

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

I MUA I TE KOOTI TAIAO O AOTEAROA

EENV-2022-AKL-

000030

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 **WEL NETWORKS LIMITED**

Appellant

AND

WAIKATO DISTRICT COUNCIL

Respondent

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

DATED 22 MARCH 2022

**To: The Registrar
Environment Court
Auckland**

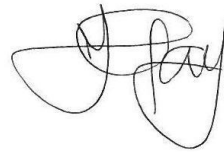
1. The Waikato Regional Council (**WRC**) gives notice that it wishes to be a party to the appeal by WEL Networks Limited (ENV-AKL-2022-000030) against a decision of the Waikato District Council on submissions on its Proposed Waikato District Plan (**Proposed DP**).
2. WRC made a submission about the subject matter of the proceedings (Stage 2 – Natural Hazards, submission 2102). Submission point 2102.32 supported in part the notified policy for existing infrastructure and utilities in all areas subject to natural hazards. WRC requested an amendment to this policy to provide for activities relating to existing infrastructure and utilities provided that natural hazard risk is not exacerbated or risks increased to other properties.
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 the following part of the appeal:
 - a. The request to amend Policy NH-P6 - Existing infrastructure and utilities in all areas subject to natural hazards to allow for upgrades as well as minor upgrades.
5. The general reasons for WRC's interest in the proceedings are:
 - a. It does not give effect to the Waikato Regional Policy Statement Policy 13.2 Floodplain management and Method 13.2.6 Control of development within a floodplain or coastal hazards.
 - b. This method requires that district plans ensure that subdivision, use and development only occur in a floodplain with an annual exceedance probability of 1% where appropriate assessment of the risks has been undertaken and these risks will not exceed acceptable levels.
 - c. Anything more than a minor upgrade may need an assessment if the risks to ensure that the risks will not exceed acceptable levels.
6. WRC opposes the relief sought in the appeal because:
 - a. Provisions for the upgrade of existing infrastructure and utilities that is more than minor should be subject to the consideration of the impact that such

activities (and their associated operation, maintenance and repair) can have on other property or the environment beyond the site.

b. The relief requested will prevent this from occurring.

7. WRC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Hamilton this 22nd day of March 2022



Tracey May
Director Science, Policy and Information
Waikato Regional Council

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