

**BEFORE THE ENVIRONMENT COURT  
AT WELLINGTON**

**ENV-2019-WGN-000106**

**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**

**MINISTER OF CONSERVATION**

**Appellant**

**AND**

**WELLINGTON REGIONAL COUNCIL**

**Respondent**

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**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS**

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**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-000106 (**Proceedings**) in the appeal by Minister of Conservation 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 relief sought on Objective **O25 and inclusion of numeric objectives in the associated tables**. The framework for the pNRP is that the Council will progressively implement the NPS-FM. The implementation programme for the Wellington Region provides that implementation will proceed progressively and collaboratively through the whitua process. The whitua process will better recognise local circumstances and is an iterative collaborative process while the numeric values as proposed by the Appellant is not necessary, adds a layer of complexity with little or no benefit.
- 6.2 FFNZ opposes inclusion of **Schedule F1** rivers which are less than 1m wide in the definition of **Category Two** surface waterbodies. The relief sought by the Appellant is not the least restrictive way of achieving the objectives and the costs of including small waterways will outweigh any benefit. FFNZ does not consider that the relief sought is appropriate.
- 6.3 FFNZ opposes the relief sought on **R94** – cultivation of land, and **R95** – breakfeeding, seeking to increase setbacks to 5m and amending conditions. The relief sought by the Appellant is not the least restrictive way of achieving the objectives and the costs of including small waterways will outweigh any benefit. FFNZ does not consider that the relief sought is appropriate.
- 6.4 FFNZ opposes the relief sought on **R115** – culverts, seeking to specify increased culvert diameters. The relief sought by the Appellant is not the least restrictive way of achieving the objectives and the costs of increasing culvert diameters will outweigh any benefit. FFNZ does not consider that the relief sought is appropriate.
- 6.5 FFNZ opposes the relief sought on **R121 and R122**, seeking to preclude mechanical drain cleaning and vegetation removal from August to December, and to insert a condition for retaining woody debris. The relief sought by the Appellant is not the least restrictive way of achieving the objectives and the costs to

farmers will outweigh any benefit. FFNZ does not consider that the relief sought is appropriate.

6.6 The effect of the proposed amendments in paragraphs 6.2 to 6.5 above is to increase costs significantly for farmers. The proposed amendments are inefficient and ineffective and these amendments are not the most appropriate way to achieve the objectives.

6.7 FFNZ conditionally supports the proposed relief sought by the Appellant for **M24**. FFNZ supports an amendment to the date for producing the regional list as long as the new date is a realistic and achievable timeframe.

6.8 FFNZ supports the proposed relief sought by the Appellant on **R36B**. FFNZ agrees that it seems an error to refer to “surface water body” in the Rule or this condition may need to be removed at the general conditions (5.1.13). For avoidance of doubt, FFNZ still seeks a permitted activity rule for such a discharge to surface water (see FFNZ’s notice of appeal on R37 and R36B).

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



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**Martin Johan Meier**

For Federated Farmers of New Zealand Inc

**DATE:** 9 October 2019

**Address for service of appellant:**

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