

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 **AUCKLAND/WAIKATO AND
EASTERN FISH AND GAME
COUNCILS**

Appellant

(ENV-2020-AKL-000101)

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**

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TO: The Registrar
Environment Court
Auckland

**AND TO: AUCKLAND/WAIKATO AND EASTERN FISH AND GAME
COUNCILS**

Attn: Ben Wilson
156 Bryer Road, RD 9
HAMILTON 3289

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-000101 Auckland Waikato and Eastern Fish and Game Council 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 parts of the proceeding that MPDC is interested are:
 - (a) Objectives 1, 2, and 3;
 - (b) Policies 5, 13, 11, 12, 14 and 17;
 - (c) Rule 3.11.4.9; and

- (d) Table 3.11 -2.
5. Without derogating from paragraph 4, MPDC is particularly interested in the Appeal with respect to the following submissions which it **supports**:
- (a) The amendment of Objective 1 to insert water quality attributable states for certainty and measurability; and
 - (b) Amending Policy 13 to improve clarify of terms.
6. Without derogating from paragraph 4, MPDC is also interested in the Appeal with respect to the following submissions which it **opposes**:
- (a) The amendment of Objective 1 to include the term 'other contaminants' which is outside the scope of PC1.
 - (b) The amendment of Objective 2 to include the term 'other contaminants' which is outside the scope of PC1.
 - (c) The amendment of Objective 3 to include the term 'other contaminants' which is outside the scope of PC1.
 - (d) The amendment of Policy 5 due to potential negative implications on MPDC's interests including its ability to provide for the community.
 - (e) The amendment of Policy 11 to include the term 'other contaminants' which is outside the scope of PC1.
 - (f) The amendments of Policy 12 due to them being out of scope of PC1 and effects on MPDC infrastructure and community services.
 - (g) The amendment of Policy 14 to restrict resource consent duration.
 - (h) Oppose the amendment of Policy 17 to the extent it affects artificial or infrastructure wetlands.

- (i) The amendment of Rule 3.11.4.9 and associated effects on MPDC infrastructure and community services.
- (j) The deletion of Table 3.11-2 because it is appropriate to prioritise contaminants in each sub-catchment.

Relief Sought

- 7. MPDC **supports** the relief sought, at Paragraph 5 above, because:
 - (a) It is appropriate in terms of section 32 of the RMA; and
 - (b) Otherwise for the reasons set out in MPDC's submission and further submission on PC1.
- 8. MPDC **opposes** the relief sought, at Paragraph 5 above, because:
 - (a) It does not promote sustainable management;
 - (b) It does not enable social, economic and cultural wellbeing;
 - (c) It is otherwise inconsistent with Part 2 of the RMA;
 - (d) It is inappropriate in terms of section 32 of the RMA; and
 - (e) Otherwise for the reasons set out in MPDC's submission and further submission on PC1.
- 9. MPDC seeks that the relief sought by the Appeal, and set out at Paragraph 5, be **granted**.
- 10. Further, MPDC seeks that the relief sought by the Appeal, and set out at Paragraph 6, be **declined**.

Mediation

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

Service

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

DATED the 29th 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