

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAUROA ROHE**

ENV 2020-AKL-000102

IN THE MATTER of Plan Change 1 to the Waikato Regional Plan pursuant
to s 274 Resource Management Act 1991 (RMA)

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND
INCORPORATED**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

(Continued next page)

**NOTICE OF LOCHIEL FARMLANDS LIMITED WISH TO BE PARTY TO
PROCEEDINGS
28 JULY 2020**

Harkness Henry
SPECIALIST LAWYERS

www.harknesshenry.co.nz

Phone (07) 838 2399
Fax (07) 839 4043
Address Level 8, KPMG Centre,
85 Alexandra Street, Hamilton 3204
Mail Private Bag 3077, Hamilton 3240,
New Zealand, DX GP 20015

Section 274 Party Solicitor:
Dr J B Forret
(joan.forret@harkness.co.nz)

Counsel Acting:
P Kaur
(pervinder.kaur@harkness.co.nz)

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

Name of Person who wishes to be Party

- 1 LOCHIEL FARMLANDS LIMITED (**LFL**) wishes to be a party to the following proceedings: Clause 14(1) of First Schedule, RMA 1991, FEDERATED FARMERS OF NEW ZEALAND INCORPORATED's (**FFNZ**) appeal against part of the decision of Waikato Regional Council on Proposed Plan Change 1 – Waikato and Waipa River Catchments to the Waikato Regional Plan as amended by Variation 1 (**PC1**).
- 2 LFL has made a submission about the subject matter of the proceedings.

Trade competition

- 3 LFL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

- 4 LFL is interested in all of the appeal and in particular amendments sought by FFNZ in:
 - (a) Method 3.11.3.6 – Koi carp and Canada geese management;
 - (b) Schedule C – minimum farming standards; and
 - (c) Schedule D1 – requirements for Farm Environment Plans for farming as a permitted activity.

Particular Issues

- 5 The relief sought at:
 - (a) Page 45 of Appendix 1, retain Method 3.11.3.6 and amend Policies 2, 4, 15 and 16, and adopt a new method 3.11.3.2A;

- (b) Page 49 of Appendix 1, amendments sought to rule 3.11.4.3 – permitted activity rule - low intensity farming;
- (c) Page 53 of Appendix 1, amendments sought to rule 3.11.4.4 – controlled activity rule – moderate intensity farming;
- (d) Page 78 – 79 of Appendix 1, amendments sought to Schedule C, in particular amendments relating to stock exclusion; and
- (e) Page 94 of Appendix 1, amendments sought to Schedule D1 part D 6.b and 6.d relating to races, laneways, bridge, and others infrastructure.

Relief sought

- 6 LFL **supports** the relief sought because amendments sought by FFNZ are consistent with the relief sought by LFL.
- 7 PC1 sets out a restrictive regulatory approach regarding farming and lacks a constructive analysis of farming practicalities. The relief sought by FFNZ sufficiently covers the LFL's concerns and seeks appropriate amendments to ensure the operative version of the PC1 is coherent and in line with the plan.
- 8 Such other consequential or alternative relief by way of amendments to the provisions of PC1 that address the grounds pleaded in the appeal.

Dispute resolution

- 9 LFL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED: 28 July 2020



Dr J B Forret and P Kaur
Counsel for LOCHIEL FARMLANDS LIMITED

Address for service of Person wishing to be a Party

Company/Organisation: Harkness Henry Lawyers

Telephone: 07 838 2399

Fax: 07 839 4043

Contact person:

Dr J B Forret

Joan.forret@harkness.co.nz

07 834 4662

P Kaur

Pervinder.kaur@harkness.co.nz

07 834 6673

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.