
**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TAMAKI MAKAUROU ROHE**

ENV- 2022-AKL-000051

UNDER THE the Resource Management Act 1991 (**the Act**)

IN THE MATTER OF of an appeal under clause 14 of Schedule 1 of the Act against the decision of the **Waikato District Council** on the **Proposed Waikato District Plan**

AND

IN THE MATTER OF an application under section 274 of the Act

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND INC**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

**NOTICE OF ANNA NOAKES AND FRUHLING TRUST'S WISH TO BE A PARTY TO
PROCEEDINGS PURSUANT TO SECTION 274 OF THE ACT**

18 MAY 2022

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**To: The Registrar
Environment Court
Auckland**

1. **ANNA NOAKES AND FRUHLING TRUST, (NOAKES)** wishes to be party to the following proceedings under section 274 of the Act:

Federated Farmers of New Zealand Inc v Waikato District Council (ENV-2022-AKL-000051)

2. The proceedings concern an appeal lodged by Federated Farmers of New Zealand Limited (**Federated Farmers**) against a decision of the Waikato District Council (**the Council**) on the Proposed Waikato District Plan (**proposed Plan**).
3. Noakes has an interest in the proceedings that is greater than the interest of the general public because:
 - a. Noakes manages a 23 hectare rural block on which cattle graze;
 - b. Noakes submitted on the proposed Plan as to the management of rural land;
 - c. Noakes has a particular interest in the continuation of rural land use in a manner that is viable and sustainable.
4. Noakes submitted on the proposed Plan and has filed an appeal against the proposed Plan (ENV-2022-AKL-000078).
5. Noakes is not a trade competitor for the purposes of section 308C of the Act.
6. Noakes is interested in the proceedings as it relates to management of land and the natural environment consistent with farming practices (among other things).
7. Noakes supports in part the relief sought by the Appellant for the following reason:
 - a. Policies and rules should not seek to overly restrict rural land use;
 - b. The maintenance and management of biodiversity on rural land requires a less rigid framework;
 - c. Landowners play a pivotal role in managing significant natural areas (**SNAs**) and natural areas and waterways generally. Where these are found on private land. A policy and rule framework that assists landowners to manage SNAs whilst land is being used productively requires a policy and rule

framework that does not restrict the use of land for productive purposes;

- d. Regarding subdivision, Federated Farmers submitted on several subdivision rules in the Proposed District Plan (as notified), seeking relief to facilitate appropriate subdivision provisions in rural areas. Those rules are being appealed and Noakes supports those point of appeal. As worded, the subdivision chapter appears to frustrate the ability of any person to apply for subdivision consent in rural areas where there is never intended to be any approved structure plan. The subdivision chapter will need to be redrafted to remedy these defects to avoid unintended consequences.
 - e. The focus of the proposed Plan is largely on urbanisation and the conversion of rural land to residential. Some of the policy and rules are not appropriate for rural areas. The proposed Plan seeks to provide for public recreation and access for most types of rural subdivision. Noakes supports the appellants position on this point of appeal.
8. Noakes agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 18 MAY 2022



S Stienstra
Counsel for the Applicant

THIS DOCUMENT IS FILED BY **SAM KHALES**I, OF GML LAWYERS, BARRISTERS AND SOLICITORS. COUNSEL ON THE FILE IS **SETAREH STEINSTR**A.

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To: The Environment Court, Auckland

And to: Waikato District Council

And to: Federated Farmers NZ Inc