

**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 **Dairy NZ Limited**

Appellant

AND **Waikato Regional Council**

Respondent

**NOTICE OF FARMERS FOR POSITIVE CHANGE INCORPORATED SOCIETY WISH TO BE A PARTY TO
PROCEEDINGS**

29 September 2020

To: The Registrar

Environment Court

Auckland

1. Farmers for Positive Change (F4PC) wishes to be a party to the following proceedings:

Dairy NZ Limited v Waikato Regional Council ENV-2020-AKL-000097

2. F4PC made a submission about the subject matter of the proceedings.
3. F4PC has an interest in the proceedings that is greater than the interest that the general public has because:
 - a) The proceedings seek relief that will impact on the natural and physical resources of the region.
 - b) F4PC is a group of farmers from the sheep and beef, deer and dairy sectors (refer to Appendix One for current committee members) who are environmental award winners and profitable environmental champions within their communities. Its members want to develop positive solutions that work for their farms and communities.
 - c) F4PC has a vision of '*vibrant provincial communities underpinned by resilient pastoral farm businesses utilising the natural resources in a sustainable manner*'.
 - d) The Appeal will impact farmers who F4PC represent and who rely on natural and physical resources to provide for their health and wellbeing.
4. F4PC is not a trade competitor for the purposes of ss308C or 308A of the Resource Management Act 1991.
5. F4PC is interested in all the proceedings.

6. F4PC is particularly interested in the following issues:

- a) Any relief sought that seeks to replace, alter or remove the permitted activity pathway for low intensity farming, including dry stock farming in the hill country.
- b) Any relief sought that seeks to replace, alter or remove the framework that provides for the dry stock farming based on stock units as an alternative to nitrogen leaching loss rates, 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

7. F4PC opposes the relief sought because:

- a) The relief sought by Dairy NZ challenges the enabling of low-intensity farming activities through permitted activity rules. However, PC1, including but not limited to the permitted activity rules, enables people and communities to provide for their health and wellbeing while recognizing the need for a path of improvement for the Waikato and Waipā Rivers and therefore should not be changed.
- b) The relief sought by Dairy NZ does not adequately distinguish those activities that have caused disproportionate degradation from those that are shown to have a low risk nor does it appropriately reflect these differences in the associated objectives, policies and rules.
- c) The relief sought by Dairy NZ questions the validity of the stock unit-based approach in the rule framework. The Council was provided with significant evidence on this approach at the hearing and correctly adopted it in PC1.
- d) The relief sought by Dairy NZ seeks that all FEPs, including those for Permitted Activities, be independently certified. This is inconsistent with F4PC position and experience that FEPs owned by farmers will be more effective as a tool for farmers to use to manage contaminants leaving their farms.

8. F4PC agrees to participate in mediation or alternative dispute resolution of the proceedings.

A handwritten signature in black ink, appearing to be 'R. J. L.', written over a horizontal line.

Chairman for Farmers for Positive Change

29th September 2020

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APPENDIX ONE

Farmers for Positive Change Members:

Rick Burke

Rob Macnab

Robyn Williamson

Graeme Gleeson

James Bailey

Leveson Gower

Heather Gilbert

Bill Garland

David Gow

Steve Borland

Leith Chick

Andrew Jolly

Neil Aicken

Reon Verry

Bob Thompson

Martin Coup