

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

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

ENV-2020-AKL-000098

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

BETWEEN **WAIRAKEI PASTORAL LIMITED**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

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

Harkness Henry
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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, WAIRAKEI PASTORAL LIMITED's (**WPL**) 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 WPL in:
 - (a) Rule 3.11.4.3 – Permitted Activity Rule – Low intensity farming;
 - (b) Rule 3.11.4.4 – Controlled Activity Rule – Moderate Intensity farming;
 - (c) Schedule C; and
 - (d) Schedule D1.

Particular Issues

- 5 The relief sought at:

- (a) Paragraph 114(a) which seeks to amend the permitted winter stocking rate to a higher limit that still reflects best practice, or replace the “stock units per hectare” parameter with a more appropriate measure.
- (b) Paragraph 115(a) that seeks to increase the winter stocking rate in 4A(i) and 4B(i) to a higher limit that still reflects best practice, or replace the “stock units per hectare” parameter with a more appropriate measure.
- (c) Paragraph 121 which seeks amendments to Schedule C provisions.
- (d) Paragraph 123 which seeks amendments to Schedule D1, and in particular 123(c) which seeks deletion of clauses 4(b), 5(a), and (b) or seeks to replace references to LUC class 6e, 7 or 8 with references to land where slope exceeds 25°.

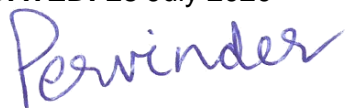
Relief sought

- 6 LFL **supports** the relief sought because amendments sought by WPL are consistent with the relief that will be 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 WPL 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

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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.