

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2020-AKL-000086

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU ROHE**

IN THE MATTER of the Resource Management Act 1991

AND

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

BETWEEN **TAUPO DISTRICT COUNCIL**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

**NOTICE BY SOUTH WAIKATO DISTRICT COUNCIL TO BECOME A PARTY TO
PROCEEDINGS UNDER SECTION 274 OF THE ACT**

Dated 28 September 2020

TOMPKINS | WAKE

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TO: The Registrar
Environment Court
Auckland

1. **SOUTH WAIKATO DISTRICT COUNCIL** (“SWDC”) gives notice under s 274 of the Resource Management Act 1991 (“the Act”) that it wishes to be a party to these proceedings, being *Taupo District Council v Waikato Regional Council* ENV-2020-AKL-000086 (“the Appeal”).
2. The Appeal challenges the decision by the Respondent on Proposed Waikato Regional Plan Change 1 - Waikato and Waipā River Catchments to the Waikato Regional Plan as amended by Variation 1 (“PC1”).
3. SWDC is a local authority and a person who made a submission about the subject matter of the proceedings, being those provisions of PC1 identified in paragraph 5 below.
4. SWDC is not a trade competitor for the purposes of sections 308C or 308CA of the Act.
5. SWDC is interested in those parts of the Appeal relating to:
 - (a) Policy 12;
 - (b) Policy 13d; and
 - (c) Policy 14 and Method 3.11.3.3.
6. SWDC’s position on the Appeal and the reasons for that position are set out in respect of each part of the Appeal below. For brevity, the description of the relief sought in the Appeal has been paraphrased in this notice.

Policy 12
7. The Appeal on Policy 12 seeks to ensure that offsetting is only required for the adverse effects of a discharge after reasonable mixing and only for the duration of the relevant consent.

8. SWDC supports in part the relief sought by the Appellant for the following reasons:

(a) For the reasons given in the Appeal by SWDC (ENV-2020-AKL-000092): and

(b) For the reasons given in the Appellant's Notice of Appeal.

Policy 13

9. The Appeal seeks to amend Policy 13j to remove the qualification placed on the use of 'reasonable mixing'.

10. SWDC supports in part the relief sought by the Appellant for the following reasons:

(a) For the reasons given in the Appeal by SWDC (ENV-2020-AKL-000092); and

(b) For the reasons given in the Appellant's Notice of Appeal.

Policy 14 and Method 3.11.3.3

11. The Appeal seeks to amend Policy 14 to generally apply a 35 year consent duration for Regionally Significant Infrastructure and amend Method 3.11.3.3 to ensure that monitoring takes into account the resource consents held by operators of Regionally Significant Infrastructure.

12. SWDC supports the relief sought by the Appellant for the reasons given in the Appellant's Notice of Appeal.

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

DATED this 28th day of September 2020



M Mackintosh / K Dibley

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In accordance with the Environment Court Decision No. [2020] NZEnvC 063 this notice is lodged with the Environment Court at WRC.PC1appeals@justice.govt.nz and served on:

The Council at: PC1Appeals@waikatoregion.govt.nz

The Appellant at: lachlan@muldowney.co.nz

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Advice

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