

**IN THE ENVIRONMENT COURT
AUCKLAND**

ENV-2020-AKL-000083

**I MUA I TE KOOTI TAIAO
I TĀMAKI MAKAURAU ROHE**

IN THE MATTER of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of section 274 of the RMA

BETWEEN **OJI FIBRE SOLUTIONS (NZ) LIMITED**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

**NOTICE OF FONTERRA CO-OPERATIVE GROUP LIMITED'S
INTENTION TO BE A PARTY TO PROCEEDINGS**

28 SEPTEMBER 2020

**Russell
McLeagh**

Counsel instructed:
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TO: The Registrar
Environment Court
Auckland

FONTERRA CO-OPERATIVE GROUP LTD ("Fonterra") wishes to be a party to an appeal by Oji Fibre Solutions (NZ) Limited ("**Oji**") against the decision of the Waikato Regional Council ("**Council**") on Proposed Plan Change 1 to the Waikato Regional Plan ("**PC 1**").

Nature of interest

1. Fonterra made a submission about the subject matter of these proceedings.
2. Fonterra is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Extent of interest

3. Fonterra is interested in part of the proceedings. The parts of the appeal Fonterra is interested in are set out in **Schedule 1**.

Relief sought

4. Fonterra is interested so as to ensure that any outcomes are consistent with the outcomes sought in Fonterra's appeal and:
 - (a) promote the sustainable management of the natural and physical resources within the Waikato Region, and are therefore consistent with Part 2 and other provisions of the RMA;
 - (b) meet the reasonably foreseeable needs of future generations;
 - (c) enable the social, economic and cultural wellbeing of the people of the Waikato Region;
 - (d) avoid, remedy or mitigate actual or potential adverse effects on the environment; and
 - (e) are the most appropriate way to achieve the objectives of the Waikato Regional Plan in terms of section 32 of the RMA.

Alternative dispute resolution

5. Fonterra agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Service

6. In accordance with the directions in Environment Court decision [2020] NZEnvC 063, this notice will be lodged with the Environment Court via email to WRC.PC1appeals@justice.govt.nz, and copies will be served on the Appellant and on the Waikato Regional Council on PC1Appeals@waikatoregion.govt.nz.

7. Service on other parties will be completed upon the Court uploading a copy of the notice onto the Environment Court's website.

FONTERRA CO-OPERATIVE GROUP LTD by its solicitors and authorised agents Russell McVeagh:



Signature: D J Minhinnick | P G Senior

Date: 28 September 2020

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TO: The Registrar, Environment Court

AND TO: Waikato Regional Council

Advice

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

Schedule 1

Relevant Oji appeal points	Fonterra's interest
Inappropriate to require a "no-effects" bottom line for new or replacement resource consents sought for discharges of contaminants.	Fonterra is interested in this appeal point so as to ensure that any outcomes are consistent with the outcomes sought in Fonterra's appeal.
Policy 11: <ul style="list-style-type: none"> • Fails to appropriately provide for the continued operation and development of industry and infrastructure. • Should recognise that Ture Whaimana o Te Awa o Waikato can be given effect to by providing for the continued operation and development of industry or infrastructure through the achievement of the water quality attribute states in Table 3.11.1. • Fails to reflect the social and economic benefits of new or replacement resource consents for regionally or nationally significant industry or infrastructure. • Should recognise where significant advances have already been made in reducing discharges of the four contaminants. 	Fonterra is interested in this appeal point so as to ensure that any outcomes are consistent with the outcomes sought in Fonterra's appeal.
Policy 12 should not require offsetting / compensation of the residual adverse effects if the Best Practicable Option is already employed.	Fonterra is interested in this appeal point so as to ensure that any outcomes are consistent with the outcomes sought in Fonterra's appeal.