

**BEFORE THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

**ENV-2018-CHC-000047**

**IN THE MATTER**      the Resource Management Act 1991 ("**RMA**")

**A N D**

**IN THE MATTER**      of an appeal under clause 14(1) of the First Schedule of  
the RMA in relation to the Proposed Southland Water and  
Land Plan

**BETWEEN**            **Waihopai Runaka, Hokonui Runaka, Te Runanga O  
Awarua, Te Runanga O Oraka Aparima, and Te  
Runanga O Ngai Tahu (collectively Ngai Tahu)**

Appellant

**A N D**                    **Southland Regional Council**

Respondent

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**NOTICE OF WISH TO BE PARTY TO PROCEEDINGS UNDER  
SECTION 274 OF RMA**

**ARATIATIA LIVESTOCK LIMITED**

Dated this 15<sup>th</sup> day of June 2018

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**ELLIS GOULD  
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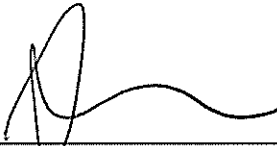
**REF: Douglas Allan**

**Notice of wish to be party to proceedings under section 274 RMA by Aratiatia  
Livestock Limited**

1. Aratiatia Livestock Limited ("**Aratiatia**") wishes to be a party to Notice of Appeal ENV-2018-CHC-000047 dated 17 May 2018 by **Waihopai Runaka, Hokonui Runaka, Te Runanga O Awarua, Te Runanga O Oraka Aparima, and Te Runanga O Ngai Tahu (collectively Ngai Tahu)** c/- [james.winchester@simpsongrierson.com](mailto:james.winchester@simpsongrierson.com) to the Environment Court ("**the Appeal**") against the decision of the Southland Regional Council on the Proposed Southland Water and Land Plan.
2. Aratiatia is entitled to be a party to the Appeal because:
  - (a) It lodged Notice of Appeal ENV-2018-CHC-000029 dated 16 May 2018 ("**Aratiatia Appeal**") which seeks relief on matters addressed in the Appeal.
  - (b) It owns and farms land on the right (western) bank of the Waiau River, the management of which will be directly affected by the relief sought in the Appeal.
3. Aratiatia is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
4. Aratiatia is interested in those aspects of the Appeal set out in **Schedule 1** and variously supports or opposes the items of relief identified in **Schedule 1** to this notice.
5. The reasons for Aratiatia's support of the items of relief identified in Schedule 1 are:
  - (a) The relief sought in the Appeal which is supported by Aratiatia is appropriate in terms of section 32 of the RMA and consistent with the purpose, principles and provisions of the RMA, to the extent it is consistent with the relief sought in the Aratiatia Appeal.
  - (b) The grounds set out in the Appeal.
  - (c) The grounds set out in the Aratiatia Appeal.
  - (d) The additional reasons set out in Schedule 1.
6. The reasons for Aratiatia's opposition to the items of relief identified in Schedule 1 are:

- (a) The relief sought in the Appeal which is opposed by Aratiatia is inappropriate in terms of section 32 of the RMA and inconsistent with the purpose, principles and provisions of the RMA.
  - (b) The relief sought in the Appeal which is opposed by Aratiatia will generate unnecessary and inappropriate adverse effects on the environment and in particular on land management practices within the Waiau River catchment.
  - (c) The grounds set out in the Aratiatia Appeal.
  - (d) The additional reasons set out in Schedule 1.
7. Aratiatia agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Signed for and on behalf of Aratiatia Livestock Limited by  
its solicitors and duly authorised agents Ellis Gould:**



**D A Allan**

Dated this 15<sup>th</sup> day of June 2018

**Address for Service of Section 274 Party:** The offices of Ellis Gould, Solicitors, Level 17, The Vero Centre, 48 Shortland Street, Auckland (PO Box 1509, Auckland, 1140), DX CP22003, Phone: 09 307-2172, Facsimile, 09 358-5215. Attention: D A Allan, Email: [dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)

**Schedule 1 showing relief in Appeal that is opposed and supported**

<b>Provision</b>	<b>Aratiatia's position regarding item of relief sought by Appellant</b>	<b>Additional Reasons for Aratiatia's position</b>
General point (exclusion of ephemeral rivers)	Oppose	The definition of ephemeral river in the pSWLP is sufficiently uncertain that it could be interpreted to include any area of relief within a paddock that carries water in high rainfall events.
Objective 2	Oppose	Primary production's contribution to the Southland economy relative to other regions warrants its explicit mention.
Objective 6	Oppose	"Overall" is consistent with the NPSFM
Objective 10	Support	Consistent with the Aratiatia Appeal
Policy 20	Oppose	Primary production's contribution to the Southland economy relative to other regions warrants its explicit mention.
Policy 26	Support	Consistent with the Aratiatia Appeal
Rule 20	Oppose	As for the General Point above, Aratiatia also opposes the relief sought regarding the limit of 20 Ha for oxidising soils.
Rule 52A	Support	Generally consistent with the relief sought in the Aratiatia Appeal.
Appendix E	Support	Consistent with the Aratiatia Appeal
Appendix A and Q	Support	