

under: the Resource Management Act 1991

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

and: of the Proposed Southland Water and Land Plan

between: **Wilkins Farming Co**
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 Wilkins Farming Co (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:
 - Physiographic Zone Policies***
 - 5.1 The provision for dairy farming and intensive winter grazing in the decisions version of the Proposed Plan without unnecessary restriction from physiographic zone policies.
 - 5.2 DHL has a limited interest in these zones but supports the relief sought.
 - Policy 42***
 - 5.3 The provision for the renewal of existing water permits in the decisions version of the Proposed Plan without unnecessary restriction in Policy 42 – Consideration of water permit applications.
 - Rule 20***
 - 5.4 The provision for intensive winter grazing in the decisions version of the Proposed Plan without unnecessary restriction in Rule 20 - Farming.

Appendix L.5

5.5 The provision for reasonable and appropriate groundwater allocation limits in Appendix L.5 – Groundwater Allocation in the decisions version of the Proposed Plan.

6 DHL supports the relief sought because:

Physiographic zones

6.1 DHL owns a number of properties that span a number of physiographic zones (although they are generally not zones that are sensitive from a water quality perspective). It is important that dairy farming and intensive winter grazing are enabled within all of these zones.

6.2 The decisions version of the Proposed Plan’s physiographic zone policies are overly restrictive and the changes to the policies sought by the Appellant provide for more appropriate policies for dairy farming and intensive winter grazing in these zones.

Consideration of water permit applications

6.3 DHL is the consent holder for a limited number of water permits on its various properties. It is important that where water allocations reach over-allocation, the rights of existing consent holders are duly recognised.

6.4 The changes to Policy 42 sought by the Appellant provide for appropriate recognition of existing consent holders concerning over-allocated of water bodies.

Intensive winter grazing

6.5 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.

6.6 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.

Groundwater allocation limits

6.7 DHL considers groundwater allocation limits should not be calculated in an arbitrary way with no consideration of known environmental conditions.

6.8 The changes to Appendix L.5 sought by the Appellant provide for the transparent and consistent calculation of groundwater allocation limits and are appropriate.

- 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

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Advice

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