

**I MUA I TE KOOTI TAIAO O AOTEAROA  
TĀMAKI MAKAU RAU**

**ENV-2020-AKL**

**BEFORE THE ENVIRONMENT COURT  
AUCKLAND REGISTRY**

**UNDER** the Resource Management Act 1991 (the **RMA**)

**AND**

**IN THE MATTER** of an appeal under clause 14(1), Schedule 1 of  
the RMA in respect of Plan Change 1 to the  
Waikato Regional Plan

**AND**

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

**BETWEEN** **THE APPELLANTS LISTED AT PARAGRAPH 1  
OF THIS NOTICE**

Appellants

**AND**

**WAIKATO REGIONAL COUNCIL**

Respondent

---

**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS BY THE  
WAIKATO RAUPATU RIVER TRUST, RAUKAWA CHARITABLE  
TRUST, TE ARAWA RIVER IWI TRUST, TŪWHARETOA MĀORI  
TRUST BOARD AND MANIAPOTO MĀORI TRUST BOARD  
("WAIKATO AND WAIPĀ RIVER IWI")**

**29 SEPTEMBER 2020**

---



M M E Wikaira  
027 646 7797  
[maia@whaialegal.co.nz](mailto:maia@whaialegal.co.nz)  
PO Box 910, WGTN 6140  
[www.whaialegal.co.nz](http://www.whaialegal.co.nz)



J P Ferguson  
021 489 478  
[jamie@kahuilegal.co.nz](mailto:jamie@kahuilegal.co.nz)  
PO Box 1654, WGTN 6140  
[www.kahuilegal.co.nz](http://www.kahuilegal.co.nz)

**TO: The Registrar  
Environment Court  
Auckland**

**AND TO: The Appellants**

**AND TO: The Respondent**

1. The Waikato and Waipā River Iwi (**Iwi Co-Governors**<sup>1</sup>) wish, pursuant to section 274 of the RMA, to be a party to each of the following appeal proceedings concerning the decision of the Waikato Regional Council (**WRC**) in Plan Change 1 (**WRC Decision**):

- (a) *OJI Fibre Solutions (NZ) Ltd v WRC* (ENV-2020-AKL-83);
- (b) *Fonterra Ltd v WRC* (ENV-2020-AKL-84);
- (c) *Waipā District Council v WRC* (ENV-2020-AKL-85);
- (d) *Taupō District Council v WRC* (ENV-2020-AKL-86);
- (e) *Horticulture NZ v WRC* (ENV-2020-AKL-87);
- (f) *Iwi of Hauraki v WRC* (ENV-2020-AKL-88);
- (g) *Waikato Regional Council v WRC* (ENV-2020-AKL-89);
- (h) *Waikato River Authority v WRC* (ENV-2020-AKL-90);
- (i) *Hamilton City Council v WRC* (ENV-2020-AKL-91);
- (j) *South Waikato District Council v WRC* (ENV-2020-AKL-92);
- (k) *Ballance Agri-Nutrients Limited v WRC* (ENV-2020-AKL-93);

---

<sup>1</sup> This is the term used to describe the Waikato and Waipā River Iwi in the WRC Decision (Vol 1, paragraph 76). It is used in this section 274 notice for consistency.

- (l) *Royal Forest and Bird Protection Society of NZ Inc v WRC* (ENV-2020-AKL-94);
- (m) *Mercury NZ Limited v WRC* (ENV-2020-AKL-95);
- (n) *Director-General of Conservation v WRC* (ENV-2020-AKL-96);
- (o) *DairyNZ Ltd v WRC* (ENV-2020-AKL-97);
- (p) *Wairakei Pastoral Ltd v WRC* (ENV-2020-AKL-98);
- (q) *Beef & Lamb NZ Ltd v WRC* (ENV-2020-AKL-99);
- (r) *Auckland Waikato and Eastern Fish and Game Council v WRC* (ENV-2020-AKL-101);
- (s) *Federated Farmers of NZ Inc v WRC* (ENV-2020-AKL-102);
- (t) *Landcorp Farming Ltd v WRC* (ENV-2020-AKL-147);
- (u) *Pukekohe Vegetable Growers Assn v WRC* (ENV-2020-AKL-148); and
- (v) *Lochiel Farmlands Limited v WRC* (ENV-2020-AKL-149).

### **Nature of Interest**

2. The Iwi Co-Governors made a submission and a further submission on Plan Change 1.
3. The Iwi Co-Governors have appealed Plan Change 1 (ENV-2020-AKL-100).
4. The Iwi Co-Governors also have an interest in the proceedings that is greater than the interest of the general public:
  - (a) The Iwi represented by the Iwi Co-Governors have significant and culturally important associations with

the Waikato and Waipā Rivers, which are acknowledged by the Crown and in legislation.

- (b) To address the long-held grievances of those Iwi regarding the continued degradation of the Waikato and Waipā Rivers, the Crown and the Iwi agreed on a new co-governance and co-management framework for the Rivers centred on Te Ture Whaimana, which is now enshrined in the Waikato and Waipā River Settlement Legislation.<sup>2</sup>
- (c) Pursuant to Waikato and Waipā River Settlement Legislation, the Iwi Co-Governors participated jointly in the development of Plan Change 1 as co-governors and co-managers of the Waikato and Waipā Rivers.<sup>3</sup>
- (d) The Iwi Co-Governors were joint members, together with the Council, of:
  - (i) Te Rōpū Hautū, the working party established to provide management oversight of the Plan Change 1 project; and
  - (ii) the Healthy Rivers Wai Ora Committee, which decided jointly on the final recommendation to the Council on the content of Plan Change 1 to be notified.

### **Extent of interest**

- 5. The Iwi Co-Governors are not a trade competitor for the purpose of section 308C of the RMA.

---

<sup>2</sup> Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (**Waikato River Act**), Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (**Upper Waikato River Act**), and Ngā Wai o Maniapoto (Waipā River) Act 2012 (**Waipā River Act**).

<sup>3</sup> Waikato River Act, s 46; Upper Waikato River Act, s 48; and Waipā River Act, s 22.

6. The nature and extent of the Iwi Co-Governors' interest as a party to each of the appeal proceedings identified in paragraph 1 above, together with Iwi Co-Governors' position on each appeal, are set out in the **Appendix** to this Notice.

**Alternative Dispute Resolution**

7. The Iwi Co-Governors agree to participate in mediation or other alternative dispute resolution in respect of the proceedings.

**DATED** this 29<sup>th</sup> day of September 2020



---

**M M E Wikaira / J P Ferguson**  
Counsel for the Iwi Co-Governors

**Address for Service**

Maia Wikaira  
Whāia Legal  
PO Box 910  
Wellington 6140

**Telephone**

027 646 7797

**Email**

[maia@whaialegal.co.nz](mailto:maia@whaialegal.co.nz)

**Advice**

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

## APPENDIX:

### DETAILS OF SECTION 274 PARTY INTEREST IN EACH IDENTIFIED APPEAL

#### A. Overarching Position on Identified Appeals:

1. While the Iwi Co-Governors are interested particularly in the amendments sought in respect of the PC1 provisions that are listed in the table below, they are interested in all aspects of the appeals identified in paragraph 1 of this section 274 notice.
2. In addition to the specific reasons set out in the table below, the Iwi Co-Governors are interested in the relief sought in each of the identified appeals for the general reasons outlined in the Iwi Co-Governors' notice of appeal (ENV-2020-AKL-100), including that the Iwi Co-Governors:
  - (a) support, and seek to ensure that the operative provisions of PC1 properly reflect, and do not undermine, the aspects of the WRC decision identified in paragraph 8 of the Iwi Co-Governors' notice of appeal (**WRC Core Decisions**);
  - (b) oppose, and seek to remove or amend, those aspects of PC1 that:
    - (i) as identified in paragraph 11 of the Iwi Co-Governors' notice of appeal, do not achieve, or that undermine, the WRC Core Decisions;
    - (ii) as identified in paragraphs 12 to 14 and 28 of the Iwi Co-Governors' notice of appeal, comprise new permissive rules and policies which undermine the 'hold the line position' and the Tangata Whenua Ancestral Land (**TWAL**) provisions supported by the Iwi Co-Governors;
    - (iii) as identified in paragraphs 15 to 16 of the Iwi Co-Governors' notice of appeal, comprise rules and policies which provide for the expansion of Commercial Vegetable Production (**CVP**) as a discretionary activity in certain sub-catchments;
    - (iv) as identified in paragraphs 17 to 21 of the Iwi Co-Governors' notice of appeal, comprise an additional and unnecessary restrictive objective within the provisions relating to the development of TWAL; and
    - (v) as identified in paragraphs 22 to 27 of the Iwi Co-Governors' notice of appeal, remove the end date for the non-complying activity rule for land use change.
  - (c) seek the further specific amendments to objectives, policies and rules in the WRC Decision version of PC1 that are set out in the tables in Appendices One and Two of the Iwi Co-Governors' notice of appeal.
3. In respect of the specific reasons identified in the table below, any statements regarding opposition or support should be read alongside the matters set out in the Iwi Co-Governors' notice of appeal.

**B. Position on each Identified Appeal:**

Appellant	Provision(s)	Oppose/Support and Reasons
OJI Fibre Solutions (ENV-2020-AKL-83)	Objective 3; Policy 2(c); Policy 10; Policy 11; Policy 12; Policy 19; Rule 3.11.4.9	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of matters requiring additional comment:</p> <ul style="list-style-type: none"> <li>• Oppose new Policy 10 - PC1 currently strikes an appropriate balance by signalling the intention to move to an allocation regime in future, without favouring a particular allocative mechanism such as land suitability.</li> <li>• Support the re-instatement of the end date associated with Rule 3.11.4.9. Also interested in additional relief sought regarding Rule 3.11.4.9, which is relevant to, and has implications on, the Iwi Co-Governors' appeal position.</li> </ul>
Fonterra (ENV-2020-AKL-84)	Objectives 1, 2, Policies 1, 2, 4, Method 3.11.3.3, Rule 3.11.4.4, 3.11.4.7, 3.11.4.9, Schedule B, Schedule D1 (Parts B, C, D8, D10, E(b)) Schedule D2.	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of matters requiring additional comment:</p> <ul style="list-style-type: none"> <li>• Objective 1 - Support providing clarity around what constitutes a "wetland" in PC1, but oppose inclusion of definitions within objectives.</li> <li>• Policies 2 and 4, Rules 3.11.4.3 Rule 3.11.4.4 and Schedule B - Agree further work is required to re-calibrate the nitrogen leach loss rates in Table 1 of Schedule B to determine "low", "moderate" and "high" intensity farming; and ensure that there is equivalency between wintered stock unit/hectare and nitrogen leach loss rate, and nitrogen leach loss rates as a proxy for farming intensity. Interested in making sure PC1 does not focus solely on nitrogen discharges.</li> <li>• Method 3.11.3.3 - The freshwater accounting system is fundamental to monitoring success of freshwater objectives and will provide the information platform to develop future plan changes to give effect to Te Ture Whaimana. Amendments to dilute the utility of any freshwater accounting system are opposed.</li> <li>• Rule 3.11.4.9 - Support the re-instatement of the end date associated with Rule 3.11.4.9. Also interested in additional relief sought regarding</li> </ul>

Appellant	Provision(s)	Oppose/Support and Reasons
		<p>Rule 3.11.4.9, which is relevant to, and has implications on, the Iwi Co-Governors' appeal position.</p> <ul style="list-style-type: none"> <li>All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>
<p>Waipā District Council (ENV-2020-AKL-85)</p>	<p>Objectives 1 and 3, Policies 12, 19, Table 3.11-1 (Table 3.11.1 and Footnote 7)</p>	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana. The appeal also proposes amendments to Table 3.11-1: Interested in any amendment to the short-term numeric water quality values in Table 3.11-1 that impacts the ability to give effect to Te Ture Whaimana.</p>
<p>Taupō District Council (ENV-2020-AKL-86)</p>	<p>Policy 12 and Definition: 'Regionally Significant Infrastructure'</p>	<p>Oppose proposed amendments to Policy 12 and definition of 'Regionally Significant Infrastructure'. There is a risk of significantly weakening the implementation of Te Ture Whaimana for point source discharges if municipal stormwater systems and networks are considered regionally significant infrastructure.</p>
<p>Hort NZ (ENV-2020-AKL-87)</p>	<p>Policy 3, Rules 3.11.4.2, 3.11.4.5, 3.11.4.7, 3.11.4.8, 3.11.4.9, Schedule B, Schedule D2 (Part C), Definition: 'Property'</p>	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of matters requiring additional comment:</p> <ul style="list-style-type: none"> <li>Rules 3.11.4.2, 5, 7 and 8 - Support rules being focused on land use, rather than discharge permits.</li> <li>Rule 3.11.4.9 – Support the re-instatement of the end date associated with Rule 3.11.4.9. Also interested in additional relief sought regarding Rule 3.11.4.9, which is relevant to, and has implications on, the Iwi Co-Governors' appeal position.</li> <li>All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> <li>Definition: Property – Do not consider amending the definition of property is an appropriate way to address the management of rotation.</li> </ul>



Appellant	Provision(s)	Oppose/Support and Reasons
Iwi of Hauraki (ENV-2020-AKL-88)	'Background and Explanation' and 3.11.1 (Values and Uses for the Waikato and Waipā Rivers); Objective 4; the general proposal in respect of 3.11.2 - Policies <sup>4</sup> ; Policy 7; Policy 18; Rule 3.11.4.9; Definition: 'Tangata Whenua Ancestral Lands' and reference to 'River Iwi and other iwi' <sup>5</sup> ; new rule 3.11.4.10; and consequential amendments to the Waikato Regional Plan.	Generally support the relief sought, acknowledging that certain matters fall outside the scope of RMA proceedings, being matters for which discussion between Iwi of Hauraki and the Crown remains ongoing. In respect of matters requiring additional comment: <ul style="list-style-type: none"> <li>• Objective 4(c) – Oppose the proposed amendment in respect of Objective 4(c).</li> <li>• Policy 7 – Interested in any proposed amendments in respect of Policy 7.</li> </ul>
Waikato Regional Council (ENV-2020-AKL-89)	Schedule C 1(b); Schedule D1 Parts C3(b), D5(a),(b), 7(a), D5(e), E(a); Schedule D2 Part C2(a); Definitions: General,	All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.
Waikato River Authority (ENV-2020-AKL-90)	Objective 1; Schedule C; Table 3.11-1(d); and Method 3.11.3.1.	Regarding Objective 1, support providing clarity around what constitutes a "wetland" in PC1, but oppose inclusion of definitions within objectives. In respect of lakes, lack of appropriate detailed information led to PC1 requiring the development of lake specific plans instead of specific standards and limits. Where such information can be produced, support PC1 providing: <ul style="list-style-type: none"> <li>• minimum farming standards that are suitable for lakes and wetlands (Schedule C).</li> <li>• short-term water quality limits for lakes (Table 3.11-1 and Method 3.11.3.1).</li> </ul>
Hamilton City Council (ENV-2020-AKL-91)	Policy 13(d).	Oppose amendment to provide for offset measures to be staged. The amendment has the potential to enable residual adverse effects to occur for a period of time pending the implementation of offset activities. This delay is inconsistent with Te Ture Whaimana.

<sup>4</sup> Including any amended policies consequently sought by Iwi of Hauraki to address the matters raised in their appeal.

<sup>5</sup> Acknowledging that the Iwi Co-Governors understand that the reference to 'River iwi and other iwi' has been removed in the WRC Decision version of PC1.

<b>Appellant</b>	<b>Provision(s)</b>	<b>Oppose/Support and Reasons</b>
South Waikato District Council (ENV-2020-AKL-92)	Policy 12.	Oppose proposed amendments to Policy 12. There is a risk of significantly weakening the implementation of Te Ture Whaimana for point source discharges.
Ballance Agri-Nutrients (ENV-2020-AKL-93)	Schedule B.	Generally support amendments, given seeking to clarify provisions in response to new versions of Overseer and the approval process for Overseer alternatives.
Forest and Bird (ENV-2020-AKL-94)	Objective 1, Policy 13	Objective 1 and Policy 13 - Interested in any amendment to the 2096 timeframe to achieve the 80-year water quality attributes states set out in Table 3.11-1 that impacts the ability to give effect to Te Ture Whaimana.
Mercury NZ (ENV-2020-AKL-95)	Policy 12.	Interested in Mercury's proposal to remove the reference to "damming or diversion of water" in Policy 12 of PC1. Damming and diversion activities cause a major shift in water quality in the river. They have a significant impact on the response time between implementation land management improvement and measuring water quality improvement. Any change to the policy will have significant implications for the Waikato River mainstem, in particular.
Director-General of Conservation (ENV-2020-AKL-96)	Objective 1 and 2; Policies 1, 4, 15; Method 3.11.3.3, Rule 3.11.4.3, Schedule B, Schedule C, Schedule D1 (Part B, Part B (new 9A), Part E(a)), Schedule D2 (Part B), Part D(1),(3),(4),(5),(6),(7), Table 3.11-1	<ul style="list-style-type: none"> <li>• Objectives 1 &amp; 2 – The proposed amendments raise the issue of scope; a matter relevant to implementing Te Ture Whaimana.</li> <li>• Policies 1 and 4 – Oppose the removal of Table 3.11-2.</li> <li>• Rule 3.11.4.3 –Interested in amendments to the permitted activity status for low intensity farming, regarding the ability for those amendments to impact on achieving Te Ture Whaimana.</li> <li>• All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>
DairyNZ (ENV-2020-AKL-97)	Objectives 1, 2 and 3, Policy 1, new Policy 2, new Policy 4, Methods 3.11.3, 3.11.3.2 and 4.11.3.4, Rules 3.11.4.2 and 3.11.4.4, 3.11.4.7, 3.11.4.9,	Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana. In respect of matters requiring additional comment:

Appellant	Provision(s)	Oppose/Support and Reasons
	Schedule B, Schedule D1 (Parts C, D8, D10, E(b))	<ul style="list-style-type: none"> <li>● Objective 1 - Support drafting of a definition for “water bodies within the Waikato and Waipā River catchments”; Te Ture Whaimana must apply to all water bodies within the Waikato and Waipā River catchments.</li> <li>● Policy 1 - Oppose the removal of “low intensity farming”. PC1 must appropriately classify what is termed as “low intensity farming” by utilising the correct wintered stock unit/hectare and/or nitrogen leach loss rate as a proxy for intensity.</li> <li>● Policies 2 and 4, Rules 3.11.4.2, 3.11.4.3 and 3.11.4.4, Schedule B - Agree further work is required to re-calibrate the nitrogen leach loss rates in Table 1 of Schedule B to determine “low”, “moderate” and “high” intensity farming; and ensure that there is equivalency between wintered stock unit/hectare and nitrogen leach loss rate, and nitrogen leach loss rates as a proxy for farming intensity. Interested in making sure PC1 does not focus solely on nitrogen discharges and concerned to ensure that nitrogen leaching loss rates are not inappropriately used as a tool to enforce compliance.</li> <li>● Method 3.11.3.3 – The freshwater accounting system is fundamental to monitoring success of freshwater objectives and will provide the information platform to develop future plan changes to give effect to Te Ture Whaimana. Amendments to dilute the utility of any freshwater accounting system are opposed.</li> <li>● All Schedules - Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> <li>● Rule 3.11.4.9 – Support the re-instatement of the end date associated with Rule 3.11.4.9. Also interested in additional relief sought regarding Rule 3.11.4.9, which is relevant to, and has implications on, the Iwi Co-Governors’ appeal position.</li> </ul>
Wairākei Pastoral (ENV-2020-AKL-98)	Objectives 1 and 2, Policies 2, 4, 5, 7, 8, 10, 16, 19, Rules 3.11.4.2, 3.11.4.4, 3.11.4.7, 3.11.4.9, New discretionary	Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana. In respect of matters requiring additional comment:

Appellant	Provision(s)	Oppose/Support and Reasons
	activity rule, Schedule B(2), Schedule D1 (Parts C, D), Schedule D2, Part B,	<ul style="list-style-type: none"> <li>Objective 1 - Support drafting of a definition for “water bodies within the Waikato and Waipā River catchments”; Te Ture Whaimana must apply to all water bodies within the Waikato and Waipā River catchments.</li> <li>All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>
Beef & Lamb NZ (ENV-2020-AKL-99)	Policies 1, 4(c), 5, Schedule C1, Schedule D1 (Parts D4(b), D5(b),(c), Schedule D2	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of matters requiring additional comment:</p> <ul style="list-style-type: none"> <li>Schedule C(1) and Schedule D1 Part D(5)(b) and (c), Schedule D1 Part D(4)(b) - The Iwi Co-Governors are interested in ensuring a consistent approach is adopted in PC1 to reduce the discharge of contaminants by managing livestock in proximity to water bodies and identifying and managing critical source areas.</li> <li>All Schedules - Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>
Fish and Game (ENV-2020-AKL-101)	Objectives 1, 2, 3, 5, Policies 1, 2, 3, 4, 5, 15, 16, 11, 19, Method 3.11.3.3, Rule 3.11.4.3, Schedule B, Schedule C, Schedule D1 (Parts D(9A), E(b), Schedule D2 (Parts B and C), Definition: ‘Property’, ‘water bodies’, Table 3.11.6, Table 3.11-1, Table 3.11-3	<ul style="list-style-type: none"> <li>Objectives 1, 2, 3 &amp; 5, Policies 1, 3, 11, 16 and 19 – The proposed amendments raise the issue of scope; a matter relevant to implementing Te Ture Whaimana.</li> <li>Policy 1 - Generally agree that a clearer quantifiable link between management actions and water quality outcomes is required.</li> <li>Policy 2 –Interested in the full range of amendments proposed to P2 some of which are supported and some of which are not.</li> <li>Method 3.11.4.3 –Interested in amendments to the accounting system and monitoring.</li> <li>Rule 3.11.4.3 – Interested in amendments to the permitted activity status for low intensity farming, regarding the ability for those amendments to impact on achieving Te Ture Whaimana.</li> </ul>

Appellant	Provision(s)	Oppose/Support and Reasons
		<ul style="list-style-type: none"> <li>All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>
<p>Federated Farmers (ENV-2020-AKL-102)</p>	<p>Objectives: 1-5, Policies: 1, 2, 4, 5, 7, 10, 15, 17, 19, Methods: 3-5, Rules: 3.11.4.2, 3.11.4.3, 3.11.4.4, 3.11.4.6, 3.11.4.9, New Rules: 3.11.4.3A, 3.11.4.7A, Schedules: B2, B3, B (Table 1), C, D1, D2, E (new) and the definitions of:</p> <ul style="list-style-type: none"> <li>annual stocking rate;</li> <li>critical source area;</li> <li>diffuse discharges;</li> <li>farming enterprise;</li> <li>intermittent water body (new);</li> <li>microbial pathogen;</li> <li>setback;</li> <li>stock unit;</li> <li>slope; and</li> <li>winter stocking rate.</li> <li>Table 3.11-1.</li> </ul>	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of matters requiring additional comment:</p> <ul style="list-style-type: none"> <li>Policy 1 - Interested in the general improvement in farming practice at both the catchment and farm level.</li> <li>Policy 2 - Agree that the framework for considering actions required under FEPs must be clear. Interested in making sure PC1 does not focus solely on nitrogen discharges.</li> <li>Policy 4 - Interested in the method by which FEPs are developed and the reduction of contaminant discharges in a manner consistent with Tables 3.11-1 and 3.11-2.</li> <li>Policy 7 - Interested in any proposed amendments in respect of Policy 7.</li> <li>Policy 10 - PC1 currently strikes an appropriate balance by signalling the intention to move to an allocation regime in future, without favouring a particular allocative mechanism such as land suitability.</li> <li>Methods 3 and 4 – Interested in amendments to the accounting system; oppose the deletion of monitoring requirements.</li> <li>Method 5 - Support collaboration for research on the best practice guidelines to reduce diffuse discharges.</li> <li>Rule 3.11.4.9 – Support the re-instatement of the end date associated with Rule 3.11.4.9. Also interested in additional relief sought regarding Rule 3.11.4.9, which is relevant to, and has implications on, the Iwi Co-Governors’ appeal position.</li> <li>All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.</li> </ul>

Appellant	Provision(s)	Oppose/Support and Reasons
		<ul style="list-style-type: none"> <li>• Definition of 'annual stocking rate' - An annual stocking rate should be retained, as it includes the impacts of winter grazing.</li> <li>• Definition of 'critical source area' and 'diffuse discharges' - The definitions of 'critical source area' and 'diffuse discharges' should be kept consistent with the drafting of Plan Change 1.</li> <li>• New definitions - Interested in maintaining consistency of language and concise interpretation between new and existing definitions.</li> </ul>
Landcorp (ENV-2020-AKL-147)	Policy 2; Schedule D1 (parts D4(b) and D5(b)) and the definition of 'property'.	Interested in all of the amendments proposed. As a general comment, the amendments as currently drafted, are ambiguous. Re-drafting is required to provide clarity to plan users.
Pukekohe VGA (ENV-2020-AKL-148)	Rule 3.11.4.2; Rules 3.11.4.5 – 3.11.4.8; and Schedule C.	<p>Generally oppose the relief sought on the basis that it is inconsistent with the Core Decisions and Te Ture Whaimana.</p> <p>In respect of other particular matters arising from the appeal:</p> <ul style="list-style-type: none"> <li>• Oppose amendment to Rules 3.11.4.2 &amp; Rules 3.11.4.5 – 3.11.4.8 that proposes each rule relate to discharges associated with an activity, as opposed to land use.</li> <li>• Oppose proposal to remove artificial drains or CVP from Schedule C on the basis that it is inconsistent with Te Ture Whaimana.</li> </ul>
Lochiel Farmlands (ENV-2020-AKL-149)	Schedule C: 1(b), 5(a); and Schedule D1: 5(b), 4(b), 6(b), 6(d).	All Schedules – Concerned to ensure the schedule provisions regarding farming controls, measures and standards, are effective, linked to relevant policies and include the necessary direction to reduce contaminant discharges, to give effect to Te Ture Whaimana.