

**IN THE ENVIRONMENT COURT
AUCKLAND**

ENV-2020-AKL-000100

**I MUA I TE KOOTI TAIAO
I TĀMAKI MAKAURAU ROHE**

IN THE MATTER of the Resource Management Act 1991 ("RMA")

AND

IN THE MATTER of section 274 of the RMA

BETWEEN

WAIKATO AND WAIPA RIVER IWI

Appellant

AND

WAIKATO REGIONAL COUNCIL

Respondent

AND

DAIRY NZ LIMITED

s274 party

**NOTICE OF DAIRY NZ LIMITED'S
INTENTION TO BE A PARTY TO PROCEEDINGS**

29 SEPTEMBER 2020

Counsel acting:
P Lang
Riverbank Chambers
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Hamilton
021 870 660
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TO: The Registrar
Environment Court
Auckland

DAIRY NZ LIMITED ("Dairy NZ") wishes to be a party to an appeal by the Waikato and Waipa River Iwi against the decision of the Waikato Regional Council ("**Council**") on Proposed Plan Change 1 to the Waikato Regional Plan ("**PC 1**").

Nature of interest

1. Dairy NZ made a submission about the subject matter of these proceedings.
2. Dairy NZ is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Extent of interest

3. Dairy NZ is interested in part of the proceedings. The parts of the appeal Dairy NZ is interested in are set out in **Schedule 1**.

Relief sought

4. Dairy NZ is interested so as to ensure that any outcomes are consistent with the outcomes sought in Dairy NZ's appeal and:
 - (a) promote the sustainable management of the natural and physical resources within the Waikato Region, and are therefore consistent with Part 2 and other provisions of the RMA;
 - (b) meet the reasonably foreseeable needs of future generations;
 - (c) enable the social, economic and cultural wellbeing of the people of the Waikato Region;
 - (d) avoid, remedy or mitigate actual or potential adverse effects on the environment; and
 - (e) are the most appropriate way to achieve the objectives of the Waikato Regional Plan in terms of section 32 of the RMA.

Alternative dispute resolution

5. Dairy NZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.

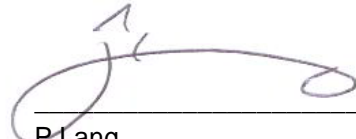
Service

6. In accordance with the directions in Environment Court decision [2020] NZEnvC 063, this notice will be lodged with the Environment Court via email to WRC.PC1appeals@justice.govt.nz, and copies will be served on the Appellant and on the Waikato Regional Council on PC1Appeals@waikatoregion.govt.nz.

7. Service on other parties will be completed upon the Court uploading a copy of the notice onto the Environment Court's website.

DAIRY NZ LIMITED by its counsel Philip Lang:

Signature:



P Lang

Date:

29 September 2020

Address for Service:

P Lang
Riverbank Chambers
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PO Box 19549
HAMILTON

Telephone:

021 870 660

Email:

p.lang@xtra.co.nz

TO:

The Registrar, Environment Court

AND TO:

Waikato Regional Council

Advice

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

Schedule 1

Relevant Waikato and Waipa River Iwi appeal points	Dairy NZ's interest
<p>Concern that water quality outcomes and the 'hold the line' approach of PC1 has been undermined by provision for the expansion of commercial vegetable production and intensification of drystock farming. Changes to Policy 2, Rule 3.11.4.1, Schedules B, C, D1 and D2 on the basis that these will not achieve the 20% improvement.</p>	<p>Dairy NZ is interested in this appeal point to ensure it remains consistent with the outcomes sought in Dairy NZ's appeal.</p>
<p>Thresholds for farming intensity in PC1, including the relationship between winter stocking rate and nitrogen loss leaching rate and the need to manage all four contaminants (sediment, microbial contaminants, phosphorus and nitrogen).</p> <p>Lowering the stock unit threshold from 12 su/ha for Rule 3.11.4.1 (permitted activity rule for small or very low intensity farming).</p>	<p>Dairy NZ is interested in this appeal point to ensure it remains consistent with the outcomes sought in Dairy NZ's appeal.</p>
<p>Changes to Tables 3.11-1, 3.11-2, and 3.11-3 and a new Table 3-11.2(a) (to provide for the relative reduction in nitrogen, phosphorus and E.coli required as the whole of catchment scale). The Waikato and Waipa River Iwi also seek better connections between the policy direction, the Schedules, and the tables.</p>	<p>While Dairy NZ supports the need for connection within PC1, it is interested in this appeal point to ensure it remains consistent with the outcomes sought in Dairy NZ's appeal.</p>