

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2021-AKL-000073**

**I MUA I TE KŌTI TAIAO  
TĀMAKI MAKĀURAU ROHE**

<b>UNDER</b>	the Resource Management Act 1991
<b>IN THE MATTER</b>	of of an appeal pursuant to Clause 14(1) of the First Schedule to the Act
<b>AND</b>	
<b>IN THE MATTER</b>	of Decisions on the Proposed Waikato District Plan
<b>BETWEEN</b>	<b>WAIKATO REGIONAL COUNCIL</b>
	<b>Appellant</b>
<b>AND</b>	<b>WAIKATO DISTRICT COUNCIL</b>
	<b>Respondent</b>

---

**NOTICE BY AMBURY PROPERTIES LIMITED OF WISH TO BE PARTY TO  
APPEAL PURSUANT TO SECTION 274 OF THE RESOURCE MANAGEMENT  
ACT 1991**

**Dated 22 July 2021**

---



**S J Berry / K A Storer**

Telephone: (09) 969 2300  
Facsimile: (09) 969 2304  
Email: [simon@berrysimons.co.nz](mailto:simon@berrysimons.co.nz)  
Postal: PO Box 3144  
Shortland Street  
AUCKLAND 1140

**To:** The Registrar  
Environment Court  
DX CX 100086  
PO Box 7142  
AUCKLAND

1. **AMBURY PROPERTIES LIMITED ("APL")** wishes to be party to the following proceedings:

The appeal lodged by **Waikato Regional Council** under Clause 14(1) of the First Schedule to the Resource Management Act 1991 against the decision of the Waikato District Council to authorise the rezoning of land at Ohinewai in response to the submission by APL in respect of the Proposed Waikato District Plan.

2. APL has an interest in the proceedings that is greater than the general public because the appeal is against the decision granting the relief sought by APL in its submission to Waikato District Council on the Proposed Waikato District Plan to rezone land at Ohinewai ("the Site") and establish an Ohinewai Zone.
3. APL is not a trade competitor for the purposes of section 308D of the RMA.
4. APL is interested in all aspects of the proceedings.
5. APL opposes the relief sought by the Appellant, on the basis that:
  - (a) The amendments sought to the Ohinewai Zone provisions will not enable the efficient development of the Site nor result in a well-functioning urban environment:
  - (b) Subject to the amendments to the Ohinewai Zone provisions sought by APL in its appeal on the Waikato District Council's decision:
    - (i) The decision of the Waikato District Council is consistent with all relevant statutory documents including in particular the National Policy Statement for Urban Development 2020, the Waikato Regional Policy Statement and the RMA; and
    - (ii) The Ohinewai zone provisions are the most appropriate to achieve the outcomes sought by the zoning;
    - (iii) The effects of the activities that are enabled by the Ohinewai Zone are appropriately managed by the Ohinewai Zone provisions and development of the Sleepyhead Estate will result in net positive environmental benefits.

6. APL agrees to participate in mediation or other alternative dispute resolution of this proceeding.

Dated at Auckland this 22nd day of July 2021

**AMBURY PROPERTIES LIMITED** by their solicitors and duly authorised agents  
**BERRY SIMONS:**



---

**S J Berry / K A Storer**

**ADDRESS FOR SERVICE**

Berry Simons  
PO Box 3144  
Shortland Street  
Auckland 1140

**Telephone:** (09) 969 2300

**Facsimile:** (09) 969 2304

**Email:** [simon@berrysimons.co.nz](mailto:simon@berrysimons.co.nz)

**Contact person:** Simon Berry