

**BEFORE THE ENVIRONMENT COURT
AT WELLINGTON
I MUA I TE KOOTI TAIAO O AOTEAROA
TE WHANGANUI-Ā- TARA ROHE**

ENV-2019-WLG-106

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 **MINISTER OF CONSERVATION**

Appellant

AND **WELLINGTON REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
9 October 2019**

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TO: The Registrar
Environment Court
Wellington

1. Beef+Lamb New Zealand Ltd (B+LNZ) wishes to be a party to the following proceedings:

Minister of Conservation v Wellington Regional Council
ENV-2019-WLG-106.

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 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) B+LNZ are a representative body that promote sustainable farming practices and develop and implement programmes aimed at improving farming systems.
 - (d) 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 of the Resource Management Act 1991.
5. B+LNZ is interested in part of the proceedings.
6. B+LNZ is interested in the following particular issues:
 - (a) The effect the relief sought will have on the nutrient allocation framework in the Proposed Plan, including under O25, O31 and O35 and their supporting tables.

- (b) Policies and rules that implement the objectives relating to the allocation of nutrients, including O25 and its supporting tables.
 - (c) The inclusion and retention of numeric attributes and freshwater objectives in the Proposed Plan, including for nitrogen (e.g. DIN or TN) and the Macroinvertebrate Community Index.
 - (d) Relief sought to policies P99 and P101 and rule R97.
7. B+LNZ conditionally supports some of the relief sought in principle and opposes some of the relief sought because and to the extent that:

Nutrient Allocation Framework

- (a) B+LNZ supports the inclusion of numeric attributes to the extent they are supportable scientifically and can reliably support freshwater objectives created in accordance with the NPSFM.
- (b) B+LNZ support the inclusion of, inter alia:
 - i. Macroinvertebrate Community Index freshwater objectives as a measure of ecosystem health for lakes, wetlands, streams and rivers;
 - ii. Nitrate freshwater objectives for groundwater; and
 - iii. Periphyton freshwater objectives to manage and measure nitrogen for lakes, wetlands, streams and rivers.

However, the freshwater objectives should seek to maintain current water quality state where appropriate and to improve water quality where required, as identified in the whitua process. B+LNZ opposes any relief sought by the Appellant that seeks numeric or narrative freshwater objectives requiring improvement from current state of water quality where the life supporting capacity and ecosystem health and processes are already provided for in accordance with national bottom lines

- (c) It is appropriate to manage water in a way that seeks to achieve ecosystem health, which may require additional attributes or

amendments to the numeric freshwater objectives in the decisions-version of the Proposed Plan.

- (d) The precise relief sought by the Appellant is not fully particularised, but any new attributes, freshwater objectives or changes to the decisions-version of the Proposed Plan must be the most appropriate way to achieve the purpose of the Act, give effect to the New Zealand Coastal Policy Statement, relevant national policy statements and Regional Policy Statement and implement (if relevant) the objectives and policies.
- (e) B+LNZ does not oppose, where appropriate, narrative freshwater objectives.

Policies P99 and P101 and Rule R97

- (f) B+LNZ does not oppose provisions that are efficient and effective and commensurate with the cost of compliance with e.g. rules that implement policies.
- (g) B+LNZ is neutral on the relief sought to P99 and P101 to the extent they retain the effects-based basis of those policies that recognise different activities have different effects, including between types of livestock. It opposes any relief that provides for exclusion of all livestock from waterbodies.
- (h) B+LNZ oppose the relief sought to R97. Sheep are low risk to water quality when crossing or drinking from water bodies. The economic and social cost of requiring sheep exclusion from surface water bodies will have a significant impact on the sheep and beef sector, particularly on sheep farmers.

General

- (i) Any relief granted should be the most appropriate way to achieve the purpose of the Act, give effect to the New Zealand Coastal Policy Statement, relevant national policy statements and Regional Policy Statement and implement the objectives and policies of the Proposed Plan, including by supporting and providing for a sustainable and strong rural sector in the Greater Wellington Region.

- (j) To the extent the relief sought when further particularised does not achieve the outcomes described above, B+LNZ opposes the relief sought.
8. 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
9 October 2019

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 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.