

**BEFORE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2022-AKL-000077**

**I MUA I TE KŌTI TAIAO  
TAMAKI MAKAUROU ROHE**

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of an appeal under clause 14 of Schedule 1  
to the RMA against decisions of the  
Waikato District Council on the proposed  
Waikato District Plan

**BETWEEN**

**HOUNSELL HOLDINGS LIMITED**

Appellant

**AND**

**WAIKATO DISTRICT COUNCIL**

Respondent

---

**NOTICE OF HAMILTON CITY COUNCIL'S WISH TO BE PARTY TO  
PROCEEDINGS**

**DATED 22 March 2022**

---

---

**LACHLAN MULDOWNY**  
BARRISTER

**P** +64 7 834 4336 **M** +64 21 471 490

**Office** Panama Square, 14 Garden Place, Hamilton

**Postal** PO Box 9169, Waikato Mail Centre, Hamilton 3240

**[www.lachlanmuldowney.co.nz](http://www.lachlanmuldowney.co.nz)**

Instruction solicitor:

Michelle.Hawthorne@hcc.govt.nz

**To:** The Registrar  
Environment Court  
Auckland

1. Hamilton City Council (**HCC**) wishes to be a party to the appeal by Hounsell Holdings Limited against parts of the decisions of the Waikato District Council (**WDC**) on Proposed Waikato District Plan (**Proposed Plan**).

**Nature of interest**

2. HCC is a local authority, and as such, has an interest in the proceedings that is greater than the interest that the general public has. HCC also made a submission about the subject matter of the proceedings.
3. HCC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**RMA**).

**Extent of interest**

4. HCC is interested in part of the proceedings. The part of the appeal HCC is interested in is set out in **Schedule 1**.

**Relief sought**

5. HCC opposes the relief sought by the appellant in the relevant parts of the appeal for the reasons outlined in HCC's appeal and because it:
  - (a) Is inconsistent with the outcomes sought in Hounsell Holdings Limited's appeal;
  - (b) Will not promote the sustainable management of the natural and physical resource within the Waikato Region, and is therefore inconsistent with Part 2 and other provisions of the RMA;
  - (c) Will not meet the reasonably foreseeable needs of future generations;

- (d) Will not enable the social, economic and cultural wellbeing of the people of the Waikato Region;
- (e) Does not avoid, remedy or mitigate actual or potential adverse effects on the environment; and
- (f) Is not the most appropriate way to achieve the objectives of the Waikato Regional Plan in terms of section 32 of the RMA.

**Alternative dispute resolution**

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



.....

**L F Muldowney / S K Thomas**  
Counsel for Hamilton City Council

Dated 22 March 2022

**Address for service:**

C/- Lachlan Muldowney Barrister  
Panama Square, 14 Garden Place  
PO Box 9169  
Hamilton 3244  
Attention: Lachlan Muldowney / Shaye Thomas

Telephone: (07) 834 4336

Email: [lachlan@muldowney.co.nz](mailto:lachlan@muldowney.co.nz) / [shayethomas@muldowney.co.nz](mailto:shayethomas@muldowney.co.nz)

**Advice**

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington or Christchurch.

### Schedule 1

<b>Relevant</b>	<b>HCC's interest</b>
Rezone 268 Te Kowhai Road and 284 Onion Road in Te Kowhai to Future Urban Zone or expansion overlay.	HCC opposes the rezoning to Future Urban Zone or expansion overlay and seeks retention of the Rural Zoning. HCC seeks to ensure that any outcomes in this appeal are consistent with the outcomes sought in HCC's appeal. In particular, HCC seeks to ensure that the land resource is protected from both subdivision and land uses that would compromise well-planned and integrated planning of the area and to avoid ad-hoc development outside of defined growth areas.
Rezone other adjacent land holdings that logically form part of the broader future planning growth strategies as necessary to avoid a spot zone.	