

**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

**NOTICE OF GRAYS HILLS STATION LIMITED'S WISH TO BE PARTY TO
PROCEEDINGS**

26 August 2021

Duncan Cotterill
Solicitor acting: Katherine Forward
PO Box 5, Christchurch 8140

Phone +64 3 379 2430
Fax +64 3 379 7097
katherine.forward@duncancotterill.com

To: The Registrar
Environment Court
Christchurch

- 1 Grays Hills Station Limited (**GHSL**) wishes to become party to the abovenamed appeal.
- 2 GHSL is not a submitter to Plan Change 18 (Indigenous Biodiversity) (**PC18**) to the Mackenzie District Plan (**MDP**) that is the subject of these proceedings.
- 3 GHSL own a combination of freehold and leasehold interests within the Mackenzie Basin subzone. That land is subject to the MDP and accordingly GHSL have an interest in these proceedings greater than the interest that the general public has – a right in property that is directly affected by the subject matter of the appeal, and which is not remote
- 4 The relief pursued in the appeal(s) has the potential to disadvantage GHSL through constraints on land use leading to direct consequences including the environmental, economic, and social costs of any change to the decision version of PC18.
- 5 GHSL are not trade competitors for the purposes of section 308C or 308CA of the Act.
- 6 GHSL are interested in all of the proceedings.
- 7 Without detracting from the generality of 6 above, those particular parts of the appeal in which GHSL 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 GHSL'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

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

- 8 GHSL support 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, GHSL 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 at Grays Hills Station.
- 10 Further, GHSL consider 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 GHSL agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 26 August 2021



Katherine Forward
Counsel for Grays Hills Station Limited

Address for service:

Attention: Katherine Forward
Duncan Cotterill
Level 2, Duncan Cotterill Plaza
148 Victoria Street
Christchurch 8013

Tel +64 3 379 2430

Email: Katherine.forward@duncancotterill.com

Advice:

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

APPENDIX A

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