

BEFORE THE ENVIRONMENT COURT

I MUA I TE KOOTI TAIAO O AOTEAROA

AT CHRISTCHURCH

ENV – 2018 – CHC – 000033

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

H W Richardson Group Limited

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 H W Richardson Group Limited (the appellant), ENV – 2018 – CHC – 000033 (the notice).
2. I made a submission on the proposed Plan¹, in particular on Policy 29².
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 29 – Provide for the extraction of gravel

- 5.1. In paragraphs 7 – 11 of its notice, the appellant appeals that part of the decision dealing with Policy 29 and seeks relief as the appellant considers that the policy is inconsistent with Policy BRL.3 of the Southland Regional Policy Statement 2017 (SRPS) and may result in gravel extraction activities having to be avoided when remediation or mitigation may also be appropriate.
- 5.2. The appellant seeks to amend Policy 29 as follows:

Recognise the value of gravel and provide for its extraction to meet the social, economic and cultural needs of the community, in a way that avoids, remedies or mitigates adverse effects on ~~land, groundwater quality, rivers and their margins; and:~~

1. Land;

2. River and their margins

3. Ngāi Tahu cultural values associated with the river, including mahinga kai and taonga species habitat, mātaītai and taiāpure; and

4. adverse effects on recreational values;

¹ Submitter Number 210

² Submission Point 210.62

and:

5. for river based extractions, requires the restoration of aquatic and riparian habitat (results in no long-term net loss of habitat in the river channel, bed or floodplain) once the gravel extraction activity has ceased; ~~and~~

~~2. results in no long term net loss of habitat in the river channel, bed or floodplain; and~~

~~2a.6. ensures that the rate and volume of gravel extraction is sustainable; and~~

~~3.7. maintains or enhances ensures no degradation of flood protection, and erosion control or infrastructure and the integrity of these physical resources; and~~

~~4. does not adversely affect the Ngāi Tahu cultural values and interests associated with the land or river, including mahinga kai and taonga species habitat, mahinga kai, mātaītai and taiāpure; and~~

~~5. does not adversely affect results in no long term adverse effects on recreational values.; and~~

~~6.8. maintains public access (except in circumstances where public health and safety are at risk).~~

6. I oppose the relief sought in the notice with respect to Policy 29. The reasons for opposing the relief are as follows:
 - 6.1. The relief sought is unclear.
 - 6.2. The relief sought by the appellant and the reasons given in the notice:
 - 6.2.1. are contrary to Part 2 of the RMA by not achieving the sustainable management purpose in section 5; and failing to recognize and provide for matters of national importance including: section 6(a) natural character of wetlands, lakes, rivers and coastal environment and their margins and section 6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
 - 6.2.2. fail to give effect to the Southland Regional Policy Statement as required by section 67(3) of the RMA, in particular: Objective BRL.1 and Policy BRL.3.

- 6.3. I have separately appealed the decision on Rule 29 (ENV-2018-CHC-00036) seeking the Policy also provide for restoration of riverine habitat for river based extractions. It is unclear whether the relief sought by the appellant on Policy 29 is consistent with the relief I have sought.
7. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated the 22 of June 2018



Aaron Fleming, Director Operations, Southern South Island Region
Pursuant to delegated authority from the Director-General of Conservation³

Address for service of interested party:

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Planning, Permissions and Land
Department of Conservation
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Contact persons

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³ 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 H W Richardson Group Limited - proposed Southland Water and Land Plan - s274 joining notice - DOC-5504219