

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

ENV-2020-AKL-000098

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 **WAIRAKEI PASTORAL 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:

Wairakei Pastoral Limited v Waikato Regional Council
ENV-2020-AKL-000098

2. B+LNZ made a submission about the subject matter of the proceedings.
3. B+LNZ 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) B+LNZ are a representative body that promote sustainable farming practices and develop and implement programmes aimed at improving farming systems.
 - (c) The Appeal will impact farmers who B+LNZ represent and who rely on natural and physical resources to provide for their health and well-being.
4. B+LNZ is not a trade competitor for the purposes of s 308C or 308A Resource Management Act 1991.
5. B+LNZ is interested in all of the proceedings.
6. B+LNZ is interested in the following particular issues:
 - (a) Any relief sought that seeks to or will amend PC1 as it applies to low intensity farming.
 - (b) Any relief sought that is inconsistent with its appeal *Beef+Lamb New Zealand v Waikato Regional Council* ENV-2020-AKL-99.
7. B+LNZ opposes in part the relief sought because:

- (a) B+LNZ supports the findings of the Respondent that the Decisions version of PC1 provides for restoration and protection of the Waikato and their tributaries, 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.
- (b) 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.
- (c) It opposes any relief sought that is inconsistent with B+LNZ's appeal on the grounds set out in that appeal.
- (d) 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 o Te Awa o Waikato / Vision and Strategy for the Waikato River, the New Zealand Coastal Policy Statement, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement, 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 that operates while restoring and protecting the Awa.
- (e) B+LNZ opposes any relief that either:
 - i. Seeks to amend PC1 to the extent that it changes the way PC1 provides for low-intensity farming activities. PC1 appropriately provides for those activities and enables people and communities to provide for their wellbeing while at the same time recognising the Awa are degraded and ensuring that there is no further degradation, alongside a pathway for improvement in the short and long term; or
 - ii. Leads to an outcome that does not give effect to the restoration and protection requirements of Te Ture Whaimana.
- (f) In particular, without limiting the generality of the pleading above:

- i. B+LNZ opposes relief sought seeking to amend policy 4 and rules 3.11.4.3 and 3.11.4.4 to alter or remove the reference to a winter stocking rate of 18 stock units per hectare on the basis that intensity of a farming operation is an appropriate proxy for risk.
 - ii. B+LNZ opposes the relief seeking to remove or replace Land Use Capability (LUC) class mapping with a slope standard because use and identification of LUC class improves management of diffuse discharges by enhancing understanding of land characteristics in a readily auditable way.
 - iii. B+LNZ opposes the relief sought to Schedule D (requirements for Farm Environment Plans) on the grounds that the schedule provides an appropriate effects-based approach to minimum standards for Farm Environment Plans, except to the extent that it agrees that if the intent of the decision cited at paragraph 81c of the appeal is not achieved, some amendments may be required.
8. B+LNZ supports in principle the relief sought seeking to clarify and improve consistency in the drafting of PC1.
9. 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.