

**BEFORE THE ENVIRONMENT COURT / I MUA I TE KOOTI TAIAO O
AOTEAROA**

AT AUCKLAND

UNDER the Resource Management Act 1991

A N D

IN THE MATTER of an appeal under clause 14 of Schedule 1 of the Act

BETWEEN **CNI IWI LAND MANAGEMENT LIMITED**

(ENV - 2020 - AKL - 000103)

Appellant

WAIKATO REGIONAL COUNCIL

Respondent

**NOTICE OF WAIRAKEI PASTORAL LIMITED'S
WISH TO BE PARTY TO APPEAL**

29 SEPTEMBER 2020

Counsel instructed:
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**SECTION 274 NOTICE OF PERSON'S WISH TO BE PARTY TO
PROCEEDINGS BEFORE THE ENVIRONMENT COURT**

**TO: THE REGISTRAR
ENVIRONMENT COURT
AUCKLAND**

WAIRAKEI PASTORAL LIMITED (WPL) wish to be a party to the appeal by CNI Iwi Land Management Limited against a decision of the Respondent on Proposed Plan Change 1: Waikato and Waipa River Catchments to the Waikato Regional Plan as amended by Variation 1 (**PC1**).

WPL:

1. Made a submission on PC1 in 2016;
2. Made a submission on Variation 1 to PC1 in 2018;
3. Made a further submission on PC1 as amended by Variation 1 in 2018; and
4. Lodged an appeal on PC1 on 8 July 2020.

WPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).

WPL is interested in the parts of the appeal relating to:

1. Policy 10
2. The removal of the end date from Rule 4.9
3. The new discretionary activity rule to the extent it refers to change of use from that which was occurring on 22 October 2016

WPL supports the relief sought in Policy 10 and agrees with the reasons set out in the appeal.

The WPL appeal seeks to delete Rule 4.9(2) and replace it with a discretionary activity rule. WPL supports the request for the "land use

change” rule to have an end date, regardless of activity status, and agrees with the reasons set out in the appeal for doing so.

The WPL appeal seeks to remove the retrospective nature of the PC1 provisions which reference 22 October 2016 as the relevant date (rather than the date on which PC1 is made operative or the Application Date). WPL opposes the use of 22 October 2016 as the relevant date in the new discretionary activity rule and supports the use of the date on which PC1 is made operative instead. The reason for this position is set out in the WPL appeal.

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

WAIRAKEI PASTORAL LIMITED, by its counsel:



Signature:

B S Carruthers

Date:

29 September 2020

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TO:

Registrar, Environment Court, Auckland

AND TO:

The Respondent