

**BEFORE THE ENVIRONMENT COURT / I MUA I TE KOOTI TAIAO O  
AOTEAROA**

**AT AUCKLAND**

**UNDER** the Resource Management Act 1991

**A N D**

**IN THE MATTER** of an appeal under clause 14 of Schedule 1 of the Act

**BETWEEN** **AUCKLAND WAIKATO AND EASTERN FISH AND GAME  
COUNCIL**

**(ENV - 2020 - AKL - 000101)**

**Appellant**

**WAIKATO REGIONAL COUNCIL**

**Respondent**

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**NOTICE OF WAIRAKEI PASTORAL LIMITED'S  
WISH TO BE PARTY TO APPEAL**

**29 SEPTEMBER 2020**

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**Counsel instructed:**

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**SECTION 274 NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS BEFORE THE ENVIRONMENT COURT**

**TO: THE REGISTRAR  
ENVIRONMENT COURT  
AUCKLAND**

**WAIRAKEI PASTORAL LIMITED (WPL)** wish to be a party to the appeal by Auckland Waikato and Eastern Fish and Game Council against the Respondent's decision on Proposed Plan Change 1: Waikato and Waipa River Catchments to the Waikato Regional Plan as amended by Variation 1 (**PC1**).

WPL:

1. Made a submission on PC1 in 2016;
2. Made a submission on Variation 1 to PC1 in 2018;
3. Made a further submission on PC1 as amended by Variation 1 in 2018; and
4. Lodged an appeal on PC1 on 8 July 2020.

WPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).

WPL is interested in the parts of the appeal relating to:

1. The request to reinstate the Values statements, in an amended form
2. Objective 1
3. Objective 2
4. Objective 3
5. Objective 5
6. Policy 1
7. Policy 2

8. Policy 3
9. Policy 4
10. Policy 5
11. Policy 11
12. Policy 12
13. Policy 16
14. Policy 19
15. Rule 4.4
16. Rule 4.6
17. Rule 4.7
18. Rule 4.9
19. The request to change the default activity status from discretionary to non-complying
20. The request to amend PC1 to provide “clear limits”
21. Schedule B
22. Schedule C
23. Schedule D1
24. Schedule D2
25. Table 3.11.2

WPL supports the relief sought in Policy 5 and agrees with the reasons for that request set out in the appeal.

WPL supports the request to define “material increase” in Schedule D1 and agrees with the reasons for that request set out in the appeal.

WPL otherwise opposes all relief sought in relation to the above provisions on the basis that the relief sought:

1. In many respects, is beyond the scope of PC1
2. To the extent it is within scope, amending PC1 in the manner sought:
  - a. Will fail to give effect to Te Ture Whaimana o Te Awa o Waikato, the National Policy Statement – Freshwater Management and the Regional Policy Statement;
  - b. Is not the most appropriate way to achieve the objectives of the Regional Plan and PC1; and
  - c. Would not represent sustainable management of the natural and physical resources.
3. To the extent it directly contradicts the relief sought in the WPL appeal, the reasons set out in the WPL appeal are relief on.
4. To the extent that it seeks to achieve implementation of improved practices in a shorter timeframe, it fails to appropriately consider the costs and benefits of the rules.
5. To the extent it seeks to introduce a “no discharges” baseline, it has no legal foundation.

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

**WAIRAKEI PASTORAL LIMITED**, by its counsel:



**Signature:**  
**Date:**

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**B S Carruthers**  
29 September 2020

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**TO:**

Registrar, Environment Court, Auckland

**AND TO:**

The Respondent