

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

ENV-2024-CHC-36

UNDER the Resource Management Act 1991

IN THE MATTER of an appeal under clause 14 of Schedule 1 to the Act

AND of section 274 of the Act

BETWEEN **TE RŪNANGA O MOERAKI, KĀTI HUIRAPA
RŪNAKA KI PUKETERAKI, TE RŪNANGA O
ŌTĀKOU AND HOKONUI RŪNANGA**

First Appellant

AND **TE AO MARAMA INCORPORATED ON BEHALF OF
WAIHOPAI RŪNAKA, TE RŪNANGA O ŌRAKA
APARIMA, AND TE RŪNANGA O AWARUA**

Second Appellant

(continued overleaf)

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

5 June 2024

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
Email: ksimonsen@fvm.co.nz
Solicitors: CP Thomsen/KJ Simonsen

AND

TE RŪNANGA O NGĀI TAHU

Third Appellant

AND

OTAGO REGIONAL COUNCIL

Respondent

TO: The Registrar
Environment Court
Christchurch

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

Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te Rūnanga o Awarua and Te Rūnanga O Ngāi Tahu v Otago 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 those parts of the appeal that concern provisions of Proposed Otago Regional Policy Statement 2021 (**PORPS**) that guide and address pastoral agricultural land uses and integrated management, including but not limited to:
 - (a) The decision of the Respondent to adopt:
 - i. IM-03, IM-P1, IM-P6, IM-P14, IM-P12 and IM-P10;
 - ii. Recommendations on coastal discharges;

- iii. LF-FW-P15 and LF-FW-P16; and
 - iv. UFD-P4.
- (b) The effect any relief sought will have on the objective and policy framework that impacts pastoral farming.
6. B+LNZ provisionally 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, National Policy Statement for Freshwater Management 2020 (**NPSFM**), National Policy Statement for Indigenous Biodiversity (**NPSIB**), other relevant national policy statements and to support and provide for a sustainable and strong rural sector in the Otago Region.
 - (c) B+LNZ generally supports the findings of the Hearings Panel, which were adopted by the Respondent.
 - (d) The Decisions version of the PORPS supports and provides for planning instruments that will ensure integrated management and a sustainable and strong rural sector in the Otago region that can operate while maintaining and, where degraded, improving water quality.
 - (e) The Decisions Version is the most appropriate ways to achieve the purpose of the RMA and/ or the objectives of the PORPS.
 - (f) The Appellants seek a new policy to “*ensure the appropriate management of discharges into the coastal environment, ki uta ki tai, consistent with policies LF-FW-P15 and LF-FW-P16*”. They have not pleaded the drafting of the proposed policy in the notice of appeal. B+LNZ therefore reserves its position on whether any new policy is appropriate pending its drafting.

7. B+LNZ provisionally supports the relief sought in respect of the following provision because:
 - (a) B+LNZ repeats its pleadings at 6(a) and (b) above.
 - (b) It is appropriate for UFD-P4 to give effect to the integrated management provisions at cl 3.5 NPSFM to ensure any urban expansion is sustainable and does not compromise a sustainable and productive rural sector.

8. B+LNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



CP Thomsen/KJ Simonsen
Counsel for s 274 party
Beef + Lamb New Zealand Ltd
5 June 2024

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) Sent by email to both cthomsen@fvm.co.nz and ksimonsen@fvm.co.nz;
or
- (b) Posted to the solicitor at Fletcher Vautier Moore, Solicitors, P O Box 3029, Richmond, Nelson.

Advice

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