

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2021-AKL-000081

**I MUA I TE KOOTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

IN THE MATTER of the Resource
Management Act 1991
(the **RMA**)

AND

IN THE MATTER of an appeal under
clause 14(1) of the First
Schedule of the RMA

BETWEEN **AMBURY
PROPERTIES
LIMITED**

Appellant

AND **WAIKATO DISTRICT
COUNCIL**

Respondent

**NOTICE OF WAIKATO REGIONAL COUNCIL'S
WISH TO BE PARTY TO AN APPEAL BY AMBURY PROPERTIES LIMITED**

Dated: 23 July 2021

 **Simpson Grierson**
Barristers & Solicitors

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To: The Registrar
Environment Court
Auckland

1. The Waikato Regional Council wishes to be a party to Ambury Properties Limited (**Ambury**)’s appeal (filed on 6 July 2021) in respect of the Waikato District Council’s decision (**Decision**) to rezone land at Ohinewai under the Proposed Waikato District Plan (**Proposed WDP**). The Decision allowed the proposed zoning sought in a submission by Ambury of rural land at Ohinewai to Industrial, Commercial, Residential and Public Open Space zone (**Proposed Zoning**).
2. The Waikato Regional Council made a further submission on 15 July 2019 opposing Ambury’s submission. The Waikato Regional Council has also appealed the Decision (Waikato Regional Council Appeal: ENV-2021-AKL-000073).
3. The Waikato Regional Council is not a trade competitor for the purposes of section 308C or 308D of the RMA.
4. The Waikato Regional Council is interested in the proceedings to the extent they relate to hydrological effects. This is without prejudice to the appeal by the Waikato Regional Council, which relates to the Proposed Zoning and the related Proposed WDP provisions. Central to the appeal is how the Decision seeks to give effect to the Waikato Regional Policy Statement, the National Policy Statement on Urban Development 2020 and Part 2 of the RMA.
5. The Waikato Regional Council neither supports nor opposes the relief sought by Ambury. Rather, the Waikato Regional Council wishes to ensure that the Proposed Zoning includes provisions that adequately and appropriately address effects on hydrology outside of the area of the Proposed Zoning including (but not limited to) increased flooding, bank erosion and ongoing maintenance of the drainage network.

6. The Waikato Regional Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Auckland this 23rd day of July 2021.



G C Lanning
Counsel for the Waikato Regional Council

Address for service of person wishing to be a party

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