

**Before the Environment Court
At Auckland**

**I Mua I Te Kōti Taiao
Tāmaki Makaurau Rohe**

ENV-2026-AKL-000141

Under the Resource Management Act 1991 ("RMA")

In the matter of an appeal under clause 14(1) of Schedule 1 of the RMA

And in the matter of the Proposed Far North District Plan

Between **Top Energy Limited**
Appellant

And **Far North District Council**
Respondent

**Notice of Setar Thirty Six Limited's wish to
be a party to proceedings**

Dated: 2 September 2026

Presented for filing by:



Joanna Beresford

PO Box 1088 Shortland Street,
Auckland 1140

joanna@beresfordlaw.co.nz
+64 21 114 1277

TO: The Registrar
Environment Court
Auckland

AND: Far North District Council

AND: The Appellant

1. Setar Thirty Six Limited (**Setar**) wishes to be a party under s 274 of the Resource Management Act 1991 (**RMA**) to the following proceedings:

The appeal by Top Energy Limited (**the Appellant**) against the decision of the Far North District Council in respect of the Proposed Far North District Plan (**PDP**), ENV-2026-AKL-000141 (**the Appeal**).

2. Setar is a person who has made a submission about the subject matter of the proceedings in terms of s 274(e) of the RMA having lodged an original (No. S168) and further submissions (No. FS069 and FS377) on the PDP.
3. Setar is not a trade competitor for the purposes of section 308C of the RMA.
4. Setar is interested in the parts of the proceeding that relate to the relief sought in the Appeal identified in **Schedule One**. Setar supports the relief sought as set out in Schedule One.
5. Setar supports the relief sought by the Appellant on the grounds that it:
 - (a) Will promote the sustainable management of natural and physical resources and is otherwise consistent with the purpose and principles of the RMA.
 - (b) Will not generate significant adverse effects on the environment.
 - (c) Is appropriate in terms of the requirements of s 32 of the RMA and the relevant provisions of applicable planning instruments.
6. Setar agrees to participate in mediation or other alternative dispute resolution.

Dated: 2 September 2026

SETAR THIRTY SIX LIMITED by its solicitors and duly authorised agents
Beresford Law

A handwritten signature in blue ink that reads "JL Beresford". The signature is written in a cursive style with a light blue rectangular background behind it.

JL Beresford

Address for service: The offices of Beresford Law. Level 6, 20 Waterloo Quadrant, Auckland, 1010. PO Box 1088 Shortland Street Auckland 1140. Attention: Joanna Beresford, Telephone: +64 9 307 1277, Mobile: +64 21 114 1277, Email: joanna@beresfordlaw.co.nz.

Schedule One: Relevant Parts of Relief Sought in Appeal

Appellant	Provision	Relief Sought in Appeal	Support/Oppose
Top Energy	Ecosystems and indigenous biodiversity – Rule IB-R1	Top Energy seeks the deletion of the phrase “minimum necessary” at the start of PER1.	Support
	Natural character – Policy NATC-P3	Top Energy seeks the deletion of the phrase “minimum necessary” from Policy NATCP3	Support
	Natural character – Rule NATC-R2	Top Energy seeks the deletion of the phrase “minimum necessary” at the start of PER1.	Support
	Natural features and landscapes – Rule NFL-R1	Top Energy seeks the deletion of the phrase “minimum necessary” at the start of PER1. Top Energy also seeks the deletion of the non-complying activity status for new buildings or structures within an outstanding natural feature or landscape where compliance cannot be achieved.	Support
	Natural features and landscapes – Rule NFL-R2	Top Energy seeks the deletion of the phrase “minimum necessary” at the start of PER1. Top Energy also seeks the deletion of the non-complying activity status for earthworks or indigenous vegetation clearance within an outstanding natural feature or landscape where compliance cannot be achieved.	Support
	Coastal environment – Rule CE-R2	Top Energy seeks the deletion of the phrase “minimum necessary” at the start of PER1.	Support