

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: **Stoney Creek Station Limited**
Appellant

and: **Southland Regional Council**
Respondent

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

Dated: 7 June 2018

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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 Stoney Creek Station 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:
 - 5.1 **Rule 20**
The provision for intensive winter grazing in the decisions version of the Proposed Plan without unnecessary restriction in Rule 20 - Farming.
 - 5.2 **Rule 25**
The provision for cultivation on sloping ground in the decisions version of Proposed Plan without unnecessary restriction in Rule 25 – Cultivation on sloping ground.
 - 6 DHL supports the relief sought because:
 - 6.1 **Intensive winter grazing**
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.

6.2 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.

Cultivation

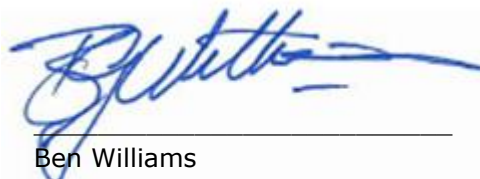
6.3 DHL has observed that on some of its properties, fences are within 3 metres of the outer edge of the bed of a waterbody (generally artificial watercourses) to ensure a straight fence line for practical and safe cultivation practices. It is therefore possible that on occasion, limited cultivation will occur within 3 metres from the outer edge of the bed of a watercourse, and this should be provided for in the plan (with the expectation that the average setback will remain 3 metres).

6.4 DHL is concerned that Rule 25(a)(iv) has the effect of preventing cultivation on land with a slope greater than 20 degrees, even when this is not in close proximity to streams and will have no impact from run-off. There are many examples of farmland in Southland with a slope greater than 20 degrees that are away from streams.

6.5 The changes to Rule 25 sought by the Appellant are appropriate as they provide greater flexibility to reflect realistic on-farm practices.

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