s274 Notices – Federated Farmers of NZ Inc.

Plan Change 9: TANK

Appellant No.	Appellant Name
193	Te Taiwhenua o Heretaunga
196	Royal Forest and Bird Protection Society of New Zealand
197	Wairua Dairies Limited
200	Horticulture New Zealand
201	Mangaroa Marae, representing the hapū – Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti Pāhū and Ngāti Pouwharekura
202	Ōmahu Marae, (HUPHA) – Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Honomōkai, Ngāti Mahuika
205	Hastings District Council
206	Ngāti Kahungunu Iwi Incorporated
207	Napier City Council

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN TE TAIWHENUA O HERETAUNGA

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



PO Box 715 Wellington 6140

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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Te Taiwhenua of Heretaunga v Hawke's Bay
 Regional Council ENV-2022-AKL-000193 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the district in making their livelihoods; and
 - (b) there is a potential for farmers in the district to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in all the Proceedings and all the issues raised.
- 5. Federated Farmers opposes the precise relief detailed in the Appellant's notice of appeal. Federated Farmers provisionally opposes the general relief sought until the Appellant provides precise details their relief. The reason for Federated Farmers' opposition is the relief sought will or is likely to:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit:
 - (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
 - (c) be contrary to Part 2 of the Act.

6. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Mike Campbell

Maphell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Address for service:

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Attention: Mike Campbell / Rhea Dasent

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Advice

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN ROYAL FOREST AND BIRD PROTECTION

SOCIETY OF NEW ZEALAND

INCORPORATED

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Royal Forest and Bird Protection Society of New
 Zealand v Hawke's Bay Regional Council ENV-2022-AKL-000196 (the
 Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - the subject matter of the appeal is a matter of interest to farmers who
 rely on natural and physical resources in the region in making their
 livelihoods; and
 - (b) there is a potential for farmers in the region to be directly impacted by the relief of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in all the Proceedings.
- 5. In particular, Federated Farmers is interested in the following issues:
 - (a) indigenous biodiversity;
 - (b) water bodies;
 - (c) maintenance and enhancement of freshwater quality and quantity; and
 - (d) effects on the coastal environment.
- 6. Federated Farmers opposes the relief sought because it will:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit:

- (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
- (c) be contrary to Part 2 of the Act.
- 7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Mike Campbell

Maphell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Address for service:

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Attention: Mike Campbell / Rhea Dasent

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<u>Advice</u>

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN WAIRUA DAIRIES LIMITED

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Wairua Dairies Limited v Hawke's Bay Regional
 Council ENV-2022-AKL-000197 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - (a) the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the district in making their livelihoods; and
 - (b) there is a potential for farmers in the district to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C
 or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in the part of the Proceedings that relate to:
 - (a) Policy TANK 40;
 - (b) Policy TANK 44; and
 - (c) Policy TANK 50.
- 5. Federated Farmers supports the relief sought for the reasons given in the Appellant's notice of appeal. In addition, Federated Farmers considers the relief:
 - (a) will appropriately enable farming activities while addressing their environmental effects;
 - (b) gives proper effect to higher order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and

(c) aligns with Part 2 of the Act.

6. Federated Farmers agrees to participate in mediation or other alternative dispute resolution.

Maphell

Mike Campbell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Address for service:

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IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN HORTICULTURE NEW ZEALAND

INCORPORATED

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Horticulture New Zealand Incorporated v Hawke's
 Bay Regional Council ENV-2022-AKL-000200 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - (a) the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the region in making their livelihoods; and
 - (b) there is a potential for farmers in the region to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C
 or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in the part of the Proceedings which relate to the following provisions:
 - (a) Policies POL TANK 35 and 48;
 - (b) Rules TANK 7, 8, 9, 10 and 11; and
 - (c) The definitions of:
 - (i) Land Use Change; and
 - (ii) TANK Industry Programme or a TANK Catchment Collective.
- 5. Federated Farmers is interested in the following particular issues:
 - (a) the reference to "non-commercial needs" in Policy POL TANK 48 and Rule TANK 11;

(b) allowing for rootstock survival water to be taken as a permitted activity

during times of low flow;

(c) facilitating the operation of stream flow maintenance and habitat

enhancement schemes, and allowing the reallocation of water for the

purposes of stream flow augmentation; and

(d) ensuring definitions are consistent with Schedule 29.

6. Federated Farmers supports the relief sought for the reasons given in the

Appellant's notice of appeal. In addition, Federated Farmers considers the

relief:

(a) will appropriately enable farming activities while addressing their

environmental effects;

(b) gives proper effect to higher order documents, including national

directions such as the National Policy Statement for Freshwater

Management 2020; and

(c) aligns with Part 2 of the Act.

7. Federated Farmers agrees to participate in mediation or other alternative

dispute resolution.

Mike Campbell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

M(plell

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Federated Farmers of New Zealand Incorporated

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<u>Advice</u>

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN MANGAROA MARAE, RESPRESNTING THE

HAPŪ – NGĀTI RĀHUNGAITERANGI, NGĀTI

PŌPŌRO, NGĀTI PĀHŪ AND NGĀTI

POUWHAREHURA

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



PO Box 715 Wellington 6140

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- 1. Federated Farmers of New Zealand Incorporated (**Federated Farmers**) wishes to be a party to *Mangaroa Marae et al v Hawke's Bay Regional Council* ENV-2022-AKL-000201 (the **Proceedings**).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - (a) the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the district in making their livelihoods; and
 - (b) there is a potential for farmers in the district to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C
 or 308CA of the Resource Management Act 1991 (the Act).
- 4. Federated Farmers is interested in all the Proceedings.
- 5. In particular, Federated Farmers is interested in the following issues:
 - (a) Water allocation;
 - (b) Water quality;
 - (c) Management and peoples.
- 6. Federated Farmers reserves its position in respect of the Proceedings until the Appellant provides precise details on the relief they are seeking. Federated Farmers provisionally opposes the relief because it is likely to:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit:

- (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
- (c) be contrary to Part 2 of the Act.
- 7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Mike Campbell

Maphell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Address for service:

Federated Farmers of New Zealand Incorporated Level 4, Lambton Centre 117 Lambton Quay PO Box 715 Wellington 6140

Attention: Mike Campbell / Rhea Dasent

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Advice

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN ŌMAHU MARAE, (HUPHA) – NGĀTI

HINEMANU, NGĀI TE UPOKOIRI, NGĀTI HONOMŌKAI AND NGĀTI MAHUIKA

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Ōmahu Marae et al v Hawke's Bay Regional
 Council ENV-2022-AKL-000202 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - (a) the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the district in making their livelihoods; and
 - (b) there is a potential for farmers in the district to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (the Act).
- 4. Federated Farmers is interested in all the Proceedings.
- 5. In particular, Federated Farmers is interested in the following issues:
 - (a) Water allocation;
 - (b) Water quality;
 - (c) Management and peoples.
- 6. Federated Farmers reserves its position in respect of the Proceedings until the Appellant provides precise details on the relief being sought. Federated Farmers provisionally opposes the relief because it is likely to:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit:

- (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
- (c) be contrary to Part 2 of the Act.
- 7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the Proceedings.

Mike Campbell

Maphell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

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<u>Advice</u>

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN HASTINGS DISTRICT COUNCIL

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Hastings District Council v Hawke's Bay Regional
 Council ENV-2022-AKL-000205 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - the subject matter of the appeal is a matter of interest to farmers who
 rely on natural and physical resources in the region in making their
 livelihoods; and
 - (b) there is a potential for farmers in the region to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C
 or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in the part of the Proceedings which relate to the following provisions:
 - (a) Policies POL TANK 36, 44, 45, 48 and 50; and
 - (b) Schedule 34, Map 1 Hastings Source Protection Zone.
- 5. Federated Farmers is interested in the following particular issues:
 - (a) Applicability of Enhancement Scheme provisions to municipal supplies;
 and
 - (b) the Source Protection Zone Map.
- 6. Federated Farmers opposes the relief sought because it will:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit;

- (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
- be contrary to Part 2 of the Act. (c)
- 7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the Proceedings.

Maphell

Mike Campbell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

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<u>Advice</u>

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN NGĀTI KAHUNGUNU IWI INCORPORATED

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Ngāti Kahungunu Iwi Incorporated v Hawke's Bay
 Regional Council ENV-2022-AKL-000206 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - (a) the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the region in making their livelihoods; and
 - (b) there is a potential for farmers in the region to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in all the Proceedings.
- 5. In particular (and without limiting paragraph 4), Federated Farmers is interested in the following issues:
 - (a) the alleged error of law raised at [18]ff of the Appellant's notice of appeal;
 - (b) the interim allocation limit of 90 million cubic meters per year;
 - (c) the establishment of freshwater management units;
 - (d) whether Proposed Plan Change 9 gave effect to the National Policy Statement for Freshwater Management 2020; and
 - (e) the application of tikanga.

6. Federated Farmers reserves its position in respect of the Proceedings until the Appellant provides precise details on the relief being sought. Federated

Farmers provisionally opposes the relief because it is likely to:

unnecessarily restrict farming activities for little or no environmental (a) benefit;

fail to give proper effect to high order documents, including national (b) directions such as the National Policy Statement for Freshwater

Management 2020; and

(c) be contrary to Part 2 of the Act.

7. Federated Farmers agrees to participate in mediation or other alternative

dispute resolution of the proceedings.

Mike Campbell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Markell

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<u>Advice</u>

IN THE ENVIRONMENT COURT I MUA I TE KŌTI TAIAO O AOTEAROA AUCKLAND REGISTRY TĀMAKI MAKAURAU ROHE

UNDER the Resource Management Act 1991

IN THE MATTER OF an appeal under clause 14 of Schedule 1 of the

Act in relation to the Proposed Plan Change 9 to Hawke's Bay Regional Council's Regional

Resource Management Plan

BETWEEN NAPIER CITY COUNCIL

Appellant

AND HAWKE'S BAY REGIONAL COUNCIL

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

14 November 2022



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- Federated Farmers of New Zealand Incorporated (Federated Farmers)
 wishes to be a party to Napier City Council v Hawke's Bay Regional
 Council ENV-2022-AKL-000207 (the Proceedings).
- 2. Federated Farmers made a submission about the subject matter of the Proceedings. Federated Farmers also has an interest in the Proceedings that is greater than the interest that the general public has as a representative body for farmers' interests which may be affected by the relief sought by the Appellant. Additionally:
 - the subject matter of the appeal is a matter of interest to farmers who rely on natural and physical resources in the region in making their livelihoods; and
 - (b) there is a potential for farmers in the region to be directly impacted by the terms of the appeal.
- Federated Farmers is not a trade competitor for the purposes of section 308C
 or 308CA of the Resource Management Act 1991.
- 4. Federated Farmers is interested in the part of the Proceedings which relate to the following provisions:
 - (a) Policies POL TANK 36, 44, 45, 48 and 50.
- 5. Federated Farmers is interested in the particular issue of the applicability of Enhancement Scheme provisions to municipal supplies.
- 6. Federated Farmers opposes the relief sought because it will:
 - (a) unnecessarily restrict farming activities for little or no environmental benefit;
 - (b) fail to give proper effect to high order documents, including national directions such as the National Policy Statement for Freshwater Management 2020; and
 - (c) be contrary to Part 2 of the Act.

7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the Proceedings.

Mika Campball

Maplell

Mike Campbell

Counsel for Federated Farmers of New Zealand Incorporated

DATE: 14 November 2022

Address for service:

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<u>Advice</u>