

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

IN THE MATTER of an appeal under clause 14 of Schedule 1
of the Resource Management Act 1991 (**the
Act**)

BETWEEN WAIKATO REGIONAL COUNCIL
(ENV-AKL-2020-000089)
Appellant

AND WAIKATO REGIONAL COUNCIL
Respondent

AND AUCKLAND/WAIKATO AND EASTERN
REGION FISH AND GAME COUNCIL
BALLANCE AGRI-NUTRIENTS LIMITED
BEEF & LAMB NEW ZEALAND LIMITED
FEDERATED FARMERS OF NEW
ZEALAND
HAURAKI DISTRICT COUNCIL
HORTICULTURE NEW ZEALAND
MERCURY NZ LIMITED
MIRAKA LIMITED
POTATOES NZ INCORPORATED
WAIKATO AND WAIPA RIVER IWI
WAIKATO RIVER AUTHORITY
WAIRAKEI PASTORAL LIMITED

Section 274 parties



**MINUTE OF THE ENVIRONMENT COURT
(20 October 2020)**

Introduction

[1] On 7 July 2020, Waikato Regional Council (as appellant) filed an appeal in relation to parts of a decision of Waikato Regional Council (as respondent) on Proposed Waikato Regional Plan Change 1: Waikato and Waipa River Catchments.

[2] On 1 October 2020, the appellant filed a notice of withdrawal of appeal dated 29 September 2020.

[3] On 2 October 2020, the Registry requested the parties to advise by Wednesday, 7 October 2020, if there were any outstanding issues, including as to costs, in relation to the appellant's notice of withdrawal of appeal.

[4] Of the 12 section 274 parties, the following seven parties responded:

- (a) Ballance Agri-Nutrients Limited;
- (b) Horticulture New Zealand;
- (c) Miraka Limited;
- (d) Potatoes NZ Incorporated;
- (e) Waikato and Waipa River Iwi;
- (f) Mercury NZ Limited; and
- (g) Hauraki District Council.

[5] These parties all confirmed that they do not have any issues they would like to raise including as to costs.

[6] On 12 October 2020, counsel for the respondent also confirmed by e-mail that it has no issues with the appellant's withdrawal.

[7] On 12 October 2020, the Registry sent a further e-mail advising the parties, who had not responded, that the matters in relation to costs will be determined by the Court on the papers without further input from the parties if no reply is received by Friday, 16 October 2020.

[8] Subsequently, counsel for Federated Farmers of New Zealand and Auckland/Waikato and Eastern Region Fish and Game Councils confirmed by return e-mail on 12 October 2020, that there are no issues in relation to the appellant's notice of withdrawal, including as to costs.




[9] The Court has recorded that no responses have been filed by the following three section 274 parties:

- (a) Beef + Lamb New Zealand Limited;
- (b) Waikato River Authority; and
- (c) Wairakei Pastoral Limited.

Direction

[10] As the appeal has been withdrawn by the appellant and there is no issue as to costs, I direct the Court's file to be closed and the records to be updated accordingly.





M Harland
Environment Judge