

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

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

ENV-2022-AKL-000064

UNDER section 274 of the Resource Management Act 1991

IN THE MATTER of an appeal against decisions on the proposed Waikato District Plan

BETWEEN **John Rowe**
Appellant

A N D **Waikato District Council**
Respondent

SECTION 274 NOTICE BY CDL LAND NZ LIMITED

21 March 2022

**ELLIS GOULD
LAWYERS
AUCKLAND**

REF: Douglas Allan / Alex Devine

**Level 17 Vero Centre
48 Shortland Street, Auckland
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PO Box 1509
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AUCKLAND**

SECTION 274 NOTICE BY CDL LAND NZ LIMITED

**TO: The Registrar
Environment Court
Auckland**

CDL LAND NZ LIMITED (“CDL”) gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal (“**Appeal**”) by John Rowe against the decision of the Respondent (“**Decision**”) on the proposed Waikato District Plan (“**PDP**”).

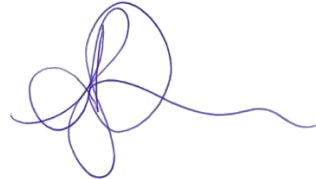
1. CDL made submissions about the subject matter of the proceedings. Amongst other things, CDL’s submission on the PDP addressed the provisions relating to rural subdivision.
2. CDL is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
3. CDL is interested in the aspects of the appeal relief that relate to rural subdivision.
4. CDL has filed a separate appeal on the PDP¹ which (relevantly) seeks amendments to the Decision to exclude the application of SUB-R40 and SUB-R41 to land within the Urban Expansion Area; to amend SUB-R46 so that the standard regarding maximum area of high class soils within an allotment does not apply within the Urban Expansion Area; and to remove the standard in SUB-R46 which requires the two titles for a boundary relocation to be held in the same ownership.
5. CDL supports the relief sought in respect of SUB-R40, SUB-R41 and SUB-46 insofar as it relates to the Urban Expansion Area. This is on the basis that it is unjustified and inappropriate to constrain the subdivision of land due to the presence of high class soils, when that land has already been identified as appropriate for future urbanisation. CDL also supports the relief sought to the extent the Appeal seeks to remove the requirement to hold two titles in the same ownership where a boundary relocation is proposed.

¹ ENV-2022-AKL-000050

6. CDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED at Auckland this 21st day of March 2022

CDL LAND NZ LIMITED by its solicitors and
duly authorised agents Ellis Gould

A handwritten signature in blue ink, consisting of several loops and a long horizontal tail.

D A Allan / A K Devine

ADDRESS FOR SERVICE: Douglas Allan / Alex Devine, The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: D A Allan / A K Devine, dallan@ellisgould.co.nz / adevine@ellisgould.co.nz.