

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

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

**ENV-2020-AKL-000099**

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

**BETWEEN** **BEEF AND LAMB NEW ZEALAND LIMITED**

**Appellant**

**AND** **WAIKATO REGIONAL COUNCIL**

**Respondent**

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

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**Harkness Henry**  
SPECIALIST LAWYERS

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**Section 274 Party Solicitor:**  
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**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, BEEF + LAMB NEW ZEALAND LIMITED's (**B+L NZ**) 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 B+L NZ in:
  - (a) Schedule C – minimum farming standards; and
  - (b) Schedule D1 – requirements for Farm Environment Plans for farming as a permitted activity.

**Particular Issues**

- 5 The relief sought at:
  - (a) Page 9 and 10 where B+L NZ seeks deletion of standard (1)(b) (in Schedule C) and inclusion of “...with a temporary, permanent, or virtual fence...”

- (b) Page 14 where B+L NZ seeks deletion of Schedule D1 part D 4.b and 5.a and amendments to 5.b.

### **Relief sought**

- 6 LFL **supports** the relief sought because amendments sought by B+L NZ 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. Schedule C standard 1.b will have a disproportionate effect on the farming activities. Hill country farmers are unable to run enough stock on the hills to pollute waterways. The cost of fencing steep areas with no proven science that it will make any difference to the quality of waterways is unjustified.
- 8 The relief sought by B+L NZ 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.
- 9 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**

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

**DATED:** 28 July 2020



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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

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**Contact person:**

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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.