

**BEFORE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2022-AKL-000029

**I MUA I TE KŌTI TAIAO
TAMAKI MAKAUROU 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

METCALFE

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

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To: The Registrar
Environment Court
Auckland

1. Hamilton City Council (**HCC**) wishes to be a party to the appeal by Metcalfe 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 part 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 Metcalfe'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.



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L F Muldowney / S K Thomas

Counsel for Hamilton City Council

Dated 22 March 2022

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Advice

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

Schedule 1

Relevant	HCC's interest
Planning maps: Te Kowhai – Lot 2 DP 456538 and Lot 3 DP 353526 (the Block) Future Urban Zone (FUZ)	HCC opposes amending the planning maps to show the land in the Village Zone or other live urban zoning. 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.
SUB-R121 SUB-R122 SUB-R123	HCC opposes replacing the FUZ subdivision rules with those that applied to the Village Zone. 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.