



Steve Rice
Healthy Rivers Hearing Coordinator
Democracy Services
Waikato Regional Council

21 January 2019

SECTION 42A REPORT - RECOMMENDATIONS

- 1 Together with Dr RJ Somerville QC, I represent Wairakei Pastoral Ltd (**WPL**) and write on behalf of the company regarding the recommended changes to Plan Change 1 in the Section 42A Report that was published on 14 January 2019.
- 2 Paragraph 8 of the report advises that: "All recommended changes have a footnoted reference with a **submission point and** submitter name that provides the scope for the recommended change" (emphasis added).
- 3 The report complies with this objective regarding the recommended changes pertaining to the Values and Uses (Section 3.11.1) in paragraphs 265-272 and footnotes 15-21 where both the relevant submission points and submitter names are referenced in terms of the jurisdictional scope for the recommended changes.
- 4 However, the report does **not** comply with this objective regarding other recommended changes, namely:
 - 4.1 Objective 1 in paragraph 346 and footnotes 37-40.
 - 4.2 Objective 2 in paragraph 368 and footnotes 41-42.
 - 4.3 Objective 3 in paragraph 400 and footnotes 44-47.
 - 4.4 Objective 4 in paragraph 423 and footnotes 49-53.
 - 4.5 Objective 5 in paragraph 442. [In the case of these amendments both no submission point or submitter name is referenced by footnote.]
 - 4.6 Objective 6 in paragraphs 458-459. [In the case of these amendments both no submission point or submitter name is referenced by footnote.]
 - 4.7 Introduction to Chapter 3.11 and Map 3.11-1 in paragraphs 495-497 and footnotes 72-73. [In the case of the amendments to Map 3.11-1 in paragraph 497 both no submission point or submitter name is referenced by footnote.]
 - 4.8 Table 3.11-1 (Targets and Limits) in paragraphs 630 and footnotes 93-95 and 99. [In the case of footnotes 96-98 both the relevant submission points and submitter names are referenced.]

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- 4.9 Policy 14 and Table 3.11-2 in paragraphs 651-652 and footnotes 106-107.
- 5 In **all** of these cases only submitter names are referenced in the related footnotes, and any reference to the specific submission points that provide the jurisdictional scope for the recommended changes to the Plan Change 1 provisions is completely absent.
- 6 WPL therefore requests that the Commissioner direct Waikato Regional Council (**WRC**) to rectify these omissions by providing a corrigendum listing in respect of each of the relevant footnotes both the submitter name and the relevant submission point relied on for the jurisdictional scope for recommended changes in the report.
- 7 Given that evidence is due to be filed by submitters on 15 February 2019, WPL also requests that these omissions should be rectified as expeditiously as possible.
- 8 Finally, in the interests of transparency, WPL is happy for this correspondence to be posted on the WRC webpage pertaining to the Plan Change 1 hearings.

Yours faithfully,



RJ Somerville QC / T Daya-Winterbottom
Counsel for Wairakei Pastoral Ltd