

**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** **ALLIANCE GROUP 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 Inc (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 Inc (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 Inc (Southland) is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
- 3 Federated Farmers of New Zealand Inc (Southland) has an interest in all of the appeal, in particular in relation to:

#### Objective 11

- Federated Farmers submitted and further submitted on this objective;
- We consider the relief sought is consistent with the corresponding policies, and that clarity in this regard may be useful;
- We in part support the appeal of this provision.

#### Objective 13, Objective13A and Objective 13B

- Federated Farmers submitted and further submitted on the original Objective 13, which was subsequently split into three objectives through the plan decisions;
- Federated Farmers had a number of concerns with Objective 13 as notified, including the fact that it made the use or development of land conditional on addressing the effects in clauses (a) to (c); rather than requiring an overall judgement considering the need for people and communities to provide for their economic, social and cultural well-being and managing effects on the environment as set out in s5(2) of the Act.
- However, we share the concerns of the appellant that the original intent of Objective 13 was to enable the use and development of land and soils provided the concerns included were addressed; the decisions version of Objective 13B has a completely different focus – that being, the avoidance of discharges of contaminants that have significant or cumulative effects on human health.
- We agree with the appellant that this raises scope issues.
- We in part support the appeal of these provisions.

#### Objective 18

- Federated Farmers lodged a submission and further submission on this objective;
- While we opposed the original submission of the appellant on this provision, we agree with the merit of what they are now seeking through the appeal of this point;
- We support the use of Good Management Practice or better for farming activities and appreciate that for certainty, an alternative approach may be necessary for industrial or trade processors.

#### Policies 4-12

- Federated Farmers submitted and further submitted on these policies;
- We have an interest in the appeal and in part oppose the relief sought in this regard. Our concerns are as to how the appeal relief could be resolved – in that we do not agree that only farming activities should be subject to expectations of operating at good management practice or better.
- We consider that there should be similar expectations for operators of industrial or trade processes.

#### Policy 14

- Federated Farmers submitted and further submitted on this policy, which included supporting the appellant's relief sought.
- We agree that there needs to be acknowledgement that there may be situations where discharges to land may be inappropriate or impractical.
- There is also a concern that the policy is inconsistent with Policy WQUAL.8 from the Southland Regional Policy Statement, which was the subject of discussion through prior Environment Court appeal mediation.
- We support the relief sought.

#### Policy 15A, Policy 15B, Policy 15C and Policy 16A

- Federated Farmers submitted and further submitted on Policy 15 as notified, including supporting in part the appellant's relief sought.
- We have our own appeal point on Policy 16A, in which we consider significant adverse environmental effects need to be appropriately managed.
- Given our members significant interest in the FMU process, and any subsequent determinations on provisions addressing the maintaining and improving of water quality prior to limit setting, we have an interest in each of these appeal points and in the final policy wording.

#### Policy 42

- Federated Farmers submitted and further submitted on Policy 42, including supporting in part the appellant's relief sought.
- However, we oppose in part the relief sought via the appeal on the policy. We do not consider it appropriate for only the appellant's processing plants to be exempt from minimum flows. Any such determinations should equally consider other priority users, including that relating to domestic water and livestock drinking water.

#### Rules 5 and 6

- Federated Farmers submitted and further submitted on Rule 5 and Rule 6, including supporting the appellant's relief sought.
- We agree that some discharges may be necessary, regardless of whether the waterbody meets the specified water quality standards or not.

- We agree that a non-complying activity status is inappropriate for existing discharges from a regionally significant industrial and trade process.

Appendix E

- Federated Farmers submitted and further submitted on Appendix E.
- We agree that water quality standards are included within the Appendix that don't take appropriate account of existing water quality or the natural variability of some Southland waterways.
- There are issues in that some of the standards contained are inconsistent with other national measures, specifically those within the National Policy Statement for Freshwater Management.
- We support the appellant's appeal of this point.

4. Federated Farmers of New Zealand Inc (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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