

BEFORE THE ENVIRONMENT COURT
AT AUCKLAND

I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of an appeal pursuant to Clause 14 of
the First Schedule of the Resource
Management Act 1991 against the
decision of the Waikato Regional
Council on Proposed Plan Change 1
to the Waikato Regional Plan

BETWEEN

**FEDERATED FARMERS OF NEW
ZEALAND INC**

Appellant

(ENV-2020-AKL-000102)

AND

WAIKATO REGIONAL COUNCIL

Respondent

**NOTICE OF MATAMATA-PIAKO DISTRICT COUNCIL'S WISH TO BE
PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991**

**BROOKFIELDS
LAWYERS**

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TO: The Registrar
Environment Court
Auckland

AND TO: FEDERATED FARMERS OF NEW ZEALAND INC
Attn: N J Edwards
Level 5, 169 London Street
HAMILTON 3240

1. Matamata-Piako District Council (**MPDC**) wishes to be a party to the following proceeding concerning an appeal against the decisions on submissions on Proposed Plan Change 1 (Waikato and Waipa rivers) to the Waikato Regional Plan (**PC1**):

- (a) ENV-2020-AKL-000102 Federated Farmers of New Zealand Inc v Waikato Regional Council (**Appeal**).

Nature of Interest

2. MPDC is:
 - (a) A local authority; and
 - (b) A person who made a submission (submitter ID 73419) and further submission on the subject matter of the proceedings.
3. MPDC is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (**RMA**).

Extent of Interest

4. The parts of the proceeding that MPDC is interested are:
 - (a) Objectives 1, 2 and 4;
 - (b) Policies 1, 5, 7, 8, 10 and 17; and
 - (c) Implementation Methods 3.11.3.1 and 311.3.2A.

(d) Tables 3.11-1, 3.11-2 and 3.11-3.

5. Without derogating from paragraph 4, MPDC is particularly interested in the Appeal with respect to the following submissions which it **supports** or **supports in part**:

- (a) Amending Objective 1 so that it reflects a more realistic and achievable goal, by, for example, focusing restoration and protection efforts to those places and times of year where the Waikato and Waipā Rivers, including all springs, lakes and wetlands within their catchments are used to swim in and take food from.
- (b) Amending Objective 2 to reflect an achievable target that will not come at significant cost to the community.
- (c) The amendment of Policy 1 so that it no longer requires the reduction of all the listed contaminants in all places and instead provides for a more tailored approach based on a farming activity's location and the type of contaminants it releases.
- (d) The amendment of Policy 5 so that it no longer requires the reduction of all listed contaminants in all places and provides for a more tailored and site specific approach for the reduction of sediments.
- (e) MPDC generally supports the rationale of amending Policy 7, but considers greater clarity is required to ensure the objectives are achieved.
- (f) The amendment of Policies 8 and 10 to recognise that achieving Te Ture Whaimana o Te Awa o Waikato is a journey that will require actions by all sectors of the community and that economic and social wellbeing of people and communities will need to be provided for along that journey.
- (g) Amending Policy 17 to clarify that it does not apply to artificial and infrastructure wetlands.

- (h) The intent of amendment to Method 3.11.3.1, however, this should not come at the expense of achieving the objectives.
 - (i) The amendment of Table 3.11-1 to provide greater clarity on its implementation.
6. Without derogating from paragraph 4, MPDC is also interested in the Appeal with respect to the following submissions which it **opposes** or **opposes in part**:
- (a) Amending Objective 4 to clarify that any flexibility for, or removal of impediments relating to, the development, use and management of tangata whenua ancestral land and land returned via Treaty settlements is subject to sustainable management, a consistent and effects based assessment.
 - (b) Supports the intent of Method 3.11.3.2A, however opposes the cost and time implications of the method.
 - (c) The amendment to Table 3.11-2 to the extent that it affects MPDC's interest and its ability to provide for the community.
 - (d) The amendment to Table 3.11-3 to the extent that it affects MPDC's interest and its ability to provide for the community.

Relief Sought

7. MPDC seeks the relief detailed in paragraphs 5 and 6 above because:
- (a) It promotes sustainable management;
 - (b) It enables social, economic and cultural wellbeing;
 - (c) It is otherwise consistent with Part 2 of the RMA;
 - (d) It is appropriate in terms of section 32 of the RMA; and
 - (e) Otherwise for the reasons set out in MPDC's submission and further submission on PC 1.

8. MPDC seeks that the relief sought by the Appeal, and set out at Paragraph 5, be **granted**.
9. Further, MPDC seeks that the relief sought by the Appeal, and set out a Paragraph 6, be **declined**.

Mediation

10. MPDC agrees to participate in mediation or other dispute resolution of the proceedings.

Service

11. A copy of this notice has been served on the Respondent and Appellant.

DATED the 29th of September 2020

MATAMATA-PIAKO DISTRICT COUNCIL by its lawyers and duly authorised agents **BROOKFIELDS LAWYERS**



A M B Green / B J Cochrane
Counsel for Matamata-Piako District Council

This section 274 is filed by Andrew Michael Basford Green, solicitor for Matamata-Piako District Council. The address for service of Matamata-Piako District Council is at the offices of Brookfields Lawyers, Tower 1, 9th Floor, 205 Queen Street, Auckland.

Documents for service on Matamata-Piako District Council may be left at the address for service or may be:

1. Posted to the solicitors at PO Box 240, Auckland 1140.
2. Left for the solicitors at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitors by facsimile to 09 379 3224.
4. Emailed to the solicitors at green@brookfields.co.nz or cochrane@brookfields.co.nz