

Form 38
Application for waiver or directions

Section 281, Resource Management Act 1991

To: The Registrar
Environment Court
Auckland

I, Alan Henderson, apply for a waiver, on behalf of Van Den Brink Group, in the following proceedings:

- *an appeal by Van Den Brink Group in respect to decisions on the Proposed Waikato District Plan.*

I seek the following waiver:

Waikato District Council miscalculated the last day for the lodgement of appeals and earlier advised on their website that this was 1 March 2022. The Van Den Brink appeal was therefore prepared on this basis. While the Council has made some correction to this posted date, some web pages still indicate the incorrect date, as shown in the snippet below. This application therefore seeks a waiver of the time limit to enable the appeal to be filed and accepted one day late.

Proposed Waikato District Plan - Appeals

PROPOSED DISTRICT PLAN

Proposed Waikato District Plan -
Decisions Version

Any appeal against the decision must be lodged with the Environment Court and served on Waikato District Council within 30 working days from service of the notice of decision.

Appeals close on 1 March 2022, 5pm.



Signature of applicant
(or person authorised to sign
on behalf of applicant)

.....
Date: 2 March 2022

Address for service of applicant:

c/o Alan Henderson

PO Box 63007

Manukau City 2241

Note to applicant

You must lodge the original and 1 copy of this application with the Environment Court. The application must be signed by you or on your behalf.

You must serve a copy of this application on all other parties to the proceedings within 3 working days after lodging this application with the Environment Court.

Within 10 working days after lodging this application, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this application.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements in this form.

Advice

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

Schedule 1 form 38: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 38: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).