

**In the Environment Court of New Zealand
Auckland Registry**

**I Te Kōti Taiao O Aotearoa
Ki Tamaki Makaurau**

ENV-2021-AKL-000073

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under Clause 14(1) of the First Schedule of the Act

Between **Waikato Regional Council**
Appellant

And **Waikato District Council**
Respondent

Notice of Waka Kotahi NZ Transport Agency's wish to be party to proceedings

Dated 27 July 2021

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To The Registrar
 Environment Court
 Auckland

- 1 Waka Kotahi NZ Transport Agency (**‘Waka Kotahi’**) wishes to be a party to an appeal by Waikato Regional Council (**‘Appellant’**) against a decision of the Waikato District Council (**‘Respondent’**). The decision was in respect of a submission by Ambury Property Limited (**‘Ambury’**) to rezone land at Ohinewai (**‘Proposal’**).
- 2 Waka Kotahi made a submission,¹ and lodged an appeal² on the subject matter of the proceedings.
- 3 Waka Kotahi is not a trade competitor for the purposes of section 308C or 308CA of the Act.
- 4 Waka Kotahi is interested in part of the proceedings, being those aspects set out at paragraph 5 of this notice.
- 5 In particular, Waka Kotahi is interested in the amendments sought by the Appellant in relation to the Residential Zone and Industrial Zone provisions.
- 6 Waka Kotahi conditionally supports the relief sought to the extent that it is consistent with the relief sought in the appeal of Waka Kotahi,³ because:
 - a Insofar as the Residential Zone is concerned:
 - i Significant time and effort has been put into the spatial planning exercises in the Waikato region by Waka Kotahi, Waikato Regional Council, the district councils, and iwi, to ensure land use and transport planning are integrated.
 - ii The Proposal will result in a car-oriented development that uses the Waikato Expressway for local trips, and therefore does not achieve a well-functioning urban environment with a range of transport modes.
 - iii The Proposal fails to give effect to the National Policy Statement of Urban Development.
 - iv The Proposal is inconsistent with the provisions relating to reducing greenhouse gas emissions contained within the Government Policy Statement, National Policy Statement of Urban Development and Waikato Regional Policy Statement.

¹ Further submission dated 15 July 2019.

² Appeal dated 6 July 2021, reference ENV-2021-AKL-000086.

³ Appeal dated 6 July 2021, reference ENV-2021-AKL-000086, paragraph 10.

b Insofar as the Industrial Zone is concerned, the provisions do not achieve a well-functioning urban environment, and in particular, do not ensure the potential effects of travel to and from the site are managed.

7 Waka Kotahi agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 27 July 2021



Christina Sheard

Counsel for Waka Kotahi NZ Transport Agency

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