

14 November 2017

E-Mail Address: joan.forret@harkness.co.nz
Direct Dial: +64-7-834 4662

Environment Court
PO Box 7147
Wellesley Street
AUCKLAND 1141

Please refer to: **J B Forret**
Account No: 435092-32

Attention: Frida Cho

Dear Frida

Calcutta Farms Limited - Appeal on Proposed Plan Change 47 to the Matamata Piako District Plan

1. We act for Inghams Enterprises (NZ) Pty Limited ("**Inghams**").
2. Please find **enclosed** for filing Notice of Person's Wish to be Party to Proceedings on behalf of Inghams.
3. Thank you for your assistance in this matter.

Yours faithfully
HARKNESS HENRY

Per: 

JOAN FORRET
Partner

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

IN THE MATTER	of the Resource Management Act 1991
BETWEEN	CALCUTTA FARMS LIMITED Appellant (Submitter)
AND	MATMATA PIAKO DISTRICT COUNCIL Respondent

**NOTICE OF INGHAMS ENTERPRISES (NZ) PTY LIMITED WISH TO BE
PARTY TO PROCEEDINGS**

**HARKNESS HENRY
LAWYERS
HAMILTON**

Solicitor: Dr Joan Forret
(Joan.forret@harkness.co.nz)

Appellant's Solicitor
Private Bag 3077
Hamilton 3240
Tel 07 838 2399
Fax 07 839 4043

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
PO Box 7147
Wellesley Street
Auckland

Name of Person who wishes to be Party

- 1 INGHAMS ENTERPRISES (NZ) PTY LIMITED ("**Inghams**") wishes to be a party to the following proceedings: Clause 14(1) of First Schedule, RMA 1991, CALCUTTA FARMS LIMITED appeal against part of the decision of MATAMATA PIAKO DISTRICT COUNCIL in regard to:
 - (a) Proposed Plan Change 47 to the Matamata Piako District Plan ("PC47")
- 2 Inghams has made a submission about the subject matter of the proceedings.

Trade competition

- 3 Inghams is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

- 4 Inghams is interested in all of the appeal and opposes the relief sought and in particular extension of the Residential Zone and creation of a Future Residential Policy Area overlay on the land adjoining the Banks Road Structure Plan area at the south-eastern periphery of Matamata.

Particular Issues

- 5 The relief sought at:
 - (a) Paragraph 8(a) to (c) seeking extension of the Residential Zone, creation of a new Future Residential Policy Area and any such alternative relief as is considered appropriate to make better

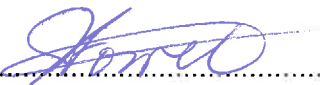
provision for residential growth at Matamata by applying some form of residential zoning and/or Policy Area overlay within the land shown in Appendix A to the Notice of Appeal.

Relief sought

- 6 Inghams opposes the relief sought because:
- (a) Inghams is concerned at extension of residential development in the vicinity of the hatchery at Banks Road and the potential for adverse reverse sensitivity effects on its hatchery operations.
 - (b) With additional development, there can be an increase in the number of parties potentially affected by the hatchery operations on a day-to-day basis. The hatchery, which is subject to a resource consent, has plant and equipment that can cause some noise and the regular heavy vehicle traffic to and from the facility also has the potential to cause perceived adverse effects for nearby rural residential dwellings.
 - (c) Inghams considers that the potential future residential zoning in the Banks Road area proposed by the Council is sufficient and that the additional development proposed in the appellant's appeal is excessive and not warranted.

Dispute resolution

- 7 Inghams agrees to participate in mediation or other alternative dispute resolution of the proceedings.



.....

Dr Joan Forret

Counsel for INGHAMS ENTERPRISES (NZ) PTY LIMITED

Date:

Address for service of Person wishing to be a Party

Company/Organisation: Harkness Henry Lawyers

Telephone: 07 838 2399

Fax: 07 839 4043

Contact person: Dr Joan Forret

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.