

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

I MUA I TE KOOTI TAIAO O AOTEAROA

ENV-2023-AKL-000143

IN THE MATTER The Resource Management Act 1991 (the **Act**)

AND

IN THE MATTER of an appeal under clause 14(1) of the First
Schedule of the Act

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

Appellant

AND

WAIPĀ DISTRICT COUNCIL

Respondent

NOTICE OF WAIKATO REGIONAL COUNCIL'S WISH TO BE PARTY TO PROCEEDINGS

DATED 24 AUGUST 2023

**To: The Registrar
Environment Court
Auckland**

1. The Waikato Regional Council (**WRC**) gives notice that it wishes to be a party to the appeal by the Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird) (**the Appellant**) (ENV-2023-AKL-000143) against a decision of the Waipā District Council on submissions on Proposed Private Plan Change 20: Airport Northern Precinct Extension (**PC 20**) to the Waipā District Plan.
2. WRC made a submission about the subject matter of the proceedings (submission 11). The WRC submission sought further assessment and amendments to the plan change to give effect to the Waikato Regional Policy Statement (WRPS) and address potential adverse effects on long-tailed bats.
3. WRC is not a trade competitor for the purposes of 308C or 308CA of the Resource Management Act 1991.
4. WRC is interested in all of the proceedings relating to this appeal.
5. The general reasons for WRC's interest in the proceedings are:
 - (a) The WRPS provides direction on the maintenance, enhancement, and protection of indigenous biodiversity within the Waikato region. Given that the area subject to the plan change is habitat for long-tailed bats, provisions within the Ecosystems and indigenous biodiversity (ECO) chapter of the WRPS are relevant to the plan change, particularly ECO-P1, ECO-P2, ECO-M1, ECO-M2 and ECO-M13.
 - (b) The expert planning evidence presented by WRC at the hearing noted that there was disagreement between the bat ecology experts involved in the hearing in relation to whether the site meets the criteria for determining significance under Appendix 5 (APP5) of the WRPS and the functionality of the proposed Bat Habitat Area (BHA). Given this absence of consensus, WRC's planning evidence was that it was not possible to confidently determine whether the plan change overall gives effect to the relevant provisions of the WRPS.

- (c) WRC has an interest in ensuring that the outcome of the appeal gives effect to the WRPS and other relevant planning instruments.
6. WRC supports in part the relief sought in the appeal on the basis that it considers the plan change has not been demonstrated to give effect to the relevant higher order planning instruments as required under the Act.
7. WRC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Hamilton this 24th day of August 2023



Tracey May
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Waikato Regional Council

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