

BEFORE THE ENVIRONMENT COURT
AT AUCKLAND

I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an appeal pursuant to Clause 14 of
the First Schedule of the Resource
Management Act 1991 against the
decision of the Waikato Regional
Council on Proposed Plan Change 1
to the Waikato Regional Plan

BETWEEN

MERCURY NZ LIMITED

Appellant

(ENV-2020-AKL-000095)

AND

WAIKATO REGIONAL COUNCIL

Respondent

**NOTICE OF MATAMATA-PIAKO DISTRICT COUNCIL'S WISH TO BE
PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991**

**BROOKFIELDS
LAWYERS**

A M B Green / B J Cochrane
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P O Box 240
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AUCKLAND

TO: The Registrar
Environment Court
Auckland

AND TO: MERCURY NZ LIMITED

Chapman Tripp
Level 38
23 Albert St
PO Box 2206
Auckland 1140

1. Matamata-Piako District Council (**MPDC**) wishes to be a party to the following proceeding concerning an appeal against the decisions on submissions on Proposed Plan Change 1 (Waikato and Waipa rivers) to the Waikato Regional Plan (**PC1**):

- (a) ENV-2020-AKL-000095 Mercury NZ Limited v Waikato Regional Council (**Appeal**).

Nature of Interest

2. MPDC is:
 - (a) A local authority; and
 - (b) A person who made a submission (submitter ID 73419) and further submission on the subject matter of the proceedings.
3. MPDC is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (**RMA**).

Extent of Interest

4. The part of the proceeding that MPDC is interested in is:
 - (a) Policy 11.
5. Without derogating from paragraph 4, MPDC is particularly interested in the Appeal so far as it relates to:

- (a) Amending Policy 11 such that it is not subject to Policies 12 and 13. The Waikato Regional Policy Statement (**WRPS**) contains broad, enabling, protecting provisions in relation to Regionally Significant Infrastructure. MPDC supports amending PC1 to provide strong direction to enable the development, operation and upgrade of regionally significant infrastructure and avoid a policy hierarchy that undermines strong policy support for regionally significant infrastructure. MPDC's ability to develop, operate and upgrade regionally significant infrastructure (particularly wastewater treatment plants) is required to ensure that the MPDC can adequately, effectively and efficiently provide for the needs of its community.

Relief Sought

6. MPDC **supports** the relief sought in the Appeal because:
 - (a) It promotes sustainable management;
 - (b) It enables social, economic and cultural wellbeing;
 - (c) It is otherwise consistent with Part 2 of the RMA;
 - (d) It is appropriate in terms of section 32 of the RMA; and
 - (e) Otherwise for the reasons set out in MPDC's submission and further submission on PC 1.
7. MPDC seeks that the relief sought in the Appeal be **granted**.

Mediation

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

Service

9. A copy of this notice has been served on the Respondent and Appellant.

DATED the 29th day of September 2020

**MATAMATA-PIAKO DISTRICT
COUNCIL** by its lawyers and duly
authorised agents **BROOKFIELDS
LAWYERS**



A M B Green / B J Cochrane
Counsel for Matamata-Piako District Council

This section 274 is filed by Andrew Michael Basford Green, solicitor for Matamata-Piako District Council. The address for service of Matamata-Piako District Council is at the offices of Brookfields Lawyers, Tower 1, 9th Floor, 205 Queen Street, Auckland.

Documents for service on Matamata-Piako District Council may be left at the address for service or may be:

1. Posted to the solicitors at PO Box 240, Auckland 1140.
2. Left for the solicitors at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitors by facsimile to 09 379 3224.
4. Emailed to the solicitors at green@brookfields.co.nz or cochrane@brookfields.co.nz