

**IN THE ENVIRONMENT COURT  
AUCKLAND**

**ENV-2020-AKL-000085**

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

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

**AND**

**IN THE MATTER** of section 274 of the RMA

**BETWEEN**

**WAIPA DISTRICT COUNCIL**

Appellant

**AND**

**WAIKATO REGIONAL COUNCIL**

Respondent

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

**28 SEPTEMBER 2020**

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**Russell  
McLeagh**

**Counsel instructed:**  
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**Solicitors acting:**  
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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 Waipa District Council 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 supports the relief sought by the Appellant in relation to the appeal points set out in Schedule 1 (and to the extent set out in Schedule 1) for the reasons outlined in Fonterra's appeal and because it:
  - (a) will promote the sustainable management of the natural and physical resources within the Waikato Region, and is therefore inconsistent with Part 2 and other provisions of the RMA;
  - (b) will meet the reasonably foreseeable needs of future generations;
  - (c) will enable the social, economic and cultural wellbeing of the people of the Waikato Region;
  - (d) does avoid, remedy or mitigate actual or potential adverse effects on the environment; and
  - (e) is 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](mailto:WRC.PC1appeals@justice.govt.nz), and copies will be served on the Appellant and on the Waikato Regional Council on [PC1Appeals@waikatoregion.govt.nz](mailto: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**

<b>Relevant Waipa District Council appeal points</b>	<b>Fonterra's interest</b>
Changes to Method 3.11.3.3 to make specific provision to ensure: <ul style="list-style-type: none"> <li>• monitoring in relation to point source discharges from regionally significant infrastructure includes consultation with owners and operators;</li> <li>• that monitoring locations will not unfairly restrict the ongoing and future operations; and</li> <li>• that monitoring is undertaken after reasonable mixing.</li> </ul>	While Fonterra supports the need for appropriate provision for point source discharges, it is interested in this appeal point to ensure it remains consistent with the outcomes sought in Fonterra's appeal.
Seeks an amendment to the explanatory note to Table 3.11-1 so that the analysis is based on "analysis of rolling 5-yearly monitoring data."	Fonterra supports the relief sought.
Seek amendments to Table 3.11-1 to specify the pH and temperature for compliance with ammonia targets.	Fonterra supports the relief sought.