

**In the Environment Court  
I Mua I Te Kōti Taiao O Aotearoa  
Auckland Registry  
Tāmaki Makaurau Rohe**

**ENV-2020-AKL-000094**

In the matter of the Resource Management Act 1991  
And in the matter of an application under Section 274 of the Act

Between

**Royal Forest and Bird Protection Society of New Zealand  
Incorporated**

Appellant

and

**Waikato Regional Council**

Respondent

---

**Notice of Genesis Energy Limited's wish to be party to  
proceedings**

**21 September 2020**

---

**BELL GULLY**

BARRISTERS AND SOLICITORS

N J GARVAN / H G WATSON

AUCKLAND LEVEL 22, VERO CENTRE, 48 SHORTLAND STREET

PO BOX 1149, AUCKLAND 1140, DX CP20509, NEW ZEALAND

TEL 64 9 916 8800 FAX 64 9 916 8801

EMAIL NATASHA.GARVAN@BELLGULLY.COM / HANNAH.WATSON@BELLGULLY.COM

**To:** The Registrar  
Environment Court  
Auckland

1. Genesis Energy Limited (**Genesis**) wishes to be a party to the following proceedings:

(a) ENV-2020-AKL-000094 *Royal Forest and Bird Protection Society of New Zealand Incorporated v Waikato Regional Council.*

2. Genesis made a submission about the subject matter of the proceedings and has an interest in the proceedings that is greater than the interest that the general public has as the owner and operator of nationally significant electricity generation facilities within the Waikato River Catchment.

3. Genesis is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (**RMA**).

4. Genesis is interested in part of the proceedings.

5. Genesis is interested in the following parts of the proceedings:

*Diffuse discharges/ Ngā rukenga roha*

(a) Policy 3/ Te Kaupapa Here 3;

(b) Policy 5/ Te Kaupapa Here 5;

*Point source discharges/ Ngā rukenga I ngā pū tuwha*

(c) Policy 12/ Te Kaupapa Here 12;

(d) Policy 13/Te Kaupapa Here 13;

*Diffuse and point source discharges/ Ngā rukenga roha me ngā rukenga I ngā pū tuwha*

(e) Policy 19/Te Kaupapa Here 19.

6. Genesis is interested in the following particular issues:
  - (a) Offset and compensation measures;
  - (b) Recognition of regionally significant infrastructure and regionally significant industry; and
  - (c) Point source discharges.
  
7. Genesis opposes the relief sought in relation to Policies 3, 5, 12, 13, and 19 because –
  - (a) Whilst Genesis considers that “offsets” have a place within the suite of measures available to avoid, remedy or mitigate the adverse effects of contaminants, offset measures proposed should be at the discretion of the applicant and utilised to lessen any significant residual effects that remain after options to avoid, remedy and / or mitigate those effects have been explored.
  
8. Genesis supports part of the relief sought for Policies 12 and 13 because -
  - (a) The importance of point source discharge consents for regionally significant infrastructure and regionally significant industry is recognised.
  
9. Genesis agrees to participate in mediation or other alternative dispute resolution of the proceedings.



---

N J Garvan / H G Watson  
Counsel for Genesis Energy Limited

Dated 21 September 2020

**Address for service:**

Genesis Energy Limited  
C/- Bell Gully  
Level 22, Vero Centre, 48 Shortland Street  
PO Box 1149  
Auckland 1140  
Attention: Natasha Garvan / Hannah Watson

Telephone: (09) 916 8800  
Facsimile: (09) 916 8801  
Email: natasha.garvan@bellgully.com / hannah.watson@bellgully.com

***Advice***

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.