 - 5.3. Policy P41 – Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values;

- 5.4. Policy P102 – Reclamation or drainage of the beds of lakes and rivers;
- 5.5. Rule R97 – Livestock access to a surface water body or the coastal marine area.

6. The Minister supports the relief sought because:

- 6.1. Policy P32 - Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai - The relief sought by the appellant would clarify the effects management hierarchy as it relates to the values addressed in Policy P32;
- 6.2. Policy P37 – Values of wetlands - The relief sought by the appellant to avoid the loss or degradation of any natural wetland would more explicitly and clearly implement the National Policy Statement for Freshwater Management. However, the Minister would favour an outcome where the relief sought by the appellant is woven into the existing policy, rather than replacing it.
- 6.3. Policy P41 – Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values - The relief sought by the appellant clarifies the effects management hierarchy that should apply to these ecosystems and habitats;
- 6.4. Policy P102 – Reclamation or drainage of the beds of lakes and rivers – the relief sought more clearly states the lawful requirement for maintaining the extent and ecosystem health of rivers and streams and their associated freshwater ecosystems;
- 6.5. Rule R97 – Livestock access to a surface water body or the coastal marine area – the relief sought relating to excluding farmed deer and farmed pigs and reducing the 1 metre width requirement for rivers is necessary to avoid significant adverse effects of stock access to these waters and thereby is necessary to implement the New Zealand Coastal Policy Statement and National Policy Statement for Freshwater Management.

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



Katherine Anton/May Downing
Solicitors for the Minister of Conservation

9 October 2019

Address for service of person wishing to be a party:

Minister of Conservation

Department of Conservation
18 Manners Street, Wellington 6011

Contact persons

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Advice

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