

**BEFORE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2022-AKL-000064

**I MUA I TE KŌTI TAIAO
TAMAKI MAKAURAU 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

ROWE

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

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 Rowe 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 parts 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 Rowe'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 / shayethomas@muldowney.co.nz

Advice

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

Schedule 1

Relevant	HCC's interest
Subdivision - General 16.4.1RD1(a)(i)	HCC opposes the relief sought and seeks retention of the 450m2 minimum site size. 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.
Building Setbacks – All Boundaries 22.3.7.1 P1(iii)	HCC opposes the relief sought and seeks retention of the 25m boundary. 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.
22.3.7.1 P2(iii)	HCC opposes the relief sought and seeks retention of the 12m setback. 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.
22.3.7.1 P3(iii)	HCC opposes the relief sought and seeks retention of the 25m boundary. 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.
22.3.7.1 P4(iii)	HCC opposes the relief sought and seeks retention of the 12m boundary. 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.
Transferable Rural Lot Subdivision 22.4.1.1 PR4(a)	HCC opposes the relief sought and 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.

General Subdivision Rule 22.4.1.2RD1(a)(iv)	HCC opposes the relief sought and seeks retention of 8000m ² . 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.
General Subdivision Rule 22.4.1.2 RD1(a)(v)	HCC opposes the relief sought and seeks retention of the Rule. 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.
Boundary Relocation Subdivision 22.4.1.4RD1	HCC opposes the relief sought and seeks retention of the Rule. 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.
Rural Hamlet Subdivision 22.4.1.5(a)	HCC opposes the relief sought and seeks retention of the Rule. 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.
Rural Hamlet Subdivision 22.4.1.5 NC1	HCC opposes the relief sought and seeks retention of the non-complying activity status. 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.
23.4.2 RD1(a) & 24.4.2 RD1(a)	HCC opposes the relief sought and seeks retention of the 5000m ² minimum lot size. 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.