

**BEFORE THE ENVIRONMENT COURT / I MUA I TE KOOTI TAIAO O  
AOTEAROA**

**AT AUCKLAND**

**UNDER** the Resource Management Act 1991

**A N D**

**IN THE MATTER** of an appeal under clause 14 of Schedule 1 of the Act

**BETWEEN** **DIRECTOR-GENERAL OF CONSERVATION**

**(ENV - 2020 - AKL - 000096)**

**Appellant**

**WAIKATO REGIONAL COUNCIL**

**Respondent**

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**NOTICE OF WAIRAKEI PASTORAL LIMITED'S  
WISH TO BE PARTY TO APPEAL**

**29 SEPTEMBER 2020**

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**Counsel instructed:**  
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**SECTION 274 NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS BEFORE THE ENVIRONMENT COURT**

**TO: THE REGISTRAR  
ENVIRONMENT COURT  
AUCKLAND**

**WAIRAKEI PASTORAL LIMITED (WPL)** wish to be a party to the appeal by the Director-General of Conservation against the Respondent's decision on Proposed Plan Change 1: Waikato and Waipa River Catchments to the Waikato Regional Plan as amended by Variation 1 (**PC1**).

WPL:

1. Made a submission on PC1 in 2016;
2. Made a submission on Variation 1 to PC1 in 2018;
3. Made a further submission on PC1 as amended by Variation 1 in 2018; and
4. Lodged an appeal on PC1 on 8 July 2020.

WPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).

WPL is interested in the parts of the appeal relating to:

1. Objective 1
2. Objective 2
3. The addition of a new Objective A
4. Policy 1
5. Policy 2
6. Policy 4
7. Method 3.4

8. Rule 4.4
9. Schedule C
10. Schedule D1
11. Schedule D2
12. Table 3.11-1
13. Table 3.11-2

WPL opposes the request to include a separate reference to “ecosystem health” in Objective 1 and Objective 2 as it complicates the drafting while adding nothing given it is already captured by the use of “health and wellbeing of the ... rivers”.

WPL opposes the request for a new Objective A as coastal and estuarine waters are beyond the scope of PC1.

WPL opposes the request to delete Table 3.11-2 and the references to it in Policies 1 and 4 as WPL supports the rationale in the decision for prioritising contaminants in each sub-catchment and focussing priority action accordingly.

WPL supports the relief sought in relation to Policy 2 and agrees with the reasoning in the appeal.

WPL opposes the request that additional attributes be included in the monitoring required under Method 3.4 as it is beyond the scope of PC1.

WPL opposes the request to replace the controlled activity status in Rule 4.4 with restricted discretionary status as controlled activity status is more appropriate.

WPL supports the request to include in Schedule C a statement identifying the multiple environmental benefits achieved from stock exclusion and other riparian management tools.

WPL opposes in part the request to amend the setbacks in Schedule C, particularly the setback from all ephemeral streams which is in direct conflict

with the relief sought in the WPL appeal. WPL considers the decision struck an appropriate balance with the setback distances but remains open to considering alternatives where that can be justified on an effects basis.

WPL supports in part the request to amend Schedule D1 but opposes the requirement to remove “redundant drains” and the suggestion the water quality attribute states will be “achieved” for the reasons set out in the WPL appeal.

WPL supports the request to amend Schedule D2 (with the exception of the suggestion the water quality attribute states will be “achieved” which is opposed for the reasons set out in the WPL appeal) and agrees with the reasoning provided in the appeal.

WPL supports the request to amend the explanatory note to Table 3.11-1 and agrees with the reasoning provided in the appeal.

WPL opposes the request to include new attributes in Table 3.11-1 as it is beyond the scope of PC1.

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

**WAIRAKEI PASTORAL LIMITED**, by its counsel:



**Signature:**

**Date:**

**B S Carruthers**

29 September 2020

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**TO:** Registrar, Environment Court, Auckland

**AND TO:** The Respondent