

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 **HERITAGE NEW ZEALAND
POUHERE TAONGA**

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 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:

Objectives 9 & 13 and Policies 20 & 28

- Federated Farmers lodged submissions on these objectives and policies.
- It was unclear what heritage values a waterbody may have, or how it would be defined.
- We recognise some values are intangible and question what appropriate management is required to ensure these values are not compromised.
- While certain activities relating to the use of water and land have the potential to adversely affect any historical feature, we do not agree specific reference in the Plan is required.
- Irrespective of whether the objectives and policies refer to historical values, or not, any heritage feature will continue to enjoy protection under the Heritage New Zealand Pouhere Taonga Act 2014.
- There are clear statutory limits in section 30(1)(c) of the RMA on the purposes of rules controlling the use of land.
- Controlling land use for the purpose of historic heritage is not a listed function of regional councils under section 30(1)(c). Conversely, section 31(1)(b) provides that it is a function of district councils to control "any actual or potential effects of the use, development, and protection of land".
- It is therefore appropriate for land use controls designed to protect (or otherwise manage) the historic heritage of a region to be found in the relevant district plan.
- As such Federated Farmers disagree with the appellant that the objectives and policies should be reinstated as notified.
- We oppose the appellant's relief sought.

Appendix N

- Federated Farmers lodged a Submission in partial support of Appendix N.
- The appellants submitted in support, which included the requirement to show the location of any known and recorded heritage sites in Farm Management Plans.
- We agree with the Hearing Panel's decision and consider it is appropriate to avoid unnecessary regulatory duplication in personalised farm plans.

- While historic heritage is a Part 2 matter, Federated Farmers reiterates this function falls under the District Council, and it is not appropriate to adopt unnecessary regulatory duplication in personalised farm plans.
 - We oppose the appellant's relief sought.
4. Federated Farmers of New Zealand (Southland) agrees to attend mediation and/or dispute resolution in regard to these proceedings.

Dated the 22nd day of June 2018



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