

Before the Environment Court  
At Auckland

ENV-2022-AKL-71

I Te Koti Taiao O Aotearoa  
Tamaki Makaurau Rohe

Under the Resource Management Act 1991 (**RMA**)

In the matter of an appeal pursuant to clause 14(1) of Schedule 1 of the RMA

Between **Hughes Developments Limited**  
**Appellants**

And **Waikato District Council**  
**Respondent**

---

**Notice under s 274 by Gerardus Aarts and Yvonne Gemma Aarts of wish to be party  
to appeal**

Dated 23 March 2022

---

---

**Palmer Macauley**

Solicitor Acting: **Lisa Baker**  
PO Box 576  
Kerikeri 0245  
T: (09) 407 0000  
F: (09) 407 6300  
E: lisa@pmlaw.co.nz

Counsel Acting: **Matthew Casey QC / Asher Davidson**  
P O Box 317  
Auckland 1140  
T: (09) 337 0700  
E: asher@casey.co.nz

To: The Registrar  
Environment Court  
**Auckland**

1. Gerardus Aarts and Yvonne Gemma Aarts (**the Aarts**) wish to be a party to the following appeal:

ENV-2022-AKL- 71– Hughes Developments Limited (**HDL**) v Waikato District Council (**WDC**) (**HDL Appeal**).

2. In terms of s 274(1), the basis for HDC's involvement as a party is as a person with an interest greater than the general public, because:

- (a) The Aarts have similarly appealed the WDC's decision to apply the General Rural Zone to land that was notified as General Residential Zone (ENV-2022-AKL-041);

- (b) The circumstances of the HDL and Aarts land, the zoning decisions applicable to both areas, and the grounds for appeal are similar, such that the outcome of the HDL appeal has the potential to significantly and directly affect, by way of advantage or disadvantage, the outcome of the Aarts appeal. Further particulars can be provided if required.

3. The Aarts are not a trade competitor for the purposes of ss 308C or 308CA of the Act.

4. The Aarts are interested in all the proceedings.

5. The Aarts are interested in all issues relating to the appropriateness (or otherwise) of applying the General Residential Zone to the HDL land in light of the statutory requirements for determining the appropriate zoning of land as set out in paragraphs 7 and 8 of the HDL Appeal and, to the extent they are relevant to the HDL land, paragraphs 7 and 8 of the Aarts Appeal.

6. To the extent that the matters set out in paragraph 8 of the HDL Appeal are relevant and appropriate matters for determining whether land in the Tuakau area is appropriate for residential zoning, the Aarts support the relief sought.

7. The Aarts agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 23<sup>rd</sup> day of March 2022.



---

Asher Davidson  
Counsel for Gerardus and Yvonne Aarts

Address for service of appellant: PO Box 317, Shortland Street, Auckland 1140  
Telephone: (027) 213 0538  
Email: asher@casey.co.nz  
Contact person: Asher Davidson