

**BEFORE THE ENVIRONMENT COURT**

**ENV-2018-CHC-000040**

**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** **FEDERATED FARMERS OF NEW ZEALAND (SOUTHLAND PROVINCE)**

**Appellant**

**AND** **SOUTHLAND REGIONAL COUNCIL**

**Respondent**

---

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

**THE TERRACES LIMITED**

Dated this *22* day of June 2018

---

**PRESENTED FOR FILING BY:**

Counsel for the Appellant

**Clare Lenihan**

Barrister

102 Jed Street

INVERCARGILL 9810

Tel: (03) 214 1674

E: [clare.lenihan@environmentallawyer.co.nz](mailto:clare.lenihan@environmentallawyer.co.nz)

Instructing Counsel

**Jeff Walker**

Walker Murdoch Law Ltd

PO Box 1188

INVERCARGILL 9840

Tel: (03) 214 0777

E: [jeff@wmlaw.co.nz](mailto:jeff@wmlaw.co.nz)

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

1. The Terraces Limited (“**The Terraces**”) wishes to be a party to Notice of Appeal ENV-2018-CHC-000040 dated 17 May 2018 by Federated Farmers of New Zealand (Southland Province) to the Environment Court (“**the Appeal**”) against the Decision of the Southland Regional Council on the Proposed Southland Water and Land Plan (the Proposed Plan).
  
2. The Terraces is entitled to be a party to the Appeal because:-
  - (a) It made a submission and lodged a Notice of Appeal ENV-2018-CHC-000043 dated 17 May 2018 (“**The Terraces Appeal**”) which seeks relief on matters addressed in the Appeal.
  
  - (b) It owns and farms land on Otamita, Eastern Southland, the management of which will be directly affected by the relief sought in the Appeal.
  
3. The Terraces is not a trade competitor for the purposes of s308C or s308CA of the Resource Management Act 1991.
  
4. The Terraces is interested in that part(s) of the Appeal that relate to:  
  

**Rule 20(a)(iii) Farming, in particular:**

  - a. The restriction on the size of area allowed to be grazed, 100 ha or 15% of a landholding, whichever is lesser - Rule 20(a)(iii)(1);
  - b. The need to back-fence stock when an area is being break or block fed- Rule 20(a)(iii)(3)(B);
  - c. The requirement for portable feeders when supplementary feeding 20(a)(iii)(3)(D); and
  - d. The restriction on mob size to 120 cattle or 250 deer 20(a)(iii)(3)(E)  

**Rule 25(a) Cultivation on sloping ground, in particular:**

  - a. The setbacks proposed, Rule 25(a)(ii);
  - b. The slope on which cultivation can occur, Rule 25(a)(iv); and
  - c. A new definition of minimum tillage to be inserted into the Proposed Plan, the Glossary.

5. The Terraces supports the relief sought in the Appeal regarding Rule 20(a)(iii) Farming and Rule 25(a) Cultivation on sloping ground (as set out above), to the extent that it is consistent with the relief in The Terraces' Appeal, for the following reasons:-
  - (a) The grounds set out in the Appeal.
  - (b) The grounds set out in The Terraces; Appeal.
6. The Terraces agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of The Terraces Limited:-



**Clare Lenihan**  
Counsel for the Appellant

Dated this 22<sup>nd</sup> day of June 2018

**Address for service of s274 party:**  
The offices of Clare Lenihan  
Barrister  
102 Jed Street  
Invercargill 9810  
Tel: (03) 214 1674  
E: [clare.lenihan@environmentallawyer.co.nz](mailto:clare.lenihan@environmentallawyer.co.nz)