

**BEFORE THE ENVIRONMENT COURT**

**ENV-2018-CHC-000050**

**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** **ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**

**Appellant**

**AND**

**SOUTHLAND REGIONAL COUNCIL**

**Respondent**

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

**GUNTON FARMS LIMITED**

Dated this *22* day of June 2018

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**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 GUNTON FARMS LIMITED**

1. Gunton Farms Limited ("**Gunton**") wishes to be a party to Notice of Appeal ENV-2018-CHC-000050 dated 22 May 2018 by the Royal Forest and Bird Protection Society of New Zealand Incorporated to the Environment Court ("**the Appeal**") against the Decision of the Southland Regional Council on the Proposed Southland Water and Land Plan.
2. Gunton is entitled to be a party to the Appeal because it made a Submission on the Proposed Plan.
3. Gunton is not a trade competitor for the purposes of s308C or s308CA of the Resource Management Act 1991.
4. Gunton Farms I interested in the matters below.
5. **Rule 20 – Farming: Intensive Winter Grazing**
  - a. The proposal to include ephemeral rivers (by deleting Rule 20(aa) and amending Rule 20).
  - b. The proposal to make farming activities that don't meet the standards a non-complying activity.
6. **Rule 25 - Cultivation**
  - a. The proposal to include ephemeral rivers.
  - b. The proposal to increase setback distances for cultivation.
7. **Rule 70 - Stock access**
  - a. The proposal to include ephemeral rivers and wetlands
  - b. The proposal to make farming activities that don't meet the standards a non-complying activity;
  - c. The proposal to add further performance standards.
8. Gunton Farms opposes the relief sought for the reasons set out below.-
9. **Rule 20 – Farming:**

- (i) *The proposal to include ephemeral rivers (by deleting Rule 20(aa) and amending Rule 20)*

9.1 The proposal could mean Gunton Farms would need a consent for much of its current normal operations, yet there are unlikely to be important current values present or any adverse effects from its activities. A single paddock can contain multiple ephemeral rivers therefore it would be almost impossible to adhere to this rule and would an inefficient use of resources.

9.2 Where land is to be cultivated or intensively winter grazed, the Farm Environmental Management Plan is required to identify these areas and include good management practices for the reduction of sediment and nutrient losses from these areas (Appendix N3(l)(i) and 5(b)(i)).

- (ii) *The proposal to make farming activities that don't meet the standards a non-complying activity*

9.3 There is no rationale provided to make farming that doesn't meet standards non-complying, versus the proposed discretionary activity.

9.4 It would be overly burdensome and costly.

## 10. Rule 25 Cultivation

- (i) *The proposal to include ephemeral rivers*

10.1 The proposed inclusion is opposed for reasons set out in paragraphs 9.1-9.2.

- (ii) *The proposal to increase setback distances for cultivation*

10.2 The setbacks proposed:

- a. are not practical;
- b. will create an inefficient use of land;
- c. will result in loss of productive land and increase breeding grounds for weeds and pest;
- d. will results in greatly increased costs of maintenance.

## 11. Rule 70 Stock access

(i) *The proposal to include ephemeral rivers and wetlands*

11.1 The proposed inclusion is opposed for reasons set out in paragraphs 9.1-9.2.

(ii) *The proposal to make farming activities that don't meet the standards a non-complying activity*

11.2 There is no rationale provided to make stock access that doesn't meet standards non-complying versus the proposed discretionary activity.

(iii) *The proposal to add further performance standards*

11.3 The proposed performance standards are overly burdensome, and it is unclear what added benefit they will achieve.

12. Gunton Farms agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Gunton Farms Limited:-



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**Clare Lenihan**  
Counsel

Dated this 22 day of June 2018

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