

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal pursuant to clause 14 of the First
Schedule of the Act

BETWEEN **NGATI UENUKUKOPAKO IWI TRUST**
Appellant

AND **BAY OF PLENTY REGIONAL COUNCIL**
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 Resource Management Act

To: The Registrar
Environment Court
PO Box 7147
Auckland 1141

The Lake Rotorua Primary Producers' Collective ("Collective") wishes to be a party to the following proceedings:

Ngati Uenukukopako Iwi Trust v Bay of Plenty Regional Council
ENV-2017-AKL-000147

The Collective made a submission about the subject matter of the proceedings.

The Collective is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Collective is interested in all of the proceedings.

The Collective is interested in all of the issues raised by the Appellant and this includes an interest in the following issues:

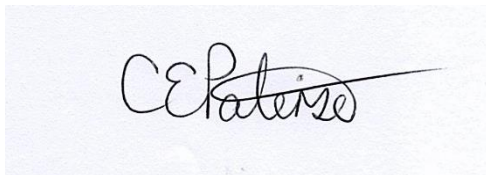
1. The Collective comprises various farmers in the Lake Rotorua catchment. Plan Change 10 (“PC10”) will have significant adverse and detrimental impacts on its members’ farming operations as well as their economic and social wellbeing.
2. The Collective is very concerned about the ability of farmers to reach their nitrogen discharge allowances (“NDAs”) and that they currently do not have a pathway for achieving them. The Collective is concerned that the NDAs are unlikely to be achievable on the basis of currently available technology.
3. The Collective is concerned about the nutrient management plan requirements in Plan Change 10. This includes the potentially significant nitrogen and phosphorous obligations that it will impose and the implications for the economic and social wellbeing of farmers in the catchment.
4. The Collective acknowledges the difficulty for the District Council with PC10 where the scope of the plan change appears to be restricted to rural land and this may have unintended or inadvertent consequences for the urban system.
5. In principle, the Collective does not have an issue with reasonable urban growth in order to meet the aspirations of the community while at the same time not compromising Lake water quality.
6. However, the Collective is concerned that PC10 is not a whole of catchment and whole of community solution for achieving the community aspirations for water quality.
7. The Collective considers that Federated Farmers’ alternative framework would achieve a whole of community solution for water quality. Two key aspects of that framework include:
 - a. An integrated and holistic sub-catchment approach to nutrient management. This includes considering all sources of nutrients (urban and rural) and whole of community solutions.

- b. Enabling the implementation of the NPS-FM in the Rotorua lakes WMA on the back of a robust science review (and potentially a review of the incentives funding framework). This ought to allow the community to consider the values, objectives, limits and targets for the Rotorua lakes WMA through a collaborative process and to make decisions on robust evidence. The Collective considers that this is the appropriate place to consider and evaluate the concerns raised by the District Council around urban growth.

The Collective conditionally supports the relief sought by Ngati Uenukukopako Iwi Trust:

8. The Collective conditionally supports the deletion of Policy LR P19 and Method LR M5(g) because it considers that PC10 does not achieve a whole of community solution for water quality issues. It considers that urban and rural issues need to be considered in an integrated way through a transparent and informed community process, to give effect to the NPS-FM and RPS.

The Collective agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Signature of person wishing to be a party

Date: 16th October 2017

Address for service of person wishing to be a party:

136 Stewart Road RD 6 Rotorua 3096

Telephone: 073322818 or 0274545493

Fax/email: info@rotoruafarmers.org.nz

Contact person: Christine Paterson

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

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