

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

**ENV-2020-AKL-000084**

**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 FONTERRA LIMITED**

Appellant

**AND WAIKATO REGIONAL COUNCIL**

Respondent

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

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FLETCHER VAUTIER MOORE  
LAWYERS  
PO BOX 3029  
RICHMOND 7050

Telephone: (03) 543 8301  
Facsimile: (03) 543 8302  
Email: cthomsen@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:

*Fonterra Limited v Waikato Regional Council*  
ENV-2020-AKL-000084

2. B+LNZ made a submission about the subject matter of the proceedings.
3. B+LNZ is not a trade competitor for the purposes of s 308C or 308A Resource Management Act 1991.
4. B+LNZ is interested in all of the proceedings.
5. B+LNZ is interested in the following particular issues:
  - (a) Relief sought that is inconsistent with its appeal *Beef+Lamb New Zealand v Waikato Regional Council* ENV-2020-AKL-99.
  - (b) 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, including, but not limited to, relief sought in relation to:
    - i. Objective / Te Whaingā 2;
    - ii. Policies / Te Kaupapa Here 1 - 4;
    - iii. Rules 3.11.4.3, 3.11.4.4, 3.11.4.7 and 3.11.4.9; and
    - iv. Schedules B and C.
  - (c) Relief that seeks to amend the plan framework for Commercial Vegetable Production to the extent it impacts on the issues of interest pleaded above.
6. 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, 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 generally 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 path of improvement in the short and long term.
- (e) The relief sought seeks to shift the focus of PC1 away from activities that have disproportionally caused degradation to the Awa to activities that were shown to have a low risk of contributing to further degradation. Those low-risk activities can be undertaken while improving overall water quality through the use of methods in PC1, including Farm Environment Plans and support and recognition for community initiatives, such as catchment groups.
- (f) The provision of Farm Environment Plans is an important part of the move away from a permissive rule regime that led to the degradation of the Awa.
- (g) The Decision's permitted activity regime is effective and efficient in meeting the objectives of PC1 and ultimately giving effect to Te Ture

Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River.

- (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, 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.
7. B+LNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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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](mailto:cthomsen@fvm.co.nz) and [cluisetti@fvm.co.nz](mailto: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.