

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

I TE KŌTI TAIAO O AOTEAROA

ENV-2018-CHC-254

BETWEEN

FEDERATED FARMERS OF NEW ZEALAND INC

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

NOTICE OF PARTIES' WISH TO BE PARTY TO PROCEEDINGS

KĀTI HUIRAPA RŪNAKA KI PUKETERAKI AND TE RŪNANGA O ŌTĀKOU

Dated 31 January 2019

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Notice of wish to be party to proceedings

Under section 274 of the Resource Management Act 1991

To The Registrar
Environment Court
Christchurch

1 Kāti Huirapa Rūnaka Ki Puketeraki and Te Rūnanga O Ōtākou (“Manawhenua”), wish to be parties to the following proceedings concerning the Proposed Second Generation Dunedin District Plan (“2GP”):

ENV-2018-CHC-254 Federated Farmers of New Zealand Inc v Dunedin City Council

2 Manawhenua made a submission about the subject matter of the proceedings.

3 The Kāi Tahu rūnanga are Manawhenua within the Dunedin district and therefore also have an interest in the proceedings that is greater than the general public.

4 Manawhenua are not trade competitors.

5 Manawhenua are interested in all of the proceedings.

6 The ability of Kāi Tahu to provide for their cultural wellbeing is dependent on the protection of valued places, resources and landscapes, including wāhi tūpuna, and therefore Manawhenua are particularly interested in the following issues:

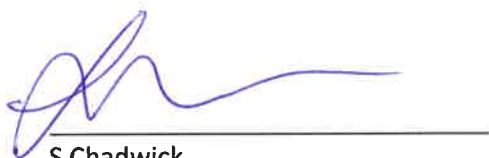
a Any changes proposed in this appeal that have the potential to impact how the 2GP provides for and protects Kāi Tahu values in the Dunedin district, and may affect Manawhenua participation in resource management processes.

b Any changes that enable the establishment of new, or expanded, farming operations and associated activities and where those activities carry a risk of impacting certain sites and locations with particular importance or values to Manawhenua, particularly within wāhi tūpuna or that may affect important landscapes and ridgelines.

- c Any changes proposed in this appeal that have the potential to impact how the 2GP provides for and protects indigenous biodiversity, the natural character of the coast and wetlands in the district, including ASCV values with regard to farming activities.
- 7 Manawhenua oppose aspects of the relief sought by the Appellant for the following reasons:
 - a Farming activities can threaten Manawhenua values in sites and landscapes, and as such it is appropriate that appropriate provision is made to ensure Manawhenua values are considered in any applications for new or altered provisions governing farming activities.
 - b The 2GP contains a trigger that provides for all activities that are discretionary or non complying to be notified to Manawhenua, whether they are in identified wāhi tūpuna or not. Changing the activity status of an activity from discretionary to restricted discretionary or a lesser classification removes this requirement for notification, which is inappropriate.
 - c It is important that Manawhenua values are fully considered in consenting decisions on certain farming activities, both through appropriate provisions in the rules and policy of the 2GP and through Manawhenua involvement in consenting processes.
 - d Strengthening the policy and assessment provisions in favour of farming activities may have the effect of weakening protection of Manawhenua values and Manawhenua wish to ensure an appropriate policy balance is struck.
 - a The proposed changes to provisions governing activities in ASCV areas do not ensure adequate protection of Kāi Tahu values in indigenous biodiversity.
 - b The Appellant's proposed amendments do not promote sustainable management and do not adequately reflect or take account of the

important matters in Part II of the Resource Management Act 1991,
including those in sections 6(b), (e), 6(g), 7(a), 7(aa) and 8.

- 8 Manawhenua agree to participate in mediation or other alternative dispute resolution.



S Chadwick
Counsel for Kāti Huirapa Rūnaka Ki Puketeraki and Te Rūnanga O Ōtākou

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