

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY  
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2021-CHC-93

**In the matter** of the Resource Management Act 1991 (**the Act**)

**and**

**In the matter** of an appeal under clause 14 schedule one of the Act

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

Appellant

**And** **MACKENZIE DISTRICT COUNCIL**

Respondent

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**NOTICE OF MT. GERALD STATION LIMITED'S WISH TO BE PARTY TO  
PROCEEDINGS**

**26 August 2021**

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**Duncan Cotterill**  
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To: The Registrar  
Environment Court  
Christchurch

1 Mt. Gerald Station Limited (**MGSL**) wishes to be a party to the abovenamed appeal.

2 MGSL made a submission and further submission to Plan Change 18 (Indigenous Biodiversity) (**PC18**) to the Mackenzie District Plan that is the subject of these proceedings.

3 Notice of the decision on PC18 was received by MGSL on 24 June 2021. MGSL elected not to appeal the decision.

4 Mt Gerald Station is located within the Mackenzie Basin subzone and is subject to the Mackenzie District Plan (**MDP**). In that respect, MGSL has an interest in these proceedings greater than the interest that the general public has.

5 MGSL is not a trade competitor for the purposes of section 308C or 308CA of the Act.

6 MGSL is interested in all of the proceedings.

7 Without detracting from the generality of 6 above, those particular parts of the appeal in which MGSL is interested, and whether it supports or opposes those parts are identified in **Appendix A**. Appendix A is not specific to this appeal and identifies MGSL's position with respect to the following related appeals:

7.1.1 ENV-20210-CHC-91 – Meridian Energy Ltd (**MEL**)

7.1.2 ENV-20210-CHC-92 – Director-General of Conservation

7.1.3 ENV-20210-CHC-93 – Royal Forest and Bird Protection Society of New Zealand Incorporated

7.1.4 ENV-20210-CHC-94 – Environmental Defence Society Incorporated

- 8 MGS� supports the relief sought by MEL in relation to the deletion of figure 1 and subsection (c) from the definition of '*significant indigenous vegetation and significant habitats of indigenous fauna*' because the map depicting Mackenzie Basin alluvial outwash and moraine ecosystems has not been ground-truthed or adequately consulted upon.
- 9 For all other appeals, MGS� opposes the relief sought because the outcomes have the potential to impose inappropriate restriction(s) and increased consenting obligations on the current and future farming operations of MGS�.
- 10 Further, MGS� considers that the relief sought:
- 10.1.1 Is inconsistent with the Canterbury Policy Statement 2013 (CRPS) and fails to provide a pathway for development and use of land in accordance with the concept of sustainable management prescribed in the Act. The decisions version of PC18 should be preferred.
  - 10.1.2 Does not differentiate between maintenance clearance and new clearance activities, a matter of critical importance to the ongoing viability of current farming operations in the Mackenzie Basin.
  - 10.1.3 Is inconsistent with section 32, the purposes and principals of part 2, and the requirements for district plans set out in sections 72, 74 and 75 of the Act.
  - 10.1.4 Will not promote certainty or provisions that are capable of construction and use by non-specialist users of the MDP.
  - 10.1.5 Is not supported by robust scientific assessment.
- 11 MGS� agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 26 August 2021



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**Katherine Forward**  
Counsel for Mt Gerald Station Limited

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**Advice:**

If you have any questions in relation to this notice, please contact the Environment Court in Auckland, Wellington or Christchurch.

**APPENDIX A**

<b>PROVISION APPEALED</b>	<b>EDS</b>	<b>DOC</b>	<b>FOREST &amp; BIRD</b>	<b>MEL</b>
<b>Mapping of fully converted and unconverted land</b>	Oppose	Oppose	Oppose	
<b>Definitions</b>				
<b>Improved pasture</b>	Oppose	Oppose	Oppose	
<b>Indigenous vegetation</b>			Oppose	
<b>Significant indigenous vegetation and significant habitats of indigenous fauna</b>	Oppose	Oppose	Oppose	Support with respect to deletion of figure 1 and subsection (c)
<b>Vegetation clearance</b>	Oppose	Oppose	Oppose	
<b>Objectives and Policies</b>				
<b>Objective 1</b>			Oppose	
<b>Policy 2</b>			Oppose	
<b>Policy 3</b>			Oppose	
<b>Policy 4</b>	Oppose		Oppose	
<b>Policy 5</b>	Oppose		Oppose	
<b>Rules</b>				
<b>Rule 1.1.1(1)(a)</b>	Oppose regarding requested maximum clearance cap	Oppose regarding deleting stock tracks and stock crossings		
<b>Rule 1.1.1(1)(b)</b>	Oppose			
<b>Rule 1.1.1(7)</b>	Oppose	Oppose		
<b>Rule 1.3.2(1)</b>			Oppose	
<b>Rule 19.1.1</b>			Oppose	
<b>Rule 19.1.2.2</b>			Oppose	
<b>Rule 19.3.2</b>			Oppose	