

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 **WAIPA DISTRICT COUNCIL**

Appellant

(ENV-2020-AKL-000085)

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**

A M B Green / B J Cochrane
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AUCKLAND

TO: The Registrar
Environment Court
Auckland

AND TO: WAIPA DISTRICT COUNCIL

Berry Simons
Level 1, Old South British Building, 3-13 Shortland Street,
Auckland
PO Box 3144, Shortland Street, Auckland 1140

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-000085 Waipa District Council 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. MPDC is interested in all of the proceedings.
5. Without derogating from paragraph 4, MPDC is particularly interested in the Appeal so far as it relates to:

- (a) Opposing the increased short-term target for the reduction of contaminants from 10% to 20%. MPDC considers that this increased rate of improvement cannot be met by the provisions of PC1 as presently written. Further, the social and economic costs of the increased short-term target have not been adequately assessed, including in relation to the expenditure required to upgrade wastewater treatment plants.
- (b) Amending Objective 3 to enable the community to provide for their social, economic and cultural wellbeing. There needs to be a greater and broader recognition of the Waikato and Waipā river catchments' contributions to the social, economic and cultural wellbeing of the community.
- (c) Amending Policy 12 so that the requirement for offsets does not include effects that are 'de minimis' and only relates to 'significant effects'. The staging of offsetting should be provided for, offsets should be able to be provided upstream and any offsetting should be limited to only being required for effects after the point of reasonable mixing. Greater clarity is required to ensure that the Council can adequately, effectively and efficiently provide for the needs of its community.
- (d) Amending Policy 13 to delete the following words "may be acceptable as a transitional measure during the life of this Chapter". Greater provision should be made for reasonable mixing for point source discharges, particularly in the context of wastewater treatment plants.
- (e) Amending or deleting Policy 19 to remove ambiguity regarding how it would be implemented in practice.
- (f) Amending Method 3.11.3.3 to make specific provision for monitoring in relation to point source discharges from regionally significant infrastructure to ensure that:

- (i) Owners and operators of regionally significant infrastructure are consulted regarding the location of such monitoring;
- (ii) The monitoring locations will not unfairly restrict the ongoing and future operations of such infrastructure; and
- (iii) Such monitoring is undertaken after reasonable mixing.

Relief Sought

6. MPDC **supports** the relief sought in the Appeal 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.
7. MPDC seeks that the relief sought in the Appeal be granted.

Mediation

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

Service

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

DATED the 29th day 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