

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
I TE KOOTI TAIAO O AOTEAROA**

ENV-2020-AKL-000102

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14 of Schedule 1 to the Act against the decision of the Waikato Regional Council on Proposed Plan Change 1 to the Waikato Regional Plan

BETWEEN

**FEDERATED FARMERS OF NEW ZEALAND
INCORPORATED**

Appellant

AND

WAIKATO REGIONAL COUNCIL

Respondent

**NOTICE OF TAUPO DISTRICT COUNCIL'S WISH TO BE PARTY TO
PROCEEDINGS**

Dated 29 September 2020

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To: The Registrar
Environment Court
Auckland

1. Taupo District Council (**TDC**) wishes to be a party to the following proceedings, being ENV-2020-AKL-000102 *Federated Farmers of New Zealand Incorporated v Waikato Regional Council* (**Appeal**).
2. TDC made a submission about the subject matter of the Appeal and, as a local authority, has an interest in the Appeal that is greater than the interest that the general public has.
3. TDC is not a trade competitor for the purposes of sections 308C or 308CA of the Resource Management Act 1991 (**RMA**).
4. TDC is interested in those parts of the Appeal relating to:
 - a) Objective 2 – Te Whaingā 2;
 - b) Policy 17 – Te Kaupapa Here 17;
 - c) Table 3.11-1;
 - d) Table 3.11-2; and
 - e) Table 3.11-3.
5. TDC is interested in the following particular issues:
 - a) Community wellbeing;

- b) The role of the short-term numeric water quality values in Table 3.11-1;
- c) Requirements to restore and protect wetlands;
- d) The inclusion of additional attributes;
- e) Offset and compensation measures; and
- f) Provision for reasonable mixing.

6. TDC supports the relief sought by the appellant for the following reasons:

Objective 2

- a) Objective 2 measures progress as the short-term numeric water quality values in Table 3.11-1 being “met” no later than 10 years after Plan Change 1 (**PC1**) is made operative. The impact of the requirement to achieve the 20% improvement in water quality in the first ten years is unclear as no assessment of its effects on the community and wellbeing have been undertaken. There is no evidence that the 20% reduction is achievable over a ten-year timeframe and at what cost.

Policy 17

- b) This Policy could be applied in a manner that could undermine the efficient and effective management and operation of artificial and infrastructure wetlands. The proposed amendments to the Policy

are supported by TDC to the extent that it clarifies that the Policy does not apply to artificial and infrastructure wetlands.

Table 3.11-1

- c) TDC shares the same concerns about the calculation of the 80-year targets including the assumptions and lack of information or understanding to calculate these. TDC supports the proposed amendments to the explanatory note to Table 3.11-1 for clarity and the proposed amendments to Table 3.11-1 to address TDC's concerns about short term targets.

Table 3.11-2

- d) TDC is concerned that any changes to this Table, which underpins PC1 and the achievement of its objectives, would potentially impact on consents for point source discharges.

Table 3.11-3

- e) TDC is concerned that any changes to this Table, which underpins PC1 and the achievement of its objectives, would potentially impact on consents for point source discharges and overall community wellbeing; while also sharing the appellants concerns that there is a risk of insufficient capability and capacity to processing the volume of consents involved.
7. TDC supports any consequential relief to the extent that it is consistent with the outcomes sought in its appeal.

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



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L F Muldowney / S K Thomas

Counsel for Taupo District Council

Dated 29 September 2020

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Advice

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