

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
I TE KOOTI TAIAO O AOTEAROA**

**ENV-2020-AKL-000091**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

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

**BETWEEN**

**HAMILTON CITY COUNCIL**

Appellant

**AND**

**WAIKATO REGIONAL COUNCIL**

Respondent

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**NOTICE OF TAUPO DISTRICT COUNCIL'S WISH TO BE A PARTY TO  
PROCEEDINGS**

**Dated 29 September 2020**

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**To:** The Registrar  
Environment Court  
Auckland

1. Taupo District Council (**TDC**) wishes to be a party to these proceedings, being ENV-2020-AKL-000091 *Hamilton City Council v Waikato Regional Council* (**Appeal**).
2. TDC made a submission about the subject matter of the Appeal, and as a local authority, has an interest in the Appeal that is greater than the interest that the general public has.
3. TDC is not a trade competitor for the purposes of sections 308C or 308CA of the Resource Management Act 1991 (**RMA**).
4. TDC is interested in those parts of the Appeal relating to:
  - a) Objective 1 - Te Whaingā 1 and Policy 17 – Te Kaupapa Here 17 in relation to the application of these provisions to infrastructure wetlands; and
  - b) Policy 13 – Te Kaupapa Here 13.
5. TDC is interested in the following particular issues:
  - a) Requirements to restore and protect wetlands;
  - b) Offset and compensation measures; and
  - c) Provision for reasonable mixing.

6. TDC supports the relief sought by the appellant for the following reasons:

*Objective 1 and Policy 17*

- a) TDC agrees that wetlands constructed to treat contaminated stormwater or wastewater should not be expected to be places suitable for swimming or collecting food. TDC supports the exclusion of wetlands constructed as part of infrastructure treatment from these provisions. However, TDC's preference is to amend the definition of wetland rather than by amending Objective 1 and Policy 17.

*Policy 13*

- b) TDC agrees that Policy 13 should be amended to make it clear and certain that offset measures can be staged as well. TDC also agrees that PC1 provides no guidance or criteria for determining under what conditions a mixing zone would be acceptable. TDC supports the amendments proposed to Policy 113i. to provide clarity and certainty as to how the acceptability of a proposed mixing zone would be assessed.
7. TDC supports any consequential relief to the extent that it is consistent with the outcomes sought in its appeal.

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



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**L F Muldowney / S K Thomas**

Counsel for Taupo District Council

Dated 29 September 2020

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**Advice**

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