

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOTI TAIAO O AOTEAROA**

RMA

UNDER THE RESOURCE MANAGEMENT ACT
1991

IN THE MATTER OF AN APPEAL UNDER
CLAUSE 14 OF SCHEDULE 1 OF THE ACT
AGAINST THE DECISION OF THE WAIPA
DISTRICT COUNCIL ON WAIPA DISTRICT
COUNCIL PROPOSED PLAN CHANGE 13

BETWEEN GEOFFREY MAUNSELL
Appellant

A N D WAIPA DISTRICT COUNCIL
Respondent

NOTICE OF APPEAL

*Appeal under clause 14 of Schedule 1 of the Resource Management Act
1991 against a decision on Waipa Proposed Plan Change 13*

Instructing Solicitors

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TO: The Registrar, Environment Court, Auckland

I, Geoffrey Maunsell appeal against the Waipa District Council decision on Proposed Waipa District Plan Change 13: uplifting deferred zones. (“the decision”)

I received notice of the decision on 17 September 2021.

The decision was made by the Waipa District Council.

I made a submission on Proposed Plan Change 13 (“PC13”). I am one of the owners of a property directly affected by PC13 and a trustee of a trust that owns another property directly affected by PC13.

I am not a trade competitor for the purposes of s308D of the Resource Management Act 1991.

The part of the decision that I am appealing is the decision to decline my submission requesting the addition of a further road connection from the C4 Growth Cell to Cambridge Road into the Structure Plan for the C4 Growth Cell.

The reasons for the appeal are as follows:

1. The Decision Version of the Structure Plan for the C4 Growth Cell makes provision for a single point of road access to the northern section of the Growth Cell, at the intersection of Lamb Street and Silverwood Lane. The northern section of the Growth Cell has the potential for development of over 400 residential lots, all to be accessed by that single entry/exit route. The primary access to the broader road network is at the nearby Cambridge Road, Kaipaki Road, Lamb Street intersection. The rest of the Growth Cell has the potential for development of over 600 residential lots, many of which will have their primary road network access at that intersection.

2. The addition of a second road connection for the northern section of the Growth Cell onto Cambridge Road will provide greater transportation versatility and efficiency in the following ways:
 - (a) Travel times, distances and consequential effects of traffic accessing the northern section of the C4 Growth Cell will be reduced.
 - (b) The transportation options to and from the C4 Growth Cell will be more versatile, more resilient, and more convenient, particularly for the northern section of the Growth Cell.
 - (c) In the absence of such an additional road connection to Cambridge Road, development of the Appellant's land and other neighbouring land will be dependent on the development of other parts of the Growth Cell, potentially delaying or preventing development of the northern parts.
 - (d) Failure to provide such an additional road connection to Cambridge Road is contrary to sound planning practice, current transportation planning objectives and strategies, the Waikato Regional Policy Statement and Waipa District Plan Objective and Policies.
 - (e) In the event of a road blockage for any reason on Silverwood Lane, there will be no vehicle access available for the northern section of the C4 Growth Cell, unless an additional road connection to Cambridge Road is provided.
3. The provision for the requested road connection to Cambridge Road in the C4 Structure Plan is the most appropriate method for implementation of the relevant objectives in the Waipa District Plan.

I seek the following relief:

1. Amendment of the C4 Growth Cell Structure Plan in the Waipa District Plan to include provision for an additional road connection to Cambridge Road in the location marked in Attachment A to this Notice of Appeal.
2. Amendment of the final sentence of paragraph s23.5.1 of the C4 Structure Plan by deleting the words *although no new points of entry will be acceptable onto Cambridge Road*.
3. Costs.

I attach the following documents to this Notice:

- A. A plan showing the requested location of the additional road connection
- B. A copy of the relevant part of the decision.
- C. A list of names and addresses of the persons to be served with a copy of this Notice.
- D. A copy of my submission on Waipa District Plan Change 13.



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Philip Lang as counsel
authorised to sign the Notice of Appeal
on behalf of the Appellant

Address for service of the Appellant:

C/- Philip Lang – counsel for the Appellant

Email: p.lang@xtra.co.nz **and**
maunsell@outlook.co.nz

Advice to recipients of a copy of Notice of Appeal

Copies of the documents listed as Appendices A, B, C and D to the Notice of Appeal may be obtained by making a request to P. Lang, barrister at the email address p.lang@xtra.co.nz

How to become a party to proceedings

If you wish to become a party to the appeal, you must, -

- (a) Within 15 working days after the period for lodging a Notice of Appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellants; and*
- (b) Within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.*

You may apply to the Environment Court under s281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see from 38).

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

Advice

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