



## THE ENVIRONMENT COURT OF NEW ZEALAND

### NOTICE OF MEDIATION

The parties to these proceedings in the attached schedule have been directed to attend court-assisted mediation. The prerogative for setting a date for the mediation lies solely with the Registrar and is made first and foremost in terms of the availability of an Environment Commissioner. Accordingly, this matter has been set down for mediation at the date, time and at the venue specified below:

|        |   |
|--------|---|
| DATE:  | Monday, 28 June 2021 – Friday 2 July 2021                                 |
| TIME:  | 10:00 AM  |
| VENUE: | Fullwood Room, Dunedin Town Hall<br>Moray Place<br>Dunedin<br>03 479 2823 |

#### **Note to Participants:**

A mediation schedule is attached at the end of this Notice. The court is advised by the Council that it has tried to accommodate the parties' availability constraints as best it can. The Council notes, however, that there are some constraints that could not be worked around and there is no day for a particular topic that all prospective persons advised they were available.

Unless leave is granted by the court not to attend participation in the mediation process is mandatory, and each party must participate in person or by a representative. Any application for leave to be excused **must be made in writing** to the Registrar **5 working days** prior to the mediation commencing, giving reasons and be served upon all other participants to the proceedings.

Attached at the rear of this Notice is a Plan Change 8 (Primary Sector) Mediation Schedule. It indicates what days it is expected different PC8 primary sector topics will be dealt with. Best endeavours will be used to maintain the Schedule but because this cannot be guaranteed parties may wish to check on timing with either Jenna Sinclair (027 213 9081) or Anita Dawe (021 445 993) at the Regional Council before attending. Alternatively, Ms Sinclair or Ms Dawe may contact the parties to update them on progress.

Parties are to fill out the attendance form circulated by the registry and return it to the court by **Tuesday 22 June 2021**.

This Notice of Mediation should be read in conjunction with Deputy Commissioner Dunlop's Minute of 27 May 2021.

The Court has released a Practice Note on Alternative Dispute Resolution, which may assist parties in the protocols around the Mediation Process. A copy of this Practice Note can be obtained through this Environment Court Registry.

Information on the Environment Court and the Court's Practice Notes which serve as a guide, are available at [www.justice.govt.nz/courts/environment-court](http://www.justice.govt.nz/courts/environment-court).

If any party has special needs (for example in relation to disability and access, deafness), they are to advise the Court in writing of this not later than 10 working days from the date of the mediation so that appropriate arrangements can be considered.

<https://www.justice.govt.nz/courts/going-to-court/pre/interpreters-language-and-disability-access/>

Should any party wish to contact the Mediator either before or after the mediation, then all contact should be through the Court's Registry.



**Dated at Christchurch Environment Court Registry on 14 June 2021**

A handwritten signature in black ink, appearing to be 'K. Kelly'.

**Karina Kelly**  
**Case Manager - Mediation**  
Direct dial phone: (03) 353 8536  
E-mail address: Karina.Kelly@justice.govt.nz

**ENVIRONMENT COURT**

## **SCHEDULE OF PROCEEDINGS**

1. **Topic:** Provisions and matters raised in submissions on Otago Regional Council Change 8 (primary sector topics)
- Topic Number:** ENV-2020-309-000016
- i. Otago Regional Council  
Other Substantive pursuant to of the Resource Management Act 1991  
Court Reference: ENV-2020-CHC-000128



## LIST OF PARTIES

**TOPIC: Provisions and matters raised in submissions on Otago Regional Council  
Plan Change 8 (primary sector topics)**

| <b>Lodgement:</b>     | <b>ENV-2020-CHC-000128</b>            | <b>Otago Regional Council</b>  |
|-----------------------|---------------------------------------|--|
| Initiator             | Otago Regional Council                | Michelle Mehlhopt, Wynn Williams & Co - Christchurch, P O Box 4341, DX WX11179, Christchurch, michelle.mehlhopt@wynnwilliams.co.nz       |
| Initiator             | Otago Regional Council                | Philip Maw, Wynn Williams & Co - Christchurch, P O Box 4341, DX WX11179, Christchurch, philip.maw@wynnwilliams.co.nz                     |
|                       |                                       |  |
| <b>Topic Parties:</b> |                                       |  |
| Interested Party S274 | Balquhidder Farming Ltd               | Balquhidder Farming Ltd, NO ADDRESS AVAILABLE, rachfrombecks@yahoo.co.nz   |
| Interested Party S274 | Beef and Lamb NZ and Deer Industry NZ | Beef and Lamb NZ and Deer Industry NZ, NO ADDRESS AVAILABLE, lauren.phillips@beeflambnz.com  |
| Interested Party S274 | Blackstone Hill Ltd                   | Blackstone Hill Ltd, NO ADDRESS AVAILABLE, benhore@xtra.co.nz  |
| Interested Party S274 | Clarkson, Elizabeth                   | Elizabeth Clarkson, NO ADDRESS AVAILABLE, lesliedowns@xtra.co.nz   |
| Interested Party S274 | Closeburn Station                     | Closeburn Station, NO ADDRESS AVAILABLE, closeburn@xtra.co.nz  |
| Interested Party S274 | Crutchley, Emma                       | Emma Crutchley, NO ADDRESS AVAILABLE, Kyle.emma@puketoiangus.co.nz   |
| Interested Party S274 | Dairy Holdings Limited (DHL)          | Ben Williams, Chapman Tripp, PO Box 2510, Christchurch 8140, ben.williams@chapmantripp.com   |
| Interested Party S274 | Dairy NZ Limited                      | Dairy NZ Limited, NO ADDRESS AVAILABLE, Carina.ross@dairynz.co.nz  |
| Interested Party S274 | Director-General of Conservation      | Pene Williams, Department of Conservation, PO Box 4715, Christchurch 8140, pwilliams@doc.govt.nz   |
| Interested Party S274 | DOWLING, MF & DA                      | MF & DA DOWLING, NO ADDRESS AVAILABLE, NO EMAIL ADDRESS AVAILABLE  |
| Interested Party S274 | Dunedin City Council                  | Jessica Hardman, Anderson Lloyd, P O Box 13831, L3, Anderson Lloyd House, 70 Gloucester Street, Christchurch 8141, jessica.hardman@al.nz |
| Interested Party S274 | Dunedin City Council                  | Michael Garbett, Anderson Lloyd (Dunedin), Private Bag 1959, DX YP10107, Dunedin 9054, michael.garbett@al.nz                             |
| Interested Party S274 | Federated Farmers of New Zealand      | Kim Reilly, Federated Farmers, PO Box 5242, Dunedin 9058, kreilly@fedfarm.org.nz   |
| Interested Party S274 | Fitzpatrick, Brian                    | Brian Fitzpatrick, NO ADDRESS AVAILABLE, b.fitzpatrick@remarkablespark.com   |
| Interested Party      | Fonterra Co-operative Group           | Fonterra Co-operative Group Limited, NO ADDRESS  |



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|-----------------------|---|--|
| S274                  | Limited   | AVAILABLE,<br>richard.allen2@fonterra.com  |
| Interested Party S274 | Friends of Lake Hayes Society Incorporated          | Richard Bowman (Secretary), Friends of Lake Hayes Society Incorporated, 75 Arrowtown-Lake Hayes Rd, RD1, Queenstown,<br>bowmanz@actrix.co.nz |
| Interested Party S274 | G. F. Dowling Ltd.                                  | G. F. Dowling Ltd., NO ADDRESS AVAILABLE,<br>gerald_angela.dowling@xtra.co.nz  |
| Interested Party S274 | Groundwater, Alistair and Barbara                   | Alistair and Barbara Groundwater, NO ADDRESS AVAILABLE,<br>groundwater@farmside.co.nz  |
| Interested Party S274 | Hokonui Runanga                                     | Sandra McIntyre, Level 1, 258 Stuart Street, Dunedin 9016,<br>sandra@aukaha.co.nz  |
| Interested Party S274 | Horticulture New Zealand                            | Helen Atkins, Atkins Holm Majurey, PO Box 1585, AUCKLAND 1140,<br>Helen.Atkins@ahmlaw.nz   |
| Interested Party S274 | Horticulture New Zealand                            | Louise Ford, Atkins Holm Majurey, PO Box 1585, Shortland Street, Auckland,<br>Louise.Ford@ahmlaw.nz  |
| Interested Party S274 | Kati Huirapa Runaka ki Puketeraki                   | Sandra McIntyre, Level 1, 258 Stuart Street, Dunedin 9016,<br>sandra@aukaha.co.nz  |
| Interested Party S274 | Ken Gillespie                                       | Ken Gillespie, NO ADDRESS AVAILABLE,<br>helen.ken@xtra.co.nz   |
| Interested Party S274 | Lambhill Station                                    | Lambhill Station, NO ADDRESS AVAILABLE,<br>buzzlucy@netspeed.net.nz  |
| Interested Party S274 | Landpro Limited                                     | Landpro Limited, NO ADDRESS AVAILABLE,<br>claire@landpro.co.nz   |
| Interested Party S274 | Lauder Creek Limited                                | Lauder Creek Limited, NO ADDRESS AVAILABLE,<br>james@laudercreek.co.nz   |
| Interested Party S274 | Lower Waitaki Irrigation Company Limited            | Bridget Irving, Gallaway Cook Allan, P O Box 143, DX YP80023, Dunedin 9054,<br>bridget.irving@gallawaycookallan.co.nz                        |
| Interested Party S274 | Lower Waitaki Irrigation Company Limited            | Derek McLachlan, Gallaway Cook Allan, P O Box 143, DX YP80023, Dunedin 9054,<br>derek.mclachlan@gallawaycookallan.co.nz                      |
| Interested Party S274 | McGrouther, Nicola                                  | Nicola McGrouther, NO ADDRESS AVAILABLE,<br>nicola@creeksideconsulting.co.nz   |
| Interested Party S274 | Mt Aspiring Station Limited                         | Mt Aspiring Station Limited, NO ADDRESS AVAILABLE,<br>aspiringstation@gmail.com  |
| Interested Party S274 | New Zealand Deer Farmers Association - Otago Branch | New Zealand Deer Farmers Association - Otago Branch, NO ADDRESS AVAILABLE,<br>Lindsay.Fung@deernz.org  |
| Interested Party S274 | New Zealand Pork Industry Board                     | Helen Atkins, Atkins Holm Majurey, PO Box 1585, Shortland Street, Auckland,<br>Helen.Atkins@ahmlaw.nz  |
| Interested Party S274 | New Zealand Pork Industry Board                     | Louise Ford, Atkins Holm Majurey, PO Box 1585, Shortland Street, Auckland,<br>Louise.Ford@ahmlaw.nz  |
| Interested Party S274 | Ngai Tahu Ki Murihiku                               | Te Ao Marama Incorporated, NO COUNSEL ADDRESS AVAILABLE,<br>office@tami.maori.nz   |
| Interested Party S274 | North Otago Irrigation Company's                    | North Otago Irrigation Company's, NO ADDRESS AVAILABLE,  |



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|-----------------------|--|--|
|                       |  | eanderson@noic.co.nz   |
| Interested Party S274 | Otago Fish and Game Council and the Central South Island Fish and Game Council | Maree Baker-Galloway, Anderson Lloyd (Queenstown), PO Box 201, DX ZP95010, Queenstown, maree.baker-galloway@al.nz                  |
| Interested Party S274 | Phil Murray Resource Management Ltd  | Phil Murray Resource Management Ltd, NO ADDRESS AVAILABLE, philh.murray@xtra.co.nz   |
| Interested Party S274 | Pine Terrace Ltd   | Nicole Dowling, NO COUNSEL ADDRESS AVAILABLE, Nicole.dowling@ravensdown.co.nz  |
| Interested Party S274 | Pomahaka Water Care Group  | Pomahaka Water Care Group, NO ADDRESS AVAILABLE, lloyd@m90fs.co.nz   |
| Interested Party S274 | Puketoi Farming Company Ltd  | Puketoi Farming Company Ltd, NO ADDRESS AVAILABLE, gcrutch2883@gmail.com   |
| Interested Party S274 | Queenstown Lakes District Council  | Janette Campbell, Meredith Connell, PO Box 90750, Auckland 1142, janette.campbell@mc.co.nz   |
| Interested Party S274 | Queenstown Lakes District Council  | Jeremy Wilson, Meredith Connell, PO Box 24546, WELLINGTON 6140, jeremy.wilson@mc.co.nz   |
| Interested Party S274 | Ravensdown Limited (Ravensdown)  | Carmen Taylor, Planz Consultants Limited, PO BOx 1845, Christchurch, carmen@planzconsultants.co.nz                                 |
| Interested Party S274 | RCL Henley Downs Limited   | Michael Holm, Atkins Holm Majurey, PO Box 1585, Shortland Street, Auckland, mike.holm@ahmlaw.nz                                    |
| Interested Party S274 | RCL Henley Downs Limited   | Vicki Morrison-Shaw, Atkins Holm Majurey Limited, P O Box 1585, Shortland Street, Auckland 1140, vicki.morrison-shaw@ahmlaw.nz     |
| Interested Party S274 | Remarkables Park Ltd   | Remarkables Park Ltd, NO ADDRESS AVAILABLE, NO EMAIL ADDRESS AVAILABLE   |
| Interested Party S274 | Royal Forest and Bird Protection Society of New Zealand Incorporated           | Peter Anderson, Royal Forest & Bird Protection Society of NZ Inc., PO Box 2516, Christchurch 8140, P.Anderson@forestandbird.org.nz |
| Interested Party S274 | SEE Enterprises Ltd  | SEE Enterprises Ltd, NO ADDRESS AVAILABLE, elworthyerin@gmail.com  |
| Interested Party S274 | Sole, Matthew  | Matthew Sole, NO ADDRESS AVAILABLE, solem@xtra.co.nz   |
| Interested Party S274 | Springwater Ag Limited   | Springwater Ag Limited, NO ADDRESS AVAILABLE, ray@hugoandbland.co.nz   |
| Interested Party S274 | Stonehenge Station   | Stonehenge Station, NO ADDRESS AVAILABLE, frankiehore@gmail.com  |
| Interested Party S274 | Te Runanga o Ngai Tahu   | Te Runanga o Ngai Tahu , NO ADDRESS AVAILABLE, Treena.davidson@ngaitahu.iwi.nz   |
| Interested Party S274 | Te Runanga o Otakou  | Sandra Mcintyre, Level 1, 258 Stuart Street, Dunedin 9016, sandra@aukaha.co.nz   |
| Interested Party S274 | The Minister for the Environment   | Dhilum Nightingale, Transpower New Zealand Limited, PO Box 1021, Wellington 6140, Dhilum.Nightingale@transpower.co.nz              |
| Interested Party S274 | The Minister for the Environment   | Peter Pevan, NO COUNSEL ADDRESS AVAILABLE, peter.bevan@mfe.govt.nz   |
| Interested Party S274 | The Minister for the Environment   | Rosemary Dixon, Crown Law Office, PO Box 2858, DXSP 20208, Wellington 6140,  |



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|-----------------------|---------------------------------------|---|
|                       |                                       | Rosemary.Dixon@crownlaw.govt.nz   |
| Interested Party S274 | Thompson, William                     | William Thompson, NO ADDRESS AVAILABLE, wjthompson@xtra.co.nz                         |
| Interested Party S274 | Toko Farms                            | Toko Farms, NO ADDRESS AVAILABLE, tokofarms@gmail.com                                 |
| Interested Party S274 | Two Farmers Farming Ltd               | Two Farmers Farming Ltd, NO ADDRESS AVAILABLE, anna@twoff.co.nz                       |
| Interested Party S274 | Vivian and Espie Limited              | Vivian and Espie Limited, NO ADDRESS AVAILABLE, blair@vivanespie.co.nz                |
| Interested Party S274 | WAI Wanaka - Upper Clutha Lakes Trust | Don Robertson, NO COUNSEL ADDRESS AVAILABLE, donandgaye@xtra.co.nz                    |
| Interested Party S274 | Wallace, Logan                        | Logan Wallace, NO ADDRESS AVAILABLE, loganwallace@windowslive.com                     |
| Interested Party S274 | Waterfall Parks Development Ltd       | Warwick Goldsmith, P.O. Box 2366, Wakatipu 9349, warwickgoldsmith@gmail.com           |
| Interested Party S274 | Willowridge Developments Limited      | Benjamin Gresson, Todd & Walker Law, PO Box 124, Queenstown, ben@toddandwalker.com    |
| Interested Party S274 | Willowridge Developments Limited      | Graeme Todd, Todd & Walker Law, PO Box 124, Queenstown 9348, graeme@toddandwalker.com |
| Interested Party S274 | Wise Response Society                 | Wise Response Society, NO ADDRESS AVAILABLE, dugald.mactavish@zoho.com                |



## Plan Change 8 (Primary Sector) Mediation Schedule

| Topic   | Provisions  | Mediation session date  |
|---|---|---|
| Good Farming Practices (Part C)               | New Policy 7.D.9<br>New Definition: Critical source area<br>Deleted Definitions: Feed pad, Sacrifice paddock, Stand off pad   | Monday, 28 June 2021 (am)<br>Note that Policy 7.D.9 is also relevant to the remaining topics so will likely to also be discussed throughout the week. |
| Stock Access to Water (Part E)                | Amended Rule 13.5.1.8A<br>New Definition – Dairy cattle<br>(Note: Policy 7.D.9 may also be discussed).  | Monday, 28 June 2021 (pm) (may run over to Tuesday, 29 June)  |
| Intensive Grazing (Part D)                    | New Rule 14.6.1.1 (land use - permitted)<br>New Rule 14.6.2.1 (land use – discretionary)<br>New Definition – Intensive grazing<br>(Note: Policy 7.D.9 may also be discussed).   | Tuesday, 29 June 2021   |
| Discharge Policies Rural (Part A)             | Amended Policy 7.C.5<br>Amended Policy 7.C.6<br>New Policy 7.C.12<br>Amended Policy 7.D.5<br>New Policy 7.D.6   | Wednesday, 30 June 2021   |
| Sediment Traps (Part F)                       | New Rule 13.5.1.10<br>New Definition – Sediment trap<br>(Note: Policy 7.D.9 may also be discussed).   | Thursday, 1 July 2021   |
| Animal Waste Storage and Application (Part B) | New Policy 7.D.7<br>New Policy 7.D.8<br>Amended Rule 12.C.0.2<br>New Rule 12.C.0.4 (discharge – prohibited)<br>New Rule 12.C.1.4 (discharge – short term permitted)<br>New Rule 12.C.2.5 (discharge – restricted discretionary)<br>New Rule 14.7.1.1 (land use – permitted)<br>New Rule 14.7.1.2 (land use – short term permitted)<br>New Rule 14.7.2.1 (land use – controlled)<br>New Rule 14.7.3.1 (land use – discretionary)<br>New Schedule 18<br>New Schedule 19<br>New Definitions – Dairy Effluent Storage Calculator, Suitably Qualified Person<br>Amended Definition – animal waste system<br>Deleted Definition – agricultural waste<br>(Note: Policy 7.D.9 may also be discussed). | Friday, 2 July 2021   |