

**IN THE MATTER** of an appeal under clause 14(1) of  
the First Schedule of the Resource  
Management Act 1991

**AND IN THE MATTER OF** the Proposed Southland Water  
and Land Plan

**BETWEEN** **MERIDIAN ENERGY LIMITED**  
  
Appellant

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

**NOTICE PURSUANT TO SECTION 274  
OF THE RESOURCE MANAGEMENT ACT 1991**

To: The Registrar  
Environment Court  
Christchurch

TAKE NOTICE that Federated Farmers of New Zealand (Southland) gives notice pursuant to s274 of the Resource Management Act 1991 that it wishes to appear as a party to the above proceedings.

This Notice is made upon the following grounds:

- 1 Federated Farmers of New Zealand (Southland) lodged a submission and Further submission to the Proposed Southland Water and Land Plan to which this appeal relates and/or has an interest in these proceedings that is greater than the public generally.
- 2 Federated Farmers of New Zealand (Southland) is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
- 3 Federated Farmers of New Zealand (Southland) has an interest in all of the appeal, in particular in relation to:

Objective 10 -

- Federated Farmers lodged a Submission and Further Submission on this objective. We also appealed this provision.
- We consider there is no need to elevate and recognise Manapouri hydro-electric scheme above other renewable generators in the region as the NPS-REG does not differentiate between scale.
- The Manapouri hydro-electric scheme is sufficiently recognised in the Southland RPS. The Plan is a regional document and the planning framework should have a regional context.
- We consider it is inappropriate to prioritise some water users to the detriment of others.
- We oppose the relief sought by the appellant and prefer the relief sought in our appeal against this provision.

New Objective X -

- Federated Farmers lodged a Submission and Further Submission on Objective 10. Proposed Objective X flows on from Objective 10.
- We do not agree with the addition of the term “and make provision for” in this objective as it lacks certainty.
- The planning framework is sufficiently enabling for renewable energy generation without making the regulatory process more enabling.
- We oppose the relief sought by the appellant.

Policy 26- Renewable Energy

- Federated Farmers lodged a Submission and Further Submission on this objective.
- Federated Farmers has raised its own appeal on the provisions relating to the Manapouri Hydro-electric generation scheme, for reasons covered in our own appeal notice.
- We consider the outcome of the overall provisions in this area to be contrary to the intent of the Resource Management Act 1991 (RMA), as it

does not promote the sustainable management of resources, or meet the requirements of Part 2 of the RMA.

- The Manapouri scheme and its components are already part of the existing environment by virtue of resource consent, which has been exercised and the Manapouri-Te Anau Development Act 1963. It is therefore unnecessary to seek additional confirmation within a policy that it is part of the existing environment given it is already abundantly clear.
- Neither the NPS-REG nor the NPS-FM express a preference for the allocation of water resources for energy generation over other competing water users.
- We oppose the relief sought by the appellant and prefer the relief sought in our appeal.

#### Rule 52A- Manapouri Hydro-electric Generation Scheme

- Federated Farmers lodged a Submission and Further Submission on this objective.
- Federated Farmers has raised its own appeal on the provisions relating to the Manapouri Hydro-electric generation scheme, for reasons covered in our own appeal notice.
- We acknowledge the relief sought in our appeal was unclear in terms of what activity status we consider is appropriate for replacement permits that meet the performance standards.
- We consider any replacement permits should be a discretionary activity. With the FMU limit setting required under the NPS-FM 2017 yet to be carried out, it would be perverse to allow the replacement permits to be considered as a controlled activity. As the appellant's notice correctly recognises, to impose conditions that could operate to impose a different regime would create uncertainty, be inefficient and unlawful. This is particularly relevant given the Waiau catchment is overallocated.
- The appellant seeks that any replacement permit that does not meet the performance standards be assessed as a discretionary activity rather than a non-complying activity. Federated Farmers opposes this relief as it prioritises some water users to the detriment of others.
- We oppose the relief sought by the appellant and prefer the relief set out in our own appeal.

4. Federated Farmers of New Zealand (Southland) agrees to attend mediation and/or dispute resolution in regard to these proceedings.

Dated the 22<sup>nd</sup> day of June 2018



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