

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar

Environment Court

Auckland

1. Lakeside Developments Limited (“**LDL**”) gives notice of its wish to be a party to the appeal ENV-2022-AKL-000044 by KiwiRail Holdings Limited (“**Appellant**”) against parts of the decision (in particular Decision Report 13: Infrastructure) of Waikato District Council (“**Council**”) on submissions to its Proposed Waikato District Plan (“**PWDP**”).
2. LDL made a submission about the subject matter of the proceedings.
3. LDL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. LDL is interested in those aspects of the proceedings that seek to:
 - 4.1. Impose new provisions to include noise and vibration controls to manage sensitive activities in proximity to the rail corridor; and
 - 4.2. Extend the application of the 5m building setback from the “rail corridor” to all zones within the PWDP including the General and Heavy Industrial Zones, as well as the amendment and/or insertion of new policies to provide policy recognition of that approach.
5. LDL supports the relief sought by the Appellant on the basis that:
 - 5.1. The Lakeside Precinct has been through a full plan change process.

- 5.2. Noise attenuation and setback controls of a similar nature to the relief sought by the Appellant were established as part of this plan change process and are contained within the Lakeside Te Kauwhata Precinct Plan.
 - 5.3. LDL accepts these provisions as they currently apply to Lakeside.
 - 5.4. LDL considers these provisions to be a clear and appropriate planning approach for the management of reverse sensitivity between network operators and the receiving environment.
6. LDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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On behalf of Lakeside Developments Limited

Dated 25 March 2022

Address for service of person wishing to be a party:

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