

**In the Environment Court
at Auckland**

ENV-2020-AKL-083

In the Matter

of the Resource Management Act
1991 (**Act**)

And

In the Matter

of an appeal under Clause 14(1),
Schedule 1 of the Act

Between

**OJI FIBRE SOLUTIONS (NZ)
LIMITED**

Appellant

And

WAIKATO REGIONAL COUNCIL

Respondent

Notice of wish to be party to proceedings
by **Bathurst Resources Limited** and
BT Mining Limited

Dated: 28 September 2020

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To: The Registrar
Environment Court
Auckland

1. Bathurst Resources Limited and BT Mining Limited (**Bathurst and BT**) wish to be party to the following appeal against parts of the decisions of the Respondent (**Decisions**) on the Proposed Waikato Regional Plan Change 1: Waikato and Waipā River Catchments (**PC1**):
 - (a) *OJI Fibre Solutions (NZ) Limited v Waikato Regional Council* (ENV-2020-AKL-083) (**Appeal**).
2. Bathurst and BT made a submission about the subject matter of the Appeal.
3. Bathurst and BT are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).
4. Bathurst and BT are interested in the parts of the Appeal relating to Policies 11 and 12.
5. Bathurst and BT are interested in the following particular issues:
 - (a) the proposed amendment of Policy 11 to provide a clear consenting pathway for the continued operation and development of regionally significant industry and infrastructure in the region; and
 - (b) the proposed amendment to Policy 12 to provide an optional offsetting/compensation pathway.
6. Bathurst and BT **support** the relief sought because it:
 - (a) recognises that regionally significant industry and infrastructure are essential to the social and economic well-being of the region;
 - (b) recognises that not all effects associated with regionally significant industry and infrastructure can be avoided, remedied or mitigated – meaning a no net effects requirement, or a requirement that renewed discharge consents must have less of an effect than the previous consent, inappropriate;

- (c) recognises that offsetting and/or compensation may be proposed pursuant to section 104(1)(ab) of the Act but that they should not be compulsory;
 - (d) recognises that an offset (and presumably compensation) is not required to occur at the same location as the point source discharge;
 - (e) gives effect to and complies with the Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato.
7. Bathurst and BT agree to participate in mediation or other alternative dispute resolution of the Appeal.

Dated this 28th day of September 2020



Joshua Leckie
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