

**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** **ROYAL FOREST AND BIRD  
PROTECTION SOCIETY OF NEW  
ZEALAND INCORPORATED**

Appellant

(ENV-2020-AKL-000094)

**AND** **WAIKATO REGIONAL COUNCIL**

Respondent

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**NOTICE OF MATAMATA-PIAKO DISTRICT COUNCIL'S WISH TO BE  
PARTY TO PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE  
MANAGEMENT ACT 1991**

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**BROOKFIELDS  
LAWYERS**

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DX CP24134  
**AUCKLAND**

**TO:** The Registrar  
Environment Court  
Auckland

**AND TO: ROYAL FOREST AND BIRD PROTECTION SOCIETY OF  
NEW ZEALAND INCORPORATED**  
William Jennings  
PO Box 2516  
Christchurch 8140

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-000094 Royal Forest and Bird Protection Society of New Zealand Incorporated 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) Objective 1; and
  - (b) Policies 3, 5, 12 and 13.

5. Without derogating from paragraph 4, MPDC is particularly interested in the Appeal so far as it relates to:
  - (a) Amending the timeframe specified in Objective 1 to 2050 (rather than 2096). There appears to be no evidential foundation to the Appellant's proposed timeframe and those persons located in the part of MPDC subject to PC1 would incur significant costs attempting to meet it, thereby compromising community wellbeing (contrary to Objective 3).
  - (b) Amending Policies 3, 12 and 13 by deleting references to offsetting and compensation. The RMA is not a "no effects" statute. The Appellant's proposed amendments:
    - (i) Fail to recognise that offsetting and compensation are expressly provided for under section 104(1)(ab) of the RMA; and
    - (ii) Undermine MPDC's ability to adequately, effectively and efficiently provide for the needs of its community.

### **Relief Sought**

6. MPDC **opposes** the relief sought in the Appeal 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 PC 1.
7. MPDC seeks that the relief sought in the Appeal be **declined**.

**Mediation**


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

**Service**

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

**DATED** the 29<sup>th</sup> day of September 2020

**MATAMATA-PIAKO DISTRICT COUNCIL** by its lawyers and duly authorised agents **BROOKFIELDS LAWYERS**



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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, 9<sup>th</sup> 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](mailto:green@brookfields.co.nz) or [cochrane@brookfields.co.nz](mailto:cochrane@brookfields.co.nz)