

IN THE ENVIRONMENT COURT OF NEW ZEALAND

AUCKLAND REGISTRY

I TE KŌTI TAIAO O AOTEAROA

TĀMAKI MAKAURAU ROHE

ENV-2022-000063

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under Clause 14(1) of the First Schedule of the Resource Management Act 1991

BETWEEN **MERIDIAN ENERGY LIMITED**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

NOTICE OF WISH TO BE PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991

22 March 2022

To **The Registrar**
Environment Court
PO Box 7147
Wellesley Street
Auckland

NAME OF PERSON WHO WISHES TO BE PARTY

1. Te Whakakitenga o Waikato wishes to be a party pursuant to section 274 of the Resource Management Act 1991 (“RMA”) to the following proceedings:
 - a) Meridian Energy Limited v Waikato District Council (ENV-2022-AKL-000063) being an appeal against decisions of the Waikato District Council on the Proposed Waikato District Plan.
2. Te Whakakitenga o Waikato made submissions and further submissions on the Proposed Waikato District Plan (submission number 286 and further submission number FS1108 for Stage 1).
3. Te Whakakitenga o Waikato provided evidence at hearings on landscape matters to which the appeal relates.
4. Te Whakakitenga o Waikato also has an interest in these proceedings that is greater than the general public being the representative iwi authority for Waikato-Tainui, a people that are directly affected by the proposed relief sought by the Appellant.

TRADE COMPETITION

5. Te Whakakitenga o Waikato is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

THE PROCEEDING

6. Te Whakakitenga o Waikato is interested in **part** of the proceedings in relation to the stated appeal these being the:
 - a) Relief sought at paragraph 16 of the appeal being amendments to Rule EGEN-R6 (1) of the Proposed Waikato District Plan – Decisions version; and,
 - b) Relief sought at paragraph 17 of the appeal being the deletion of Rule EGEN-R8 (1) of the Proposed Waikato District Plan – Decisions version.
7. Te Whakakitenga o Waikato **oppose** the relief sought in the appeal noted in 6 a and b above as it does not give effect to section 6, 7 and 8 of the RMA.
8. Te Whakakitenga o Waikato further **oppose** the above amendments sought by the appellant, as a discretionary activity status is inconsistent with the overall policy direction of the Proposed District Plan Decisions Version in regards to identified areas, inclusive of Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas, Outstanding Natural Character Areas and Sites of Significance to Maori. The relief sought by the appellant fails to

recognise and protect the values and attributes of these areas including Maaori values. A non-complying activity status is entirely appropriate and necessary in this regard.

9. Te Whakakitenga o Waikato further **oppose** the amendments sought by the appellant to Rule EGEN-R6(1) and Rule EGEN-R8 (1) as this disregards the extensive evidence including as provided by Waikato-Tainui during hearing proceeding to ensure the Waikato-River, our awa tupuna, received the necessary recognition and that Te Ture Whaimana o Te Awa o Waikato was implemented through the District Plan. This in part is realised by the recognition and identification of Waikato River as an Outstanding Natural Feature in the Proposed District Plan Decisions Version and further by the accompanying objectives, policies and rules. Large-scale windfarms proximate to the river could pose significant adverse effects as regards to cultural values.
10. Te Whakakitenga o Waikato also **oppose** the relief sought by the applicant in regards to Rule EGEN-R6(1) and Rule EGEN-R8 (1) as regards to the potential effects on Maaori Sites of Significance, Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas (relief sought noted in paragraph 6(f) above) as this is inappropriate, inconsistent with the relevant objectives and policies of the Proposed District Plan Decisions version and fails to adequately recognise and address the values and attributes of these areas including Maaori values.
11. Te Whakakitenga o Waikato consider the Proposed District Plan - Decisions Version rules managing largescale wind farms within Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas are necessary to provide for recognition of the values and attributes including Waikato-Tainui values and associations with these areas which notably include our awa tupuna along with many maunga, landforms, landscapes and taonga.

DISPUTE RESOLUTION

12. Te Whakakitenga o Waikato agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 22 March 2022



Marae Tukere

Acting Chief Executive

Waikato-Tainui