

BEFORE THE ENVIRONMENT COURT RMA /2008

<i>In the matter of</i>	An appeal under S 121 of the Resource Management Act 1991
<i>Between</i>	Tui G Incorporated <i>Appellant</i>
<i>And</i>	Waikato Regional Council <i>Respondent</i>
<i>And</i>	WEL Networks Limited <i>Applicants</i>

NOTICE TO ENVIRONMENT COURT OF APPEAL ON DECISION ON APPLICATION CONCERNING RESOURCE CONSENT

To The Registrar
Environment Court
Auckland

1. Tui G Incorporated (TUI G) appeal a decision on the following matter:
 - a) The grant of land use consent, discharge permit and water permits as the associated consents to WEL Networks Limited in the establishment, operation and maintenance of twenty eight wind turbines for the generation of electricity and associated activities on the Wharauoa Plateau near Te Uku..
2. TUI G made a submission on the application.
3. TUI G received notice of the decision on 30 May 2008.
4. The decision was made by the Waikato Regional Council (Respondent).
5. The decision TUI G is appealing is:
 - a) The decision in its entirety.
6. The reasons for the appeal are as follows:

- a) The decision to grant resource consent for the wind turbines is contrary to ss 5, 6 (b) and(c); 7 (b), (ba),(c), (d), (f) and (g); 8; 16; 36 (a) 1 c); 88, 104, 108, and Schedule 4 of the Resource Management Act 1991 (RMA).
- b) Fails to impose adequate conditions to ensure adverse effects will be avoided, remedied or mitigated.

7. TUI G seeks the following relief:

- a) That the Respondent's decision be cancelled;
- b) That the grant of resource consent be refused:
- c) In the alternative, and without prejudice to the primary grounds for relief in paragraphs (a) and (b) above, that consent be granted subject to appropriate conditions which address the general and specific matters raised in this appeal;
- d) Such further or alternative relief as the Court may consider appropriate;
- e) Costs.

8. TUI G **attaches** the following documents to this notice:

- a) A copy of the submission made by TUI G;
- b) A copy of the Respondent's decision;
- c) A list of the names and addresses of the persons served with a copy of this notice.

.....
William Leslie McNatty
*(person authorised to sign on
behalf of TUI G)*

Date.....

Address for service:

c/- Ms Vera vander Voorden
209 Ohautira Rd
Te Uku
Ph: 09 4208070
Mob: 021 0320423
Email: bill@mcnatty.net
Contact person: Bill McNatty

Advice to recipients of copy of notice of appeal

How to become a party to proceedings

If you wish to become a party to the appeal, you must lodge a notice in form 33 with the Environment Court within 30 working days after this notice was lodged in the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the timing requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the relevant submission, or the relevant decision. Copies of these documents may be obtained, on request, from the Appellant.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department of Courts in Auckland.

Contact details of Environment Court for lodging documents

Documents may be lodged with the Environment Court by lodging them with the Registrar.

The Auckland address of the Environment Court:

8th Floor Justice Building
3 Kingston Street
Auckland

Its postal address is:

P O Box 7147
Wellesley St
Auckland

And its telephone and fax numbers are:

Telephone: (09) 9169091
Fax: (09) 9169090