

IN THE MATTER of the Resource Management Act 1991
("Act")

AND

IN THE MATTER OF the direct referral provisions in sections 87C – 87I of the
Act

AND

IN THE MATTER OF Applications for resource consents to authorise the
proposed upgrade of the existing Rotorua Wastewater
Treatment Plant (WWTP) and a new discharge of
treated wastewater - Lake Rotorua

BETWEEN **ROTORUA DISTRICT COUNCIL**

(Applicant)

AND **BAY OF PLENTY REGIONAL COUNCIL**

ROTORUA DISTRICT COUNCIL

(Respondents)

Notice of Person's wish to be Party to the Proceedings

under section 274 of the Act

Dated: 22 June 2020

PRESENTED FOR FILING BY:
Sarah Ongley
Barrister
PO Box 8213
NEW PLYMOUTH
Telephone: 06 7699400
Email: sarah@ongley.co.nz

To: the Registrar
Environment Court
Auckland

1. The **Director-General of Conservation** wishes to be a party to these proceedings:

ENV-2020-AKL-00052

Application for resource consents to authorise the proposed upgrade of the existing Rotorua Wastewater Treatment Plant (WWTP) and a new discharge of treated wastewater - Lake Rotorua

("Applications")

2. The **Director-General of Conservation** made a submission on the Applications.
3. The **Director-General of Conservation** is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. The **Director-General of Conservation** is interested in all of the proceedings.
5. The **Director-General of Conservation** is interested in the issues identified in its submission on the Applications, and the following particular issues:
 - 5.1. Potential adverse effects on geothermal habitat and rare geothermal vegetation;
 - 5.2. Potential adverse effects on geothermal surface features, the geothermal systems of the Puarenga Sulphur flats and Te Arikioa thermal channel and on other geothermal values;
 - 5.3. The risk of hydrothermal eruption and the ability of the recommended conditions of consent to adequately manage that risk;
 - 5.4. Potential adverse effects on avifauna, including on bird species that have the threat classification of 'Threatened' and 'At-Risk';
 - 5.5. Effects on water quality and freshwater values, including;
 - 5.5.1. Potential adverse effects of nutrient inputs to Lake Rotorua (nitrogen and phosphorus);
 - 5.5.2. Increased likelihood of localised algal blooms;

- 5.5.3. Appropriateness of discharge limits/standards for other water quality attributes.
- 5.6. The appropriateness of the chosen conveyance route and method, and whether alternative locations and methods of discharge that would avoid valued geothermal features and vegetation are available;
- 5.7. Ensuring the conditions of consent adequately address the ecological effects of the proposal, provide certainty, and include appropriate monitoring for all the potential adverse effects identified in this Notice,.
6. The **Director-General of Conservation opposes** the grant of the Applications because:
 - 6.1. In its current form, the Application is inconsistent with the provisions of:
 - 6.1.1. The purpose and principles of the Resource Management Act 1991 including Sections 6(a), (b) and 6(c);
 - 6.1.2. The New Zealand Policy Statement for Freshwater Management 2014 including Objective A1 and Policy A4;
 - 6.1.3. The Bay of Plenty Operative Regional Policy Statement including policies EI 5B, GR 4A, GR 9B, GR 11B, MN 1B, and MN B2;
 - 6.1.4. The Bay of Plenty Operative Rotorua Geothermal Regional Plan 1999 including Objective 13.5.1, and policy 13.5.2; and
 - 6.1.5. The Rotorua District Plan including objectives 1.2.1, 1.3.11, 2.3.1, 2.3.2, 2.3.4, 2.3.5, 2.3.7 and the associated policies.
7. The **Director-General of Conservation** agrees to participate in mediation or other alternative dispute resolution of the proceedings.
8. The address for service for the **Director-General of Conservation** is:

Sarah Jane Ongley, Barrister
Bank Chambers
2nd Floor Brougham House
50 Devon Street West
New Plymouth 4310

Service may also be effected by:

(a) Posting to Bank Chambers, P O Box 8213, New Plymouth 4342; or

(b) Emailing to sarah@ongley.co.nz.

DATED at Hamilton this 22nd day of June 2020

A handwritten signature in dark ink, appearing to read "Natasha Hayward".

.....
Natasha Hayward

Director -

Planning, Permissions, and Land

**For the Director-General of
Conservation**