

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2013-AKL-

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

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND**

Appellant

AND

NORTHLAND REGIONAL COUNCIL

Respondent

**NOTICE OF THE ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED'S WISH
TO BECOME A PARTY TO PROCEEDINGS**

29 November 2013



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TO: The Registrar
Environment Court
AUCKLAND

1. The Environmental Defence Society Incorporated (“EDS”), gives notice under section 274 of the Resource Management Act 1991 (“RMA”) that it wishes to be a party to the appeal by Federated Farmers of New Zealand (“Appellant”) against Northland Regional Council’s decision on the Proposed Northland Regional Policy Statement (“pRPS”).
2. EDS is a person who has an interest in the proceedings that is greater than the interest that the general public has. EDS is a not-for-profit national environmental advocacy group. EDS was established in 1971 with the objective of bringing together the disciplines of law, science and planning to advocate for better environmental outcomes in resource management matters. EDS has been active in assessing the effectiveness of the RMA and statutory planning documents in addressing key environmental issues such as landscape protection, coastal management and water quality.
3. EDS made a submission and further submission on the pRPS and presented submissions to the Hearings Committee.
4. EDS is not a trade competitor for the purposes of section 308C of the RMA.
5. EDS is interested in all parts of the proceedings except:
 - 5.1. Appeal Point 9 in so far as it relates to historic heritage.
 - 5.2. Appeal Point 11 in so far as it relates to genetically modified organisms.
6. EDS is interested in the particular issues raised by the above parts of the proceedings.
7. EDS opposes the relief sought for the following reasons:

7.1. The relief sought by the Appellant is not the most appropriate way to achieve the purpose of the RMA or the most appropriate way to achieve the objectives of the pRPS under section 32 of the RMA.

7.2. The relief sought by the Appellant is inconsistent with the Council's functions under section 30 of the RMA, in particular:

- Section 30(1)(c)(ii) – the maintenance and enhancement of the quality of water in water bodies and coastal water,
- Section 30(1)(f) - the control of discharges of contaminants into or onto land, air, or water and discharges of water into water,

7.3. The relief sought by the Appellant is inconsistent with the New Zealand Coastal Policy Statement 2010.

7.4. The relief sought by the Appellant does not have particular regard to other matters under section 7 of the RMA including:

- The maintenance and enhancement of amenity values (section 7(c)),
- Maintenance and enhancement of the quality of the environment (section 7(f)),
- Any finite characteristics of natural and physical resources (section 7(g)).

7.5. The relief sought by the Appellant does not recognise and provide for matters of national importance under section 6 of the RMA including:

- The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection

of them from inappropriate subdivision, use, and development (section 6(a)).

- The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development (section 6(b)).
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c)).

7.6. The relief sought by the Appellant does not promote the sustainable management of natural and physical resources under section 5 of the RMA.

8. EDS agrees to participate in mediation or other alternative dispute resolution.

DATED at Auckland this 29th day of November 2013



Nicola de Wit

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Advice to recipients

If you have any questions about this notice, contact the Environment Court in Auckland.