

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA  
IN CHRISTCHURCH**

**ENV-2018-CHC-000040**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of appeals pursuant to  
clause 14 of Schedule 1 to  
the Act in relation to the  
Decision on the Proposed  
Southland Water and Land  
Plan

**BETWEEN** **FEDERATED FARMERS  
OF NEW ZEALAND**

**Appellant**

**AND** **SOUTHLAND REGIONAL  
COUNCIL**

**Respondent**

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**NOTICE OF PERSON'S INTENTION TO BECOME A PARTY TO PROCEEDINGS  
PURSUANT TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

**DATED 22 JUNE 2018**

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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  
Christchurch

1. Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima (collectively Ngā Rūnanga), and Te Rūnanga o Ngāi Tahu (collectively Ngāi Tahu) (collectively, **Ngā Rūnanga**), wish to be a party to the above proceeding.
2. Ngā Rūnanga made a submission about the subject matter of the proceedings.
3. In addition, Te Rūnanga is the iwi authority over the takiwā of Ngāi Tahu which includes all of the area covered by the Southland Regional Council. Te Rūnanga is comprised of 18 Papatipu Rūnanga including Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, and Te Rūnanga o Oraka Aparima within whose takiwā the Southland region lies. In that respect, Te Rūnanga has an interest in the proceedings greater than the general public.
4. Ngā Rūnanga are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**RMA**).
5. Ngā Rūnanga are interested in part of the proceedings.
6. The parts of the proceedings Ngā Rūnanga are interested in are:
  - (a) **Policy 1 Enable Papatipu Rūnanga to participate** - Removing reference to interests from the policy so that Ngāi Tahu interests are not reflected in the management of and decision-making on freshwater and freshwater ecosystems.
  - (b) **Policy 4 Alpine** - Delete clause which makes it prohibited to dairy farm and intensive winter graze in the Alpine Zone.
  - (c) **Policy 18 Stock exclusion from waterbodies** - Deleting 18(2A) which requires the stock exclusion of sheep in critical source areas.

- (d) **Policy 40 Determining the term of resource consents** - Amending to remove reference to consideration of Ngāi Tahu indicators of health from FMU process.
- (e) **Rule 13 Discharge from subsurface drainage system** - Providing for discharges related to periodic cleaning of subsurface drainage networks as a permitted activity.
- (f) **Rule 25 Cultivation on sloping ground** – Reducing the setback distance for cultivation from 5 to 3 metres from water body. Including a definition for minimum tillage where soil is not turned over. Increasing the slope from 20 to 30 degrees for cultivation.
- (g) **Rule 32B Construction, maintenance and use of new agricultural effluent storage facilities** - Restricting (a)(v) to only new agricultural effluent storage facilities from being 100 metres from an authorised water abstraction point.
- (h) **Rule 35 Discharge of agricultural effluent to land** - Remove all requirements from the plan to map and provide information to Council on sub-surface drains.
- (i) **Rule 35A Feedpads/feedlots** - Deleting restriction of mob size. Allowing up to 6 months continuous use of feedlot/feedpad. Removing setback requirement of 50 metres from another feed lot or feed pad on same landholding.
- (j) **Rule 49 Abstraction, diversion and use of surface water** – Delete requirement to provide information to Council on water take. Water meter verification is no more than 5 yearly.
- (k) **Rule 73 Gravel extraction** - Incorporating a permitted activity volume for gravel extraction into plan. Draft a new permitted activity rule allowing up to 120m<sup>3</sup> per year (subject to it not being from flowing water), contouring after works, gravel must be used on same landholding, no extraction

during bird nesting. Making it a restricted discretionary activity for taking more than 120m<sup>3</sup>.

- (l) **Rule 79 High country burning** - Delete rule entirely.
- (m) **Appendix A Regionally significant wetlands and sensitive water bodies** - Delete water bodies added through submissions until further work carried out.
- (n) **Definition feedlot/feedpad** - Delete reference to sacrifice paddock and add a new definition for this.

7. Ngā Rūnanga opposes in the relief sought by Federated Farmers New Zealand because:

- (a) The amendments sought do not provide for Te Mana o te Wai in that they would put the needs of people before those of the waterbody.
- (b) Objective D1 of the National Policy Statement for Freshwater Management 2014 requires that the values and interests of tangata whenua are identified and reflected in the management of freshwater. This includes the ability for the Council to include Ngāi Tahu indicators of health in resource consent conditions.
- (c) Ngā Rūnanga do not support dairy farming and intensive winter grazing in the Alpine Zone. This impacts on not only the water quality and species within the zone but for freshwater quality downstream.
- (d) The proposed plan was intended to “hold the line” in terms of the quality of the region’s environment and freshwater resources. Ngā Rūnanga is concerned that the amendments sought will not achieve this.
- (e) The amendments create an unwarranted preferential approach to primary production.

8. Ngā Rūnanga agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** at Wellington this 22 day of June 2018



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J G A Winchester  
Counsel for Ngā Rūnanga

**Address for service of person wishing to be a party:**

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