

**In the Environment Court
at Auckland**

ENV-2020-AKL-096

In the Matter

of the Resource Management Act
1991 (**Act**)

And

In the Matter

of an appeal under Clause 14(1),
Schedule 1 of the Act

Between

**DIRECTOR-GENERAL OF
CONSERVATION**

Appellant

And

WAIKATO REGIONAL COUNCIL

Respondent

Notice of wish to be party to proceedings
by **Bathurst Resources Limited** and
BT Mining Limited

Dated: 28 September 2020

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To: The Registrar
Environment Court
Auckland

1. Bathurst Resources Limited and BT Mining Limited (**Bathurst and BT**) wish to be party to the following appeal against parts of the decisions of the Respondent (**Decisions**) on the Proposed Waikato Regional Plan Change 1: Waikato and Waipā River Catchments (**PC1**):
 - (a) *Director-General of Conservation v Waikato Regional Council* (ENV-2020-AKL-096) (**Appeal**).
2. Bathurst and BT made a submission about the subject matter of the Appeal.
3. Bathurst and BT are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).
4. Bathurst and BT are interested in the part of the Appeal relating to Policy 12.
5. Bathurst and BT are interested in the following particular issues:
 - (a) the proposed addition of a new clause requiring environmental gains over and above those anticipated by Chapter 3.1.1 as an outcome of offsetting/compensation; and
 - (b) the proposed requirement that an offset/compensation remains in perpetuity.
6. Bathurst and BT **oppose** the relief sought because:
 - (a) the relief sought proposes an absolute no net loss and net gain requirement which does not reflect that purpose and intention of the Act;
 - (b) the requirement for an offset of compensation to remain in place is unreasonable and may be unnecessary where adverse effects are temporary;

- (c) the proposed amendments fail to provide for the continued operation and development of infrastructure and industry within the Waikato Region; and
 - (d) the proposed amendments fail to give effect to the Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato.
7. Bathurst and BT agree to participate in mediation or other alternative dispute resolution of the Appeal.

Dated this 28th day of September 2020



Joshua Leckie
Counsel for Bathurst Resources Limited and BT Mining Limited

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