

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND
I MUA I TE KOOTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

ENV-2020-AKL-000100

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 to the Act

BETWEEN **WAIKATO RAUPATU RIVER TRUST, RAUKAWA CHARITABLE TRUST, TE ARAWA RIVER IWI TRUST, TŪWHARETOA MĀORI TRUST BOARD AND MANIAPOTO MĀORI TRUST BOARD (“WAIKATO AND WAIPĀ RIVER IWI”)**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED’S WISH TO BE A
PARTY TO PROCEEDINGS
29 September 2020**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

1. Beef+Lamb New Zealand Ltd (B+LNZ) wishes to be a party to the following proceedings:

Waikato and Waipā River Iwi v Waikato Regional Council
ENV-2020-AKL-000100.

2. B+LNZ made a submission about the subject matter of the proceedings.
3. B+LNZ has an interest in the proceedings that is greater than the interest that the general public has because:
 - (a) The proceedings seek relief that will impact on the natural and physical resources of the region.
 - (b) B+LNZ is a representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal will impact farmers who B+LNZ represent and who rely on natural and physical resources to provide for their health and well-being.
4. B+LNZ is not a trade competitor for the purposes of s 308C or 308A Resource Management Act 1991.
5. B+LNZ is interested in all of the proceedings.
6. B+LNZ is interested in the following particular issues:
 - (a) Any relief sought that is inconsistent with its appeal *Beef+Lamb New Zealand v Waikato Regional Council* ENV-2020-AKL-99.
 - (b) Any relief sought that seeks to amend PC1 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for low intensity farming.
 - (c) Any relief sought that seeks to amend Table 3.11-2 and 3.11-3.

- (d) Any relief that seeks to amend the plan framework for Commercial Vegetable Production to the extent it impacts on the issues of interest pleaded above.

7. B+LNZ opposes the relief sought because:

- (a) B+LNZ supports the findings of the Respondent that the Decisions Version of PC1 provides for restoration and protection of the Waikato and Waipā Rivers and their tributaries in accordance with Te Ture Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River, subject to the relief sought in its appeal. Subject or in addition to the specific matters pleaded below, B+LNZ opposes any other relief sought that seeks to amend the Decisions Version of PC1.
- (b) B+LNZ is a farmer-owned, industry organisation that represents New Zealand's sheep and beef farmers, funded through a levy paid by all beef and sheep meat producers under the Commodity Levies Act 1990.
- (c) The relief sought by the Appellant is in parts inconsistent with the relief sought in B+LNZ's appeal. B+LNZ seek the provisions it has appealed are amended in accordance with that appeal for the reasons set out therein and to the extent the relief sought by the Appellant does not achieve that outcome it is opposed.
- (d) PC1's approach to enabling low-intensity farming activities, including extensive drystock farms, and providing for flexibility (including in farm environment plans) enables people and communities to provide for their wellbeing while at the same time recognising the Awa are degraded and halting further degradation and providing a pathway for improvement in the short and long term.
- (e) The Appellants incorrectly plead, *inter alia*, that the rule framework determined by the Respondent will lead to adverse effects pleaded in paragraph 11(a)(iii), does not implement policies 1(a) and (b) and the "hold the line position" is compromised by PC1's approach to drystock farming. The winter stocking rate threshold was supported by sufficient evidence to establish that intensity as appropriate for low intensity farming on a farm and regional-scale.

- (f) The rule regime, in particular the minimum farming standards in Schedule C and Farm Environment Plans in Schedule D1 and D2, ensures that changes in the operation of drystock farms will not result in unregulated increase in diffuse discharge of contaminants.
 - (g) The Appellant pleads the approach to objective 4 and the development of Tangata Whenua Ancestral Lands (TWAL) is incompatible with the rule regime for extensive drystock farms. To the extent the relief sought seeks to remove impediments to the development of TWAL, B+LNZ does not oppose that relief. B+LNZ otherwise opposes the relief sought.
 - (h) The relief sought by the Appellant will not provide for an appropriate regulatory framework. Any relief granted should be the most appropriate way to achieve the purpose of the Act, give effect to Te Ture Whaimana, the New Zealand Coastal Policy Statement, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Waikato Regional Policy Statement (Te Tauākī Kaupapa here ā-Rohe), and implement the objectives and policies of the relevant plans, including by supporting and providing for a sustainable and strong rural sector in the Waikato Region that operates while restoring and protecting the Awa.
8. B+LNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



CP Thomsen
Counsel for s 274 party
Beef+Lamb New Zealand Ltd
29 September 2020

This notice was filed by **CHRISTOPHER PAUL THOMSEN**, solicitor for the party of the firm Fletcher Vautier Moore. The address for service of the above-named party is at the offices of Fletcher Vautier Moore, Solicitors, 265A Queen Street, Richmond, Nelson.

Documents for service on the party may be:

- (a) Posted to the solicitor at Fletcher Vautier Moore, Solicitors, P O Box 3029, Richmond, Nelson; or
- (b) Left for the solicitor at a document exchange for direction to DX WC71017, Richmond, Nelson; or
- (c) Transmitted to the solicitor by facsimile to (03) 543 8302 provided original documents are then posted to the solicitor; or
- (d) Sent by email to cthomsen@fvm.co.nz and cluisetti@fvm.co.nz provided original documents are then posted to the solicitor.

Advice

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