

**BEFORE THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

**ENV-2018-CHC-000050**

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

**AND**

**IN THE MATTER** of an appeal under clause 14(1) of the First Schedule of  
the Resource Management Act in relation to the  
Proposed Southland Water and Land Plan

**BETWEEN** **ROYAL FOREST AND BIRD PROTECTION SOCIETY  
OF NEW ZEALAND INCORPORATED**

**Appellant**

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

**Respondent**

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**NOTICE OF ALLIANCE GROUP LIMITED'S WISH TO BE  
PARTY TO PROCEEDINGS PURSUANT TO  
SECTION 274 RESOURCE MANAGEMENT ACT 1991**

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**15 June 2018**

To: The Registrar  
Environment Court  
Christchurch

1 Alliance Group Limited ("**Alliance** ") wishes to be a party to the following proceedings:

(a) the appeal by Royal Forest and Bird Protection Society of New Zealand Incorporated ('**the Appellant**') to the Environment Court against the decisions of the Southland Regional Council ('**the Respondent**') on the Proposed Southland Water and Land Plan ('**the Proposed Plan**').

2 This notice is made upon the following grounds:

(a) Alliance submitted and further submitted on the Proposed Plan to which this appeal relates and has an interest in these proceedings that is greater than the public generally.

(b) Alliance has lodged an appeal in relation to the Proposed Plan.

3 Alliance is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 ("**the Act**" or "**the RMA**").

4 Alliance has an interest in all the proceedings.

5 Without limiting the above, Alliance is interested in the following particular issues:

(a) Objective 6

(b) Objective 13, Objective 13A and Objective 13B

(c) Policy 15

(d) Policy 16A

(e) Policy 17

(f) Policy 20

**Objective 6**

6 Alliance opposes the relief sought. The appellants relief suggests there should be no reduction in the quality of freshwater anywhere in

Southland. This fails to acknowledge that there is natural variability in water quality across a range of different water bodies, estuaries and coastal lagoons. Nor does it recognise that in some circumstances it is reasonable for water quality to be influenced by discharges arising from industrial activity in the region.

**Objective 13. 13A and 13B**

7 Alliance opposes the relief being sought because:

- (a) The appellant's proposed drafting of sub-clause (d) duplicates the notified preamble.
- (b) The amendments to (a) seem to unnecessarily complicate what is otherwise a simple directive.
- (c) The deletion of "significant" from sub-clause (b) and insertion of "adverse" may preclude any adverse effects, regardless of scale. However, the RMA is not a no-effects statute.
- (d) The replacement of the term "maintained" with "safeguarded" in sub-clause (c) is inappropriate. "Safeguarded" is used in section 5(b) of the RMA in relation to air, water, soil and ecosystems. Sub-clause (c) of Objective 13 relates to other values.

**Policy 15**

8 Alliance opposes the relief sought because:

- (a) It opposes the use of the standards in Appendix E to guide assessments of whether the effects of an activity are acceptable, as those standards do not appear to have been developed having regard to natural variability nor do they appear to be based on robust assessments of existing water quality in river systems; and
- (b) Avoiding all discharges that reduce ground or surface water quality would veto most discharges, as they would contribute some contaminant loading into the catchment. The ability to remedy or mitigate the adverse effects of discharges are key management tools for sustainably managing catchments, and they should be available for use.

**Policy 16A**

- 9 Alliance opposes the relief sought. Requiring discharges to avoid adverse effects on water quality would veto most discharges, as they would contribute some contaminant loading into the catchment. The ability to remedy or mitigate the adverse effects of discharges are key management tools for sustainably managing catchments, and they should be available for use.

**Policy 17**

- 10 Alliance opposes the relief sought. Requiring discharges to avoid adverse effects on water quality would veto many discharges, as they would contribute some contaminant loading into the catchment. The ability to remedy or mitigate the adverse effects of discharges are key management tools for sustainably managing catchments, and they should be available for use

**Policy 20**

- 11 Alliance opposes the relief sought. Deleting references to “remedy or mitigate” in Policy 20 may preclude any adverse effects, regardless of scale. This cannot be justified considering the costs and benefits of the approach, and the RMA is not a no-effects statute.
- 12 Alliance agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 15th day of June 2018



Doyle Richardson

Alliance Group Limited

**Address for service of Appellant:**

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DUNEDIN

Attention: Adrian Low

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Phone: (03) 477 7884

**A copy of this notice has been served on the following parties:**

Royal Forest and Bird Protection Society of New Zealand Incorporated  
Sally Gepp, PO Box 266, Nelson 7040,  
[s.gepp@forestandbird.org.nz](mailto:s.gepp@forestandbird.org.nz)

Southland Regional Council  
c/- Kirstie Wyss, Wynn Williams & Co  
Christchurch, PO Box 4341, DX WX11179, Christchurch,  
[Kirstie.Wyss@wynnwilliams.co.nz](mailto:Kirstie.Wyss@wynnwilliams.co.nz)

**Advice**

If you have any questions about this notice, contact the Environment Court in Christchurch.