

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

**I MUA I TE KŌTI TAIAO
TAMAKI MAKAURAU ROHE**

ENV-2022-AKL-000048

UNDER The Resource Management Act 1991
(the Act)

IN THE MATTER of an appeal under clause 14(1) of
Schedule 1 to the Act in relation to the Proposed
Waikato District Plan

BETWEEN Waka Kotahi New Zealand Transport Agency

Appellant

AND **Waikato District Council**

Respondent

NOTICE OF

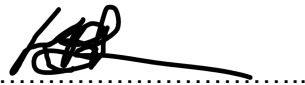
**PERRY GROUP LIMITED'S WISH TO BE A PARTY TO PROCEEDINGS
UNDER SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

Dated 22 March 2022

Solicitors McCaw Lewis Level 6, 586 Victoria St PO Box 9348 Hamilton 3240 DX GP 20020 p: +64 7 958 7465	Counsel Acting: Kate Barry-Piceno Barrister Chambers: Level 1/ 9 Prince Ave, Mt Maunganui 3116 Mailing address: 5A Wells Ave, Mt. Maunganui 3116 M: +64 21 605 832 E: kate@kbplawyer.co.nz
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**To: The Registrar
Environment Court Auckland**

1. Perry Group Limited (**'Perry Group'**) wishes to be a party to the appeal proceedings ENV-2022-AKL-000048 (**'Appeal'**) between Waka Kotahi New Zealand Transport Agency (**'Appellant'**) and Waikato District Council (**'Respondent'**) in relation to the Respondent's decisions on the Proposed Plan (**'Proposed Plan'**).
2. Perry Group has an interest greater than the public in general in relation to matters raised in the appeal as its associated companies own zoned land which adjoins the State Highway network and which is directly affected by the changes sought in the appeal. Perry Group's interest in the appeal relates to noise, vibration and setback provisions relating to activities near the State Highway.
3. Perry Group is not a trade competitor for the purposes of section 308(2) or clauses 6(4) and 29(1B) of Schedule 1 of the Act.
4. Perry Group oppose the appeal which proposes changes to the provisions of the Proposed Plan in relation to noise, vibration, and setback from the State Highway network.
5. Perry Group do not consider that further provisions are required, and/or necessary. The further provisions proposed will add significant cost and uncertainty to the development of residential land and the delivery of housing promoted by the NPS-UD.
6. Perry Group agrees to participate in mediation or other alternative dispute resolution of the Appeal.



Signed by Kate Barry-Piceno
Legal Counsel on behalf of

Address for service person wishing to be a party:

Perry Group Limited
c/- Kate Barry-Piceno
Barrister
Mailing address: 5A Wells Ave, Mt. Maunganui 3116
M: +64 21 605 832 |
E: kate@kbplawyer.co.nz |

NOTE TO PERSON WISHING TO BE A PARTY

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

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 (see form 38).

Advice

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