

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

**ENV-2009-CHC-000039**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of appeals pursuant to  
clause 14 of Schedule 1 to  
the Act in relation to the  
Decision on the Proposed  
Southland Water and Land  
Plan

**BETWEEN** **ALLIANCE GROUP  
LIMITED**

**Appellant**

**AND** **SOUTHLAND REGIONAL  
COUNCIL**

**Respondent**

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**NOTICE OF PERSON'S INTENTION TO BECOME A PARTY TO PROCEEDINGS  
PURSUANT TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

**DATED 22 JUNE 2018**

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 **Simpson Grierson**  
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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  
Christchurch

1. Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima (collectively Ngā Rūnanga), and Te Rūnanga o Ngāi Tahu (collectively Ngāi Tahu) (collectively, **Ngā Rūnanga**), wish to be a party to the above proceeding.
2. Ngā Rūnanga made a submission about the subject matter of the proceedings.
3. In addition, Te Rūnanga is the iwi authority over the takiwā of Ngāi Tahu which includes all of the area covered by the Southland Regional Council. Te Rūnanga is comprised of 18 Papatipu Rūnanga including Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, and Te Rūnanga o Oraka Aparima within whose takiwā the Southland region lies. In that respect, Ngā Rūnanga has an interest in the proceedings greater than the general public.
4. Ngā Rūnanga are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**RMA**).
5. Ngā Rūnanga are interested in part of the proceedings:
6. The parts of the proceedings Ngā Rūnanga are interested in are:
  - (a) **Objective 11** - Amending objective to have regard to the primacy of community water supplies and priority takes when managing the allocation and use of water.
  - (b) **Policies 4 – 12** - Amending policies 4-12 so they apply to farming activities and not industrial and trade premises (so industrial and trade premises do not have to apply GMP).

- (c) **Policy 14 Preference for discharges to land** - Amending policy to make preference of the discharge of contaminants to land over water where a discharge to land is practicable and appropriate.
- (d) **Policy 15A, 15B and 15C and Policy 16A and Appendix E** – Amending policies to acknowledge the influence of background water quality and the practical limits on the extent to which individual discharges can contribute to improving degraded water quality beyond the zone of reasonable mixing. Delete 15A and 15B that require adherence until FMU process applies to Appendix E water quality standards.
- (e) **Policy 20 and Appendix O** - Amending so that policy or appendix acknowledges practical limits of improving water efficiency in older trade and industrial processes.
- (f) **Policy 42 Consideration of water permits** – Amending policy so that it does not require processing facilities to be subject to minimum flow or level regimes in accordance with Appendix K.
- (g) **Rules 5 and 6** – Amending so that achieving the standards in Appendix E Water Quality Standards and Appendix C ANZECC Sediment Guidelines is not determinative of activity status for discharges from its processing plants. Replacement consents are discretionary not non-complying activities.
- (h) **Rule 49 Abstraction, diversion and use of surface water** – Making all non-consumptive take, diversion and use of water restricted discretionary activity. Cannot meet requirement for 100 metre return of water in the Maitai River. Deleting provision relating to fish screens or apply it only to permitted activities as too restrictive.
- (i) **Rule 50 Community water supply** - Making priority water takes a controlled activity. Currently could be a non-complying activity.
- (j) **Appendix E Water quality standards** - standards in Appendix E be amended so they take appropriate account of existing land use, existing water quality and natural variability.

- (k) **Appendix G Popular bathing sites** - Deleting Mataura River at Mataura River Bridge from the list of popular bathing sites in Appendix G.

7. Ngā Rūnanga opposes in the relief sought by Alliance Group Limited because:

- (a) The Mataura River is a Statutory Acknowledgement Area. The amendments sought could result in development and use of the river in ways that affect the relationship of Ngā Rūnanga with this river.
- (b) They are concerned that the proposed amendments to fish screen provisions could have implications for Taonga species including tuna and inanga.
- (c) The amendments sought do not provide for Te Mana o te Wai in that they would put the needs of people before those of the waterbody.
- (d) The proposed plan was intended to “hold the line” in terms of the quality of the region’s environment and freshwater resources. Ngā Rūnanga is concerned that the amendments sought will not achieve this.
- (e) Ngā Rūnanga is concerned about provisions that seek to ‘grandparent’ existing poor practices including discharges containing effluent to water.

8. Ngā Rūnanga agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** at Wellington this 22 day of June 2018



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J G A Winchester  
Counsel for Ngā Rūnanga

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