

s274 Notices - Beef and Lamb NZ Inc

Plan Change 9: TANK

Appellant No.	Appellant Name
192	[Late] Federated Farmers of New Zealand
193	[Late] Te Taiwhenua o Heretaunga
196	Royal Forest and Bird Protection Society of New Zealand
197	Wairua Dairies Limited
200	Horticulture New Zealand
201	Mangaroa Marae, representing the hapū – Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti Pāhū and Ngāti Pouwharekura
202	Ōmahu Marae, (HUPHA) – Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Honomōkai, Ngāti Mahuika
204	Heinz Wattie's Limited
205	Hastings District Council
206	[Late] Ngāti Kahungunu Iwi Incorporated
207	Napier City Council

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

ENV-2022-AKL-

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

AND

IN THE MATTER of section 274 of the Act

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND
INCORPORATED**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
17 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Federated Farmers of New Zealand Incorporated v Hawke's Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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 any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.

- (c) Any relief sought to the registered water supply provisions that may be inconsistent with the proposed amendments to the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.

7. B+LNZ generally supports the relief sought because:

- (a) B+LNZ is an 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.
- (b) 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, other relevant National Policy Statements (notably the National Policy Statement for Freshwater Management), Regional Policy Statements and support and provide for a sustainable and strong rural sector in the Hawke's Bay Region that operates while maintaining and, where degraded, improving water quality.
- (c) It is appropriate for flexibility to be maintained for agricultural land uses.
- (d) B+LNZ consider catchment collectives and farm environment plans appropriately form part of the regulatory framework and that the relief sought that seeks to avoid duplication, including as a result of Part 9A RMA farm plans, is efficient.
- (e) B+LNZ supports relief that provides clarity and consistency across the land use change framework.
- (f) It is appropriate to provide for stock drinking water as a priority water take subject to reasonable restrictions that ensure there are no, or are likely to be no, adverse effects on the environment, as provided for in s 14(3). It is unlawful to restrict takes any further than is required by s 14(3).
- (g) Amendments that seek water quantity to be managed to ensure that the take and use of water is reasonable and justifiable for the intended use and are an efficient use of the resource.

8. B+LNZ conditionally oppose relief sought because:
- (a) While B+LNZ supports relief that provides clarity and consistency across the land use change framework, deleting rules TANK 3, 4 and 5 would not achieve the outcomes pleaded at paragraph 7(b). It considers regulation of land use change necessary and desirable.
 - (b) Amending PC9 by removing references to LUC (Land Use Capability) removes a useful tool for use within farm plans and diffuse discharge management generally. In combination with other parts of Schedule 29, LUC provides a framework that assists farmers to obtain a baseline dataset, presented spatially and used at land use capability unit management level, to manage their land use to meet regulatory requirements in complex landscapes.
 - (c) PC9's approach to enabling, including through permitted activity rules, pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
- Amending PC9 to only require farm plans where there is degradation or overallocation does not recognise these factors and may fail to maintain water quality.
9. B+LNZ is otherwise neutral on the relief sought but further says it has an interest greater than the public generally in the parts of the appeal relating to registered drinking water supplies and that any relief should be consistent with the proposed amendments to the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 should those amended regulations be made.

10. 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
17 November 2022

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 both cthomsen@fvm.co.nz and cluisetti@fvm.co.nz.

Advice

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

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

ENV-2022-AKL-

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

AND

IN THE MATTER of section 274 of the Act

BETWEEN **TE TAIWHENUA O HERETAUNGA**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
17 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Te Taiwhenua o Heretaunga v Hawke's Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 part of the proceedings.
6. B+LNZ is interested in the following particular issues:
 - (a) The effect any relief sought will have upon the objective and policy framework and rules for pastoral farming (including stock access, water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.
7. B+LNZ opposes the relief sought because:

- (a) B+LNZ is an 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.
- (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
- (c) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
- (d) The decisions version PC9's approach to enabling, including through permitted activity rules, pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchment collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
- (e) Therefore, noting the Appellant is not appealing rules TANK 1 – 3, to the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

- (f) Any regulatory requirements in PC9 should be commensurate to risk to, for instance, water quality and cultural values.
 - (g) Relief seeking to impose charges for diffuse discharges or any other contaminant is beyond the scope of PC9 and not justified on the merits, particularly in light of the substantively correct findings of the decisions version of PC9.
 - (h) Any relief sought that seeks to include any new freshwater attributes, objectives or any other method provided for in the NPSFM is premature. The Respondent correctly deferred the processes and assessment of those matters to the Kotahi plan process.
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
17 November 2022

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 both cthomsen@fvm.co.nz and cluisetti@fvm.co.nz

Advice

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

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

ENV-2022-AKL-

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

AND

IN THE MATTER of section 274 of the Act

BETWEEN **ROYAL FOREST AND BIRD PROTECTION SOCIETY
OF NEW ZEALAND INCORPORATED**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Royal Forest and Bird Protection Society of New Zealand Incorporated v Hawke's Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 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) The effect any relief sought will have upon the objective and policy framework and rules for pastoral farming (including stock access, water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.

7. B+LNZ opposes the relief sought because:
- (a) B+LNZ is an 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.
 - (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
 - (c) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
 - (d) PC9's approach to enabling, including through permitted activity rules, pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
 - (e) Therefore, to the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

- (f) The Respondent correctly recognised the utility and value of providing for water storage in PC9.
 - (g) Regulatory requirements in PC9 should be commensurate to risk to water quality.
 - (h) To the extent any relief sought by the Appellant amends PC9 by amending objectives, policies and supporting rules and schedules that result in more stringent or inconsistent rules to the Resource Management (Stock Exclusion) Regulations 2020, that relief is unnecessary in order to implement the objectives and policies of PC9.
 - (i) Exclusion of sheep from water bodies is unnecessary and inefficient given the behaviour of sheep in and around water bodies.
 - (j) Any relief sought that seeks to include any new freshwater attributes, objectives or any other method provided for in the NPSFM is premature. The Respondent correctly deferred the processes and assessment of those matters to the Kotahi plan process.
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
15 November 2022

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 both 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.

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

ENV-2022-AKL-

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 **WAIRUA DAIRIES LIMITED**

Appellant

AND **HAWKES BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Wairua Dairies Limited v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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) Any relief sought that may impact on stock drinking water as a priority take.
 - (b) Rules 4 and 5 - use of production land and land use change.
 - (c) Relief that incentivises best practice or improved water use (including irrigation) practices.
7. B+LNZ conditionally supports the relief sought because:

- (a) B+LNZ is an 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.
 - (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
 - (c) B+LNZ supports amendments to rule 5 (and any incidental amendments to rule 4) that enable adaptation within farming systems to better enable people and their communities to provide for their economic and social wellbeing.
 - (d) B+LNZ supports relief that prioritises best practice in water use as part of any resource consent, including re consenting, application.
8. B+LNZ repeats its pleading at paragraph 7(a) and further says it opposes:
- (a) Any relief sought (including to rule 5) that impacts on stock drinking water as a priority take or does not achieve the outcomes pleaded in paragraph 7(a).
 - (b) Any relief that does not take account of the need for re consenting processes to achieve the outcomes pleaded at paragraph 7(a) by requiring improvement in water use practices and recognising efficient water users and uses.
9. B+LNZ is otherwise neutral on the relief sought.
10. 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

15 November 2022

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 both cthomsen@fvm.co.nz and cluisetti@fvm.co.nz.

Advice

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

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

ENV-2022-AKL-

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

AND

IN THE MATTER of section 274 of the Act

BETWEEN **HORTICULTURE NEW ZEALAND**

Appellant

AND **HAWKES BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Horticulture New Zealand v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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) Any relief sought that may impact on stock drinking water as a priority take.
 - (b) The effect any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).

- (c) TANK Rules 3, 4 and 5, Schedule 28 and the definition of “land use change”.
- (d) TANK Rules 7 and 9.
- (e) TANK Rules 8 and 10.
- (f) The definition of “TANK Industry Programme” and “TANK Catchment Collective”.

7. B+LNZ conditionally supports the relief sought because:

- (a) B+LNZ is an 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.
- (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
- (c) The amendments sought to rules:
 - i. Rules TANK 3, 4 and 5, Schedule 28 and definitions of “land use change” “TANK Industry Programme” and “TANK Catchment Collective”.
 - ii. Rules TANK 8 and 10.

Provide clarity and consistency for the land use and change framework, and are therefore desirable.

8. B+LNZ conditionally opposes the relief sought because:

- (a) B+LNZ repeats its pleading at paragraph 7(b).

- (b) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. Thus, to the extent any relief sought by the Appellant amends PC9 (including rules TANK 7 and 9) by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.

- (c) PC9's approach to enabling pastoral land uses:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.

 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.

Thus, to the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

- 9. B+LNZ is otherwise neutral on the relief sought.

- 10. 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
15 November 2022

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 both 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.

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

ENV-2022-AKL-

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 **MANGAROA MARAE, REPRESENTING THE HAPŪ –
NGĀTI RĀHUNGAITERANGI, NGĀTI PŌPŌRO,
NGĀTI PĀHŪ AND NGĀTI POUWHAREKURA**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Mangaroa Marae, representing the hapū – Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti Pāhū and Ngāti Pouwharekura v Hawke's Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 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) The effect any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.

7. The appeal does not fully particularise the changes to the plan sought by the Appellants.
8. Pending receipt of particulars of the relief sought, B+LNZ conditionally opposes the relief sought because:
 - (a) B+LNZ is an 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.
 - (a) B+LNZ generally supports the findings of the Respondent in the Decisions Version of PC9, including because:
 - i. It achieves the purpose of the Act and gives effect to the New Zealand Coastal Policy Statement, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement.
 - ii. The decision supports and provides for a sustainable and strong rural sector in the Hawkes Bay region that operates while maintaining and, where degraded, improving water quality.
 - iii. It provides for stock drinking water as a priority water take subject to reasonable restrictions, consistent with s 14 RMA.
 - iv. The decision recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - (b) Any regulatory requirements in PC9 should be commensurate to risk and B+LNZ would not support any specific relief that does not recognise this.
 - (c) B+LNZ does not support amendments to water quantity provisions that prevent water quantity being managed to ensure that the take and use of water is reasonable and justifiable for the intended use, recognises the impact of intensification on the diffuse discharge of nutrients and that enables farmers to appropriately respond to the impacts of climate change.

9. B+LNZ is otherwise neutral on the relief sought.
10. 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
15 November 2022

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 both 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.

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

ENV-2022-AKL-

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 ŌMAHU MARAE TRUSTEE, NGĀTI HINEMANU,
NGĀI TE UPOKOIRI, NGĀTI HONOMŌKAI, NGĀTI
MAHUIKA HAPU AUTHORITY IWI INCORPORATED

Appellant

AND HAWKES BAY REGIONAL COUNCIL

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Ōmahu Marae Trustee, Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Honomōkai, Ngāti Mahuika Hapu Authority Iwi Incorporated v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 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) The effect any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.

7. The appeal does not fully particularise the changes to the plan sought by the Appellants.
8. Pending receipt of particulars of the relief sought, B+LNZ conditionally opposes the relief because:
 - (a) B+LNZ is an 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.
 - (b) B+LNZ generally supports the findings of the Respondent in the Decisions Version of PC9, including because:
 - i. It achieves the purpose of the Act and gives effect to the New Zealand Coastal Policy Statement, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement.
 - ii. The decision supports and provides for a sustainable and strong rural sector in the Hawkes Bay region that operates while maintaining and, where degraded, improving water quality.
 - iii. It provides for stock drinking water as a priority water take subject to reasonable restrictions, consistent with s 14 RMA.
 - iv. The decision recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - (c) Any regulatory requirements in PC9 should be commensurate to risk and B+LNZ would not support any specific relief that does not recognise this.
 - (d) B+LNZ does not support amendments to water quantity provisions that prevent water quantity being managed to ensure that the take and use of water is reasonable and justifiable for the intended use, recognises the impact of intensification on the diffuse discharge of nutrients and that enables farmers to appropriately respond to the impacts of climate change.

9. B+LNZ is otherwise neutral on the relief sought.
10. 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
15 November 2022

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 both 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.

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND
I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

ENV-2022-AKL-

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 **HEINZ WATTIE'S LIMITED**

Appellant

AND **HAWKES BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Heinz Wattie's Limited v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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) POL TANK 34(d) and any relief sought that may impact on stock drinking water as a priority water take.
 - (b) The effect any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
7. B+LNZ conditionally opposes the relief sought because:

- (a) 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.
- (a) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
- (b) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
- (c) PC9's approach to enabling pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
- (d) To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

8. B+LNZ is otherwise neutral on the relief sought.

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
15 November 2022

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 both 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.

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

ENV-2022-AKL-

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 **HASTINGS DISTRICT COUNCIL**

Appellant

AND **HAWKES BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Hastings District Council v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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 any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.
7. B+LNZ conditionally opposes the relief sought because:

- (a) B+LNZ is an 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.
- (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
- (c) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
- (d) PC9's approach to enabling pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
- (e) To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

8. B+LNZ is otherwise neutral on the relief sought.

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
15 November 2022

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 both 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.

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

ENV-2022-AKL-

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

AND

IN THE MATTER of section 274 of the Act

BETWEEN **NGĀTI KAHUNGUNU IWI INCORPORATED**

Appellant

AND **HAWKE'S BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
17 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Ngāti Kahungunu Iwi Incorporated v Hawke's Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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 any relief sought will have upon the objective and policy framework and rules for pastoral farming (including stock access and exclusion, water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.
 - (c) The alleged errors of law.

7. B+LNZ opposes the relief because:
- (a) B+LNZ is an 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.
 - (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
 - (c) The decisions version PC9's approach to enabling, including through permitted activity rules, pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchment collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities, including through requiring management of critical source areas and generally requiring good management practice.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
 - (d) To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.
 - (e) Any regulatory requirements in PC9 should be commensurate to risk to, for example, water quality and cultural values. B+LNZ does not support any relief that does not recognise this. For instance, the exclusion of all stock from water bodies regardless of slope fails to recognise risks from

critical source areas differ markedly depending on slope and different animals (notably sheep) behave differently around water bodies, justifying different (proportionate) responses.

- (f) To the extent any relief sought by the Appellant amends PC9 by amending objectives, policies and supporting rules and schedules that result in more stringent or inconsistent rules to the Resource Management (Stock Exclusion) Regulations 2020, that relief is unnecessary in order to implement the objectives and policies of PC9.
- (g) B+LNZ supports the findings of the Respondent that the decisions version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
- (h) B+LNZ does not support amendments to water quantity provisions that prevent water quantity being managed to ensure that the take and use of water is reasonable and justifiable for the intended use, recognises the impact of intensification on the diffuse discharge of nutrients and that enables farmers to appropriately respond to the impacts of climate change.

8. The Appeal states it does not plead all the relief sought. Pending receipt of further particulars of the relief sought and not specified in the Appeal, B+LNZ opposes that further relief because:

- (a) B+LNZ generally supports the findings of the Respondent in the Decisions Version of PC9, including because:
 - i. It achieves the purpose of the Act and gives effect to the New Zealand Coastal Policy Statement, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement.

- ii. The decision supports and provides for a sustainable and strong rural sector in the Hawkes Bay region that operates while maintaining and, where degraded, improving water quality.
 - iii. It provides for stock drinking water as a priority water take subject to reasonable restrictions, consistent with s 14 RMA.
 - iv. The decision recognises the value and contribution of farm plans and catchment collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
- (b) It repeats its pleadings in paragraph 7.
- (c) Any relief that may seek to allocate nutrients is beyond the scope of PC9 and not justified on the merits, particularly in light of the substantively correct findings of the decisions version of PC9.
9. B+LNZ is otherwise neutral on the relief sought.
10. 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
17 November 2022

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 both cthomsen@fvm.co.nz and cluisetti@fvm.co.nz.

Advice

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

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

ENV-2022-AKL-

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 **NAPIER CITY COUNCIL**

Appellant

AND **HAWKES BAY REGIONAL COUNCIL**

Respondent

**NOTICE OF BEEF+LAMB NEW ZEALAND LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS
15 November 2022**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor: CP Thomsen/CH Luisetti

TO: The Registrar
Environment Court
Auckland

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

Napier City Council v Hawkes Bay Regional Council

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 representative body that promotes sustainable farming practices and develops and implements programmes aimed at improving farming systems.
 - (c) The Appeal may 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 ss 308C or 308A 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 any relief sought will have upon the objective and policy framework and supporting rules and schedules that provide for pastoral farming (including water quality and water quantity provisions).
 - (b) Any relief sought that may impact on the provisions of stock drinking water as a priority take.
7. B+LNZ conditionally opposes the relief sought because:

- (a) B+LNZ is an 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.
- (b) 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, other relevant national policy statements (notably the National Policy Statement for Freshwater Management) and Regional Policy Statement and support and provide for a sustainable and strong rural sector in the Hawkes Bay Region that operates while maintaining and, where degraded, improving water quality.
- (c) B+LNZ supports the findings of the Respondent that the Decisions Version of PC9 provide for stock drinking water as a priority water take subject to reasonable restrictions. To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for stock drinking water as a priority take that relief is opposed.
- (d) PC9's approach to enabling pastoral land uses, including drystock farms:
 - i. Recognises the value and contribution of farm plans and catchments collectives to implementing the TANK objectives and policies for pastoral farming and other farming activities.
 - ii. Enables people and communities to provide for their wellbeing, while at the same time recognising some freshwater bodies are degraded and therefore require improvement, and that other freshwater bodies can be maintained where the objectives are being met.
- (e) To the extent any relief sought by the Appellant amends PC9 by replacing, altering or removing the objective and policy framework and supporting rules and schedules that provide for the outcomes pleaded in the previous paragraph, that relief is opposed.

8. B+LNZ is otherwise neutral on the relief sought.
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
15 November 2022

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 both 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.