

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2020-AKL-000084

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

IN THE MATTER of the Resource Management Act 1991 (the Act)

AND

IN THE MATTER of an appeal under clause 14 of Schedule 1 of the Act
against the decision of the Waikato Regional Council on
Proposed Plan Change 1 to the Waikato Regional Plan

BETWEEN **FONTERRA CO-OPERATIVE GROUP LTD**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

**NOTICE BY HAMILTON CITY COUNCIL TO BECOME A PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE ACT**

28 September 2020

TOMPKINS | WAKE

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TO: The Registrar
Environment Court
Auckland

1. **HAMILTON CITY COUNCIL** (“HCC”) gives notice under s 274 of the Act that it wishes to be a party to these proceedings, being *Fonterra Co-operative Group Ltd v Waikato Regional Council* (ENV-2020-AKL-000084).
2. The Appeal challenges the decision by the Respondent on Proposed Waikato Regional Plan Change 1 - Waikato and Waipā River Catchments (“PC1”), “the Decision”.
3. HCC is a local authority and a person who made a submission about the subject matter of the proceedings.
4. HCC is not a trade competitor for the purposes of section 308C or 308CA of the Act.
5. HCC’s interests, positions and reasons in relation to the appeal are set out in Table 1 below.
6. HCC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Hamilton this 28th day of September 2020



M Mackintosh / L Muldowney

HCC reference: D-3449765

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In accordance with the Environment Court Decision No. [2020] NZEnvC 063 this notice is lodged with the Environment Court at WRC.PC1appeals@justice.govt.nz and served on:

The Council at: PC1Appeals@waikatoregion.govt.nz

The Appellant at: daniel.minhinnick@russellmcveagh.com

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Advice

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

Table 1: Details of HCC’s section 274 party interests

Provision	Relief sought by Appellant	HCC’s position	Reasons
Objective 2	Whether Table 3.11-1 should require 20% of the improvement needed to achieve the 80-year targets within 10 years will depend on the nature of the policies and methods (including rules) that result from this appeal. Fonterra requests that Objective 2 and Table 3.11-1 be revisited iteratively with consideration of other appeal points in relation to the scope and efficacy of policies and methods that apply, in particular, to likely improvement in sediment, phosphorus and E.coli. Consideration for lags needs to be factored into Objective 2.	Support	<ol style="list-style-type: none"> 1. The version of Objective 2 that is finally adopted needs to be achievable with the policies and methods finally adopted. 2. The lag between actions being taken to improve water quality and the water quality in the receiving environment improving needs to be recognised and provided for when setting the objective, policies and methods.