

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2021-AKL-000105

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 Resource Management Act 1991 in relation to the Proposed Plan Change 7 to the Hawke's Bay Regional Plan

BETWEEN **THE ROYAL FOREST AND BIRD PROTECTION SOCIETY OF
NEW ZEALAND INCORPORATED**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF SILVER FERN FARMS LIMITED'S WISH TO BE
PARTY TO PROCEEDINGS PURSUANT TO
SECTION 274 RESOURCE MANAGEMENT ACT 1991**

To: The Registrar
Environment Court
Auckland

1 Silver Fern Farms Limited ("**Silver Fern Farms**") wishes to be a party to the following proceedings:

(a) An appeal by the Royal Forest and Bird Protection Society of New Zealand Incorporated ("**Forest & Bird**") under clause 14(1) of the First Schedule of the Resource Management Act 1991 ("**the Act**") in relation to the decisions on Proposed Plan Change 7 to the Hawke's Bay Regional Plan ("**Proposed Plan Change 7**").

2 This notice is made upon the following grounds:

(a) Silver Fern Farms further submitted on Proposed Plan Change 7 to which this appeal relates and has an interest in these proceedings that is greater than the public generally.

3 Silver Fern Farms is not a trade competitor for the purposes of section 308C of the Act.

4 Silver Fern Farms has an interest in all parts of the proceedings relating to the management of freshwater resources. Silver Fern Farms does not have an interest in the parts of the proceedings related to the management of the coastal environment.

5 Silver Fern Farms opposes the relief sought by Forest & Bird which seeks to insert a number of additional water bodies into Schedule 25 and amend the provisions applying to their management, including the removal of the provision created for existing activities. Silver Fern Farms is concerned that there is no clear evidential basis or section 32 evaluation which supports the provisions that are being sought. Silver Fern Farms generally considers that the relief sought by Forest & Bird's appeal:

(a) does not give effect to the National Policy Statement for Freshwater Management 2020;

(b) does not appropriately recognise the co-existence of existing activities and the presence of outstanding values;

- (c) does not promote the sustainable management of natural and physical resources; and
- (d) is otherwise not the most appropriate way to achieve the purpose of the Act.

6 Silver Fern Farms agrees to participate in mediation or other alternative dispute resolution of the proceedings.



A Johnstone

On behalf of Silver Fern Farms Limited

Dated 27 August 2021

Address for service:

Mitchell Daysh Limited

P O Box 489

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Attention: Ethan Glover

Email: ethan.glover@mitchelldaysh.co.nz

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

Royal Forest and Bird Protection Society of New Zealand Incorporated
C/- Peter Anderson
PO Box 2516,
Christchurch 8140
Phone: 021 558 241
p.anderson@forestandbird.org.nz

Hawke's Bay Regional Council
Attn: Belinda Harper
Private Bag 6006
Napier 4142
Phone: 06 835 9200
belinda@hbrc.govt.nz

Advice

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