

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

ENV-2020-AKL-000097

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 **DAIRYNZ LIMITED**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

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

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TO: The Registrar
Environment Court
Auckland

1. Beef+Lamb New Zealand Ltd (B+LNZ) wishes to be a party to the following proceedings:

DairyNZ Limited v Waikato Regional Council

ENV-2020-AKL-000097

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) Any relief sought that is inconsistent with its appeal *Beef+Lamb New Zealand v Waikato Regional Council* ENV-2020-AKL-99.
 - (b) Any 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) Any relief that seeks to amend the plan framework for Commercial Vegetable Interests to the extent it impacts on the issues of interest pleaded above.
6. B+LNZ opposes the relief sought because:

- (a) 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.
- (b) 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 in accordance with Te Ture Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River, 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.
- (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 pathway for improvement in the short and long term.
- (e) The Respondent was provided with significant evidence in support of the stock unit-based approach in PC1 (particularly the permitted and controlled rules).
- (f) The relief sought seeks to shift the focus of PC1 away from activities that have disproportionately 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.

- (g) The Respondent correctly identified that the Decision's permitted activity regime would be effective and efficient in meeting the objectives of PC1 and ultimately giving effect to Te Ture Whaimana.
 - (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 (Te Tauākī Kaupapa here ā-Rohe), 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 while restoring and protecting the Awa.
7. B+LNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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 and 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.