

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2018-CHC-000047

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 **WAIHOPAI RŪNAKA, HOKONUI RŪNAKA, TE RŪNANGA O AWARUA, TE RŪNANGA O ORAKA APARIMA, AND TE RŪNANGA O NGĀI TAHU (COLLECTIVELY NGĀI TAHU)**

Appellant

AND **SOUTHLAND REGIONAL COUNCIL**

Respondent

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

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 Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima, and Te Rūnanga o Ngāi Tahu (collectively Ngāi Tahu) ('**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) General Appeal Point – Maintain and improve water quality be established from when the Regional Water Plan for Southland became operative (January 2010).
 - (b) Objective 6
 - (c) Objective 18
 - (d) Policy 13
 - (e) Policy 15
 - (f) Policy 17

(g) Policy 25

General Appeal Point – Maintain and improve water quality be established from when the Regional Water Plan for Southland became operative (January 2010).

- 6 Alliance opposes the relief sought. It is uncertain what water quality was in January 2010, and in turn the costs / benefits of requiring water quality to be maintained and improved relative to that which existed at that date is uncertain.

Objective 6

- 7 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

- 8 Alliance is concerned the reference to ‘good management practices’ is a vague and uncertain test for assessing the effects of industrial and trade process discharges. It also has the potential to be a moving target as no Schedule 1 process is required to create, update and change Good Management Practice factsheets on the Regional Council’s webpage.
- 9 Alliance considers Objective 18 should seek discharges from industrial and trade processes be in accordance with the “best practicable option” which is a readily understood and more certain assessment method. This would also provide a specific objective basis for Policy 16A.

Policy 13

- 10 Alliance opposes the relief sought. Alliance considers the notified version of Policy 13 and its direction that activities be managed so that water quality and the health of humans, and domestic animals and aquatic life, is ‘protected’ is inconsistent with the direction for those values in the National Policy Statement for Freshwater Management

2014, the Southland Regional Policy Statement and the Resource Management Act 1991.

- 11 Alliance is also concerned that this policy does not acknowledge that there will be variances in the values that each FMU will be managed for in accordance with setting and implementing freshwater objectives.

Policy 15

- 12 Alliance 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.

Policy 16A

- 13 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

14. Alliance agrees that Policy 17(1) is unnecessary as these matters are already covered by other policies and support its deletion

Policy 25

15. Alliance opposes the deletion of Policy 25 and the reference to 'industries that process perishable foods'. These industries would include Alliance's processing plants and provision for their water needs during times of water shortage is important. During these times many farms are de-stocking. However, Alliance is not opposed to a suitable definition of 'industries that process perishable foods' in the Proposed Plan.
16. 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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A copy of this notice has been served on the following parties:

Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima, and Te Rūnanga o Ngāi Tahu
C/- James Winchester, Simpson Grierson - Wellington,
PO Box 2402, DX SX 11174, Wellington 6140
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Southland Regional Council
c/- Kirstie Wyss, Wynn Williams & Co
Christchurch, PO Box 4341, DX WX11179, Christchurch,
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Advice

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