

BEFORE THE ENVIRONMENT COURT

ENV-2018-CHC-000042

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an Appeal under clause 14 of the First Schedule of the Resource Management Act 1991 in relation to the proposed Southland Water and Land Plan

BETWEEN **STONEY CREEK STATION LIMITED**

Appellant

AND **SOUTHLAND REGIONAL COUNCIL**

Respondent

NOTICE OF REQUEST TO BE PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991

FAIRLIGHT STATION LIMITED

Dated this *22nd* day of June 2018

PRESENTED FOR FILING BY:

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**NOTICE OF REQUEST TO BE A PARTY TO PROCEEDINGS UNDER S274 OF THE RESOURCE
MANAGEMENT ACT BY FAIRLIGHT STATION LIMITED**

1. Fairlight Station Limited ("**Fairlight**") wishes to be a party to Notice of Appeal ENV-2018-CHC-000042 dated 17 May 2018 by Stoney Creek Station Limited to the Environment Court ("**the Appeal**") against the Decision of the Southland Regional Council on the Proposed Southland Water and Land Plan.
2. Fairlight is entitled to be a party to the Appeal because it made a Submission on the Proposed Plan.
3. Fairlight is not a trade competitor for the purposes of s308C or s308CA of the Resource Management Act 1991.
4. Fairlight is interested in that part(s) of the Appeal that relates to:

Rule 20 Farming

- a. The restrictions for intensive winter grazing area size and mob size

Rule 25 Cultivation on sloping ground

- a. The restrictions on cultivation on certain slopes and setbacks from waterways.

5. Fairlight supports the relief sought in the Appeal regarding **Rule 20 Farming** and **Rule 25 Cultivation** the reasons set out below, which are based on my submission and the reasons in the Appeal.

6. **Rule 20 Farming**

(i) *Area size – Rule 20(a)(iii)(1) - The proposal to allow intensive winter grazing on no more than 15% of a landholding or 100 hectares, whichever is the lesser*

- a. The effective stock area of Fairlight is 2,500 ha with another 850ha in forestry. We do not grow a continuous block of 100ha – we use crop rotation for pasture renewal and development.
- b. It is difficult to see how water quality will be improved on Fairlight if a consent has to be obtained to winter graze on more than 100ha.
- c. If there needs to be a rule, it should be based on stock units.

(ii) *Mob size - Rule 20(a)(iii)(3)(E) –*

- a. It is unclear what sized area the provision applies to;
- b. It creates a meaningless split of mobs (herds) for the same environmental impact;
- c. Larger properties are penalised because of the larger scale, larger mobs (herds) and more land per animal.

7. **Rule 25 Cultivation on sloping ground**

(i) *Setbacks from waterways - Rule 25(a)(ii)*

- a. is not practical and creates an inefficient use of land via 10m corridors;
- b. results in a loss of productive land;
- c. creates breeding grounds for weeds and pests;
- d. results in greatly increased costs of maintenance, including spraying;
- e. potentially devalues the Appellant's (and other) property;

(ii) *Cultivation on land with a slope greater than 20 degrees - Rule 25(a)(iv)*

- a. is not practical and creates an inefficient use of land via 10m corridors;
- b. results in a loss of productive land;
- c. creates breeding grounds for weeds and pests;
- d. results in greatly increased costs of maintenance, including spraying;
- e. potentially devalues the Appellant's (and other) property;
- f. is not necessary, as with good management practices (as required in the Farm Environmental Management Plan), any adverse effects associated with a 3m setback can be adequately avoided, remedied or mitigated.

8. Fairlight agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Fairlight Station Limited:-

Clare Lenihan



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Counsel

Dated this *22* day of June 2018

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