

**BEFORE THE ENVIRONMENT COURT**

**ENV-2018-CHC-000040**

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

**AND**

**IN THE MATTER** of an appeal pursuant to Clause 14 of the  
First Schedule to the Act in relation to the  
proposed Southland Water and Land Plan

**BETWEEN** Federated Farmers

**Appellant**

**AND** Southland Regional Council

**Respondent**

**NOTICE OF REPRESENTATION AT PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE  
MANAGEMENT ACT 1991**

**To: The Environment Court  
WX 11113 or PO Box 2069  
Christchurch 8013, New Zealand  
Attn: Case Manager - Christine McKee**

1. Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (the Oil Companies) wish to be a party to the proceedings between Federated Farmers (Appellant) and the Southland Regional Council (Respondent) in relation to the Respondent's decisions on submissions to the Proposed Southland Water and Land Plan (the pSWLP).
2. The Oil Companies are interested in the following parts of the proceedings:
  - Appeal point 1 regarding Objective 9B;
  - Appeal point 10 regarding Policy 16A.
3. The Oil Companies lodged submissions on the pSWLP on these matters, with the exception of Policy 16A regarding Industrial and trade processes that may affect water quality. That policy was not included in the notified plan but appears to have arisen from submissions relating to Policy 16 – Farming activities that affect water quality.
4. In accordance with section 274(1)(da) of the Act, the Oil Companies have an interest in the proceedings relating to Policy 16A that is greater than the interest of the general public. This interest recognises that the core activities of the Oil Companies relate to the operation and management of bulk storage facilities, aviation facilities and the operation and supply of retail and commercial outlets.
5. The Oil Companies are not trade competitors for the purposes of section 308D of the Resource Management Act 1991.
6. The reasons for the Oil Companies interest in these matters are as follows:
  - 6.1 The Oil Companies oppose the relief sought by the Appellant in relation to Objective 9B. While the Oil Companies are not necessarily opposed to alternatives to the 'enable' directive, replacement with 'recognised' does not make sense in the context of the objective as drafted.
  - 6.2 The reasons for the Appellant's appeal in relation to Objective 16A are clear but are not reflected in the relief sought. In particular the reason for the appeal at 10(c) indicates that the intent is to amend the policy to avoid significant adverse effects. Despite this the relief tracked has the effect of requiring avoidance of all adverse effects and in doing so significantly alters

the direction of this policy and will not provide appropriately for discharges from industrial and trade processes.

7. The Oil Companies agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated at TAKAPUNA this 15<sup>th</sup> day of June 2018

Signature of person authorised to sign on behalf of The Oil Companies.



Mark Laurenson  
Senior Planner

**Address for service:**

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A copy of this notice has been served on the following parties:

Federated Farmers of New Zealand  
Private Bag 92-066, Auckland 1142  
Attn: Richard Gardner  
rgardner@fedfarm.org.nz

Southland Regional Council  
C/- Wynn Williams and Co  
PO Box 4341 or DX WX11179  
Christchurch  
Attn: Kirstie Wyss and Philip Maw  
Kirstie.wyss@wynnwilliams.co.nz; Philip.maw@wynnwilliams.co.nz

