

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2020-AKL-000095

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU 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 **MERCURY NZ LIMITED**

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 *Mercury NZ Limited v Waikato Regional Council* (ENV-2020-AKL-000095).
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-3448507

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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: catherine.somerville-frost@chapmantripp.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
Policy 12	(a) Reversion of Policy 12 to its original form in the notified version of PC 1 (numbered Policy 11 in the notified version); or (b) Amendments to Policy 12 to clarify that discharges that are associated with damming and diversion activities that pass water from a point upstream to a point downstream within the same river system are not subject to Policy 12; or (c) Such other relief that would address Mercury’s concerns outlined above, including deletion of clause 12(c)(iii).	Oppose	The adverse effects of the damming and diversion of water on water quality attributes should be avoided, remedied or mitigated by the entity whose assets and actions are responsible for causing those effects.