

BEFORE THE ENVIRONMENT COURT

I MUA I TE KOOTI TAIAO O AOTEAROA

AT CHRISTCHURCH

ENV – 2018 – CHC – 000034

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an appeal under clause 14(1) of the First Schedule of
the Act in relation to the Proposed Southland Water and
Land Plan

BETWEEN

Beef + Lamb New Zealand

Appellant

AND

Southland Regional Council

Respondent

**NOTICE OF WISH OF DIRECTOR-GENERAL OF CONSERVATION TO BECOME A
PARTY TO PROCEEDINGS**

Section 274 Resource Management Act 1991

Department of Conservation

Planning, Permissions and Land

Department of Conservation

Private Bag 4715

Christchurch 8140

Phone: 03 371 3700

Solicitor: Pene Williams

To: The Registrar
 Environment Court
 Christchurch

1. I, Lou Sanson, Director-General of Conservation (the Director-General) wish to be a party to an appeal against part of the decision of the Southland Regional Council on the Proposed Southland Water and Land Plan (the proposed Plan) by Beef + Lamb (the appellant), ENV – 2018 – CHC – 000034 (the notice).
2. I made a submission on the proposed Plan¹, in particular on Policy 18² and Rule 70³.
3. I am not a trade competitor for the purposes of section 308C or section 308CA of the Resource Management Act 1991 (RMA).
4. I am interested in all of the appeal.
5. My interests are as follows:

Policy 18 – Stock exclusion from waterbodies

- 5.1. In paragraph 6 – 9 of its notice, the appellant appeals that part of the decision dealing with Policy 18 paragraph 2A as the appellant considers the policy is unclear in its scope and application.
- 5.2. The appellant seeks to amend Policy 18.2A to:
 - 5.2.1. state what measure or standard will be used to specify levels of *E.coli* that would preclude contact recreation; and
 - 5.2.2. provide guidance on which waterbodies are considered relevant for contact recreation purposes.

Rule 70 – Stock exclusion from waterbodies

- 5.3. In paragraphs 10 – 11 of its notice, the appellant appeals that part of the decision dealing with Rule 70 and seeks relief:
 - 5.3.1. to define what a ‘stock unit’ is in the glossary; and
 - 5.3.2. exempt sheep from part of the Rule.

¹ Submitter Number 210

² Submission Point 210.57

³ Submission Point 210.91

Policy 18 – Stock exclusion from waterbodies

6. I support the relief sought in the notice with respect to Policy 18 paragraph 2A. The reasons for supporting this are as follows:
- 6.1. Clarification of Policy 18 is helpful, I recognise that Appendix E (Water Quality Standards) and Appendix G (Popular bathing sites) could be referred to in the Policy to provide this clarification.
- 6.2. Clarification of Policy 18 paragraph 2A will:
- 6.2.1. ensure the National Policy Statement for Freshwater Management 2014 (NPSFM) is given effect to as required by section 67(3) of the RMA, in particular: Objectives A1, A2 and A4; and Policy A5.
- 6.2.2. ensure that the Southland Regional Policy Statement (SRPS) is given effect to as required by section 67(3) of the RMA, in particular: Objectives WQUAL.1 and WQUAL.2, and Policies WQUAL.2 and WQUAL.5.

Rule 70 – Stock exclusion from waterbodies

7. I support in part the relief on Rule 70 seeking a definition for ‘stock unit’ as this will provide clarity in the proposed Plan.
8. I oppose in part the relief on Rule 70 seeking an exemption of the application of Rule 70(e) for sheep. The reasons for opposing this relief are as follows:
- 8.1. Sheep faeces are a significant contributor to concentrations of *E. coli* and other micro-organisms found in waterbodies in the Southland region.
- 8.2. The proposed exemption for sheep is contrary to the RMA including sections 15, 69(3) and 70;
- 8.3. The proposed exemption for sheep fails to give effect to:
- 8.3.1. the NPSFM, including Objectives A1 and A2, and Policy A5.
- 8.3.2. in the coastal environment, the proposed exemption fails to give effect to New Zealand Coastal Policy Statement, including Policy 21(d).
- 8.3.3. the SRPS including Objectives WQUAL.1 and WQUAL.2, and Policies WQUAL.1 and WQUAL.2.

9. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated the 22nd of June 2018



Aaron Fleming, Director Operations, Southern South Island Region

Pursuant to delegated authority from the Director-General of Conservation⁴

Address for service of interested party:

Director-General of Conservation

Planning, Permissions and Land

Department of Conservation

Private Bag 4715

Christchurch 8011

Contact persons

Amelia Ching, RMA Planner – Planning Shared Services

Ph: 027 627 7705

Email: aching@doc.govt.nz

Pene Williams, Senior Solicitor – Legal Services

Ph: 03 474 6902

Email: pwilliams@doc.govt.nz

⁴ A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18-32 Manners Street, Wellington 6011
SAR-04-83-117 Beef + Lamb - proposed Southland Water and Land Plan - s274 joining notice - DOC-5504219 - DOC-55054195504219