

In the Environment Court of New Zealand
at Auckland

I mua i te Kōti Taiao o Aotearoa
I te rohe o Tāmaki Makaurau

ENV-2020-AKL-000088

under: the Resource Management Act 1991

in the matter of: an appeal pursuant to clause 14(1) of the First Schedule
to the Resource Management Act 1991

between: **Iwi of Hauraki**
Appellant

and: **Waikato Regional Council**
Respondent

Notice of Mercury NZ Limited's wish to be party to proceeding

Dated: 28 September 2020

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NOTICE OF MERCURY NZ LIMITED'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Auckland

- 1 Mercury NZ Limited (*Mercury*) wishes to be a party to the appeal by the Iwi of Hauraki against a decision of the Waikato Regional Council on Proposed Plan Change 1 to the Waikato Regional Plan (*PC 1*).

Mercury's interest in these proceedings

- 2 Mercury made a submission and a further submission about the subject matter of the proceedings.
- 3 Mercury is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (*RMA*).
- 4 Mercury is interested in those issues that may affect its ability to operate, maintain, upgrade and develop its renewable electricity generation assets (in particular the Waikato Hydro System), including those parts of the proceedings related to the '3.11.1 Values and Uses' section of the notified version of PC 1.

Relief supported by Mercury

- 5 Mercury generally supports the relief sought to reinstate the 'Values and Uses' section of the notified version of PC 1 because it:
- 5.1 Promotes the sustainable management of natural and physical resources;
 - 5.2 Promotes the efficient use and development of natural and physical resources;
 - 5.3 Meets the reasonable foreseeable needs of future generations;
 - 5.4 Results in the most appropriate plan provisions in terms of section 32 of the RMA;
 - 5.5 Implements the Council's functions of section 30 of the RMA;
 - 5.6 Gives effect to higher order planning documents under section 67(3) of the RMA including the National Policy Statement for Renewable Electricity Generation 2011 and the Waikato Regional Policy Statement; and
 - 5.7 Ensures consistency with good resource management practice.
- 6 Without limiting the generality of the above, the specific reasons for Mercury's support of the Iwi of Hauraki's proposed reinstatement of the '3.11.1 Values and Uses' section of the notified PC 1 include:
- 6.1 The values and uses section of PC 1 as notified provided useful context and background to PC 1's objectives and policies. In particular that section included recognition of a range of key values, including electricity generation.

6.2 The reinstatement of the Values and Uses section as a whole, rather than as fragmented parts of the Values and Uses section, ensures that all values that were relevant to the development of PC 1 are identified and recognised.

Mediation

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

Signed for and on behalf of Mercury NZ Limited by its solicitors and authorised agents
Chapman Tripp



Catherine Somerville-Frost
Partner
28 September 2020

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Advice

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