

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA  
TĀMAKI MAKAURAU ROHE**

**ENV-2022-AKL**

**UNDER** section 274 of the Resource Management Act 1991

**IN THE MATTER** of an appeal under clause 14(1) of the First Schedule of  
the Act

**BETWEEN** **WAIKATO REGIONAL COUNCIL**  
  
**Appellant**

**AND** **WAIKATO DISTRICT COUNCIL**  
  
**Respondent**

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**NOTICE OF LOCHIEL FARMLANDS LIMITED WISH TO BE PARTY TO  
PROCEEDINGS  
S274, RESOURCE MANAGEMENT ACT 1991  
22 March 2022**

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**Harkness Henry**

SPECIALIST LAWYERS

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**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS**

*Section 274, Resource Management Act 1991*

**To** The Registrar  
Environment Court  
Auckland

**Name of Person who wishes to be Party**

- 1 Lochiel Farmlands Limited (**Lochiel**) wishes to be a party to the following proceedings: Clause 14(1) of the First Schedule, Resource Management Act 1991, Waikato Regional Council (**WRC**) appeal against part of the decision of the Proposed Waikato District Council Plan.
- 2 Lochiel made a submission about the subject matter in the plan change hearing (submitter 349).

**Trade competition**

- 3 Lochiel is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

**The Proceedings**

- 4 Lochiel is interested in part of the proceedings. In particular, amendments sought by WRC in respect of Significant Natural Areas (**SNAs**).

**Particular Issues**

- 5 Lochiel is interested in the following particular issues:
  - (a) SNAs being mapped;
  - (b) The definition of an SNA; and
  - (c) Ecologist evidence needing to be obtained to determine the status of an area (whether mapped or unmapped).

**Relief sought**

6 Lochiel opposes in part the relief sought because:

- (a) The SNA areas have been mapped both with expert input; site visits; using desktop tools; and following feedback with landowners about the appropriateness of some mapping. Lochiel is satisfied that the SNA mapping on its land is appropriate.
- (b) To only remove SNAs from the Proposed District Plan if there is evidence from a qualified ecologist places an unfair onus on landowners. Landowners discussed these areas with Waikato District staff and have identified the areas appropriate for an SNA and those areas that incorrectly map and identify vegetation that does not fit the criteria for SNAs. To retain the SNA maps from the Proposed District Plan would result in less indigenous vegetation and more weeds being included within the SNAs mapped on the 3000ha Lochiel farm.
- (c) There are other controls that protect indigenous vegetation where it is outside of an SNA. It is therefore unnecessary to include all indigenous vegetation in the SNA mapping.
- (d) The suggested amendment of the definition of 'Significant Natural Area:

“Means an area identified as a Significant Natural Area on the planning maps or those areas that meet one or more of the criteria set out in APP2 of the Plan, as assessed by a suitably qualified ecologist.”

This proposal is unclear regarding the ecological assessment, including as to when such an assessment is required.

**Dispute resolution**

7 Lochiel Farmlands Limited agrees to participate in mediation or other alternative dispute resolution of the proceedings.

*CAM.*

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Charlotte Muggeridge and Dr Joan Forret

Solicitor for Person wishing to be a Party

Date: 22/03/2022

**Address for service of Person wishing to be a Party**

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