

under: the Resource Management Act 1991

in the matter of: an appeal under clause 14(1) of Schedule 1 to the Act

and: the Proposed Southland Water and Land Plan

between: **Fonterra Co-Operative Group Limited**
Appellant

and: **Southland Regional Council**
Respondent

Notice of Dairy Holdings Limited's wish to be party to proceedings

Dated: 7 June 2018

REFERENCE: Ben Williams (ben.williams@chapmantripp.com)

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NOTICE OF DAIRY HOLDINGS LIMITED'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

- To** The Registrar
Environment Court
Christchurch
- 1 Dairy Holdings Limited (*DHL*) wishes to be a party to the following proceedings:
 - 1.1 the appeal by Fonterra Co-Operative Group Limited (the *Appellant*) to the Environment Court against the decisions of the Southland Regional Council on the Proposed Southland Water and Land Plan (the *Decisions*, the *Council* and the *Proposed Plan*).
 - 2 DHL made a submission and further submission on the Proposed Plan.
 - 3 DHL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
 - 4 DHL is interested in all the proceedings.
 - 5 Without limiting the above, DHL is interested in the following particular issues:
 - Policy 16**
 - 5.1 The wording of Policy 16 (Farming activities that may affect water) in the decisions version of the Proposed Plan and whether it is adequate and reasonable.
 - Rule 20**
 - 5.2 The provision for intensive winter grazing in the decisions version of the Proposed Plan without unnecessary restriction in Rule 20 - Farming.
 - Rules 32B and 32D**
 - 5.3 The provisions for agricultural effluent storage facilities in the decisions version of the Proposed Plan without unnecessary restriction in Rule 32B – Construction, maintenance and use of new agricultural effluent storage facilities and Rule 32D – Existing agricultural effluent storage facilities.

Rule 54

- 5.4 DHL supports the relief sought for Rule 54 – Abstraction and use of groundwater.
- 6 DHL supports the relief sought because:
- Farming activities that affect water quality***
- 6.1 The change to Policy 16 sought by the Appellant is appropriate as it provides for more reasonable conditions to enable dairy farming and intensive winter grazing in the Southland Region.
- Intensive winter grazing***
- 6.2 DHL utilises an efficient wintering system whereby (typically) 5-40ha of forage crops are planted on their dairy farms to allow cows to be brought off wintering blocks earlier in the season. This model means that intensive winter grazing affects not only DHL’s wintering blocks, but also potentially its dairy farms.
- 6.3 The changes to Rule 20 sought by the Appellant are intended to provide for more appropriate conditions for intensive winter grazing as a permitted activity.
- New agricultural effluent storage facilities***
- 6.4 DHL owns a number of properties with effluent storage facilities. These allow DHL to manage good on-farm practices and should not be unnecessarily restricted by conditions in the Proposed Plan.
- 6.5 The changes to Rules 32B and 32D sought by the Appellant provide for more reasonable conditions for agricultural effluent facilities as a permitted activity.
- Abstraction and use of groundwater***
- 6.6 The conditions for the abstraction and use of groundwater as a permitted activity should not be unnecessarily restrictive. Such an activity forms an integral part of dairy farming.
- 6.7 The change to Rule 54 sought by the Appellant provides for a more appropriate conditions on the recording of water take data.
- 7 DHL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Dairy Holdings Limited by its solicitors and authorised agents Chapman Tripp



Ben Williams
Partner
7 June 2018

Address for service of person:

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Advice

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