

**BEFORE THE ENVIRONMENT COURT
AT WELLINGTON**

ENV-2019-WGN-000123

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

WELLINGTON WATER LIMITED

Appellant

AND

WELLINGTON REGIONAL COUNCIL

Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS



**FEDERATED
FARMERS**
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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-000123 (**Proceedings**) in the appeal by Wellington Water Limited 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 supports the relief sought by the Appellant on **O6**, seeking amendments to recognise wider benefits of water. The wider economic benefits include primary production values as stated in Table 1.1.
- 6.2 FFNZ agrees with the concern raised by the Appellant that **O24** has been extended to apply to sites with significant mana whenua values which have not been mapped except in Schedule C. FFNZ neither supports nor opposes the specific relief but given its interest it seeks to be a party to the appeal to enable it to fully understand the implications and to be party to the development of any specific provisions to ensure that any amendments are appropriate.
- 6.3 FFNZ supports the relief sought on **P39** – outstanding waterbodies, that seeks a less restrictive requirement than avoidance, including for the reason that this standard is unqualified by degree of effect, or appropriateness of use and development activities.
- 6.4 FFNZ supports the relief sought on **P40** – significant biodiversity, and **P41, P41A, P42** and **Schedule F1**, including for the reasons that not all waterbodies are of equal value, that values will differ where structures are already in place, that restoration will not be possible in all cases, and that restoration should not require reinstatement to pre-development conditions.
- 6.5 FFNZ opposes the relief sought on the **definition of “health needs of people”**. The definition is relevant to provisions relating to low flow periods and is consistent with the Regional Policy Statement.
- 6.6 FFNZ supports the relief sought on **O52 and O52A**, including for the reasons that they should not imply that existing consented water takes are an over allocation.
- 6.7 FFNZ supports the relief sought on **R112, R114, R115 and R116** to provide for existing structures as permitted activities, for the reason set out by the Appellant in its notice of appeal.

- 6.8 FFNZ supports the relief sought on **R122** – removing vegetation, for the reasons set out by the Appellant in its notice of appeal.
- 6.9 FFNZ agrees with the reasons for seeking less onerous default activity status in respect of **R129** – default rule for beds of lakes and rivers. FFNZ neither supports nor opposes the specific text proposed by the Appellant but given its interest it seeks to be a party to the appeal to enable it to fully understand the implications and to be party to the development of any specific provisions to ensure that any amendments are appropriate.
- 6.10 FFNZ shares the Appellants concerns in respect of **Method M14A** – mapping of drains, in that the mapping was not notified with the Plan and has not been subject to public input through the submissions and hearings process. FFNZ neither supports nor opposes the specific relief proposed by the Appellant (delete M14A) but given its interest it seeks to be a party to the appeal to enable it to fully understand the implications and to be party to the development of any specific provisions to ensure that any amendments are appropriate.
- 6.11 FFNZ supports the relief sought on **O29** – fish passage, and **P34** and **P35**, including for the reason that not all habitat is of equal significance and fish passage initiatives would more appropriately be prioritised to high value areas as provided for in Method M21.
- 6.12 FFNZ supports the relief sought on **P31** – biodiversity, aquatic ecosystem health and mahinga kai, seeking deletion of references to restoration. FFNZ reasons include that restoration initiatives within modified environments – urban or rural – should be appropriate to those settings and advanced through non-regulatory methods.
- 6.13 FFNZ supports the relief sought on **P32**, and **Schedule G2** - including for the reasons set out by the Appellant.

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

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