

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKAURAU ROHE**

ENV-2022-AKL-000067

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 of the
RMA

AND

IN THE MATTER of an application under section 274 of the RMA

BETWEEN **FIRST GAS LIMITED**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

**NOTICE OF INTENTION BY HAVELOCK VILLAGE LIMITED TO BE A PARTY
TO THE PROCEEDINGS UNDER SECTION 274**

Dated 22 March 2022

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

Solicitor Acting: **Vanessa Evitt / Mathew Gribben**
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TO: the Registrar
Environment Court
Auckland

1. Havelock Village Limited (**HVL**) wishes to be a party to the following proceedings under s 274 of the Resource Management Act 1991 (**RMA**):

First Gas Limited v Waikato District Council (ENV-2022-AKL-000067)

2. The proceedings concern an appeal lodged by First Gas Limited (**First Gas**) against a decision of Waikato District Council (**Council**) on the Proposed Waikato District Plan (**PWDP**) which was publicly notified on 17 January 2022 (**Decision**).

Nature of interest in the proceedings

3. HVL owns significant landholdings in the southern Pokeno area, at 88, 242 (in part), 5 Yashili and 278 Bluff Road (the **Site**). As part of its planned developments in Pokeno, HVL is seeking to develop the Site to enable a comprehensive and integrated residential development.
4. The Decision of the Council rezoned a significant part of the Site from rural to a mixture of residential and rural lifestyle zones. HVL has lodged its own appeal (*Havelock Village Limited v Waikato District Council* (ENV-2022-AKL-000072)) which seeks, amongst other things, to rezone the balance of the Site to a mixture of residential and neighbourhood centre zones and amend various related controls.
5. HVL has an interest in the proceedings that is greater than that of the general public due to First Gas owning a gas transmission pipeline which runs through the Site. HVL is therefore directly affected by any additional rules that may apply to those First Gas assets on its Site that could impact on its use and proposed development of the Site.

Extent of interest in the proceedings

6. HVL is interested in the parts of the proceedings that relate to the General Residential and Rural Lifestyle Zones and any restrictions on land use in those zones due to proximity to First Gas's transmission pipeline or the gas network. This includes the requested new Restricted Discretionary activity for residential activity or use within 20m of transmission pipeline, or within 60m of gas network (other than a gas transmission pipeline).

7. HVL opposes the relief sought including on the grounds that any impacts on the gas transmission network can be adequately managed through other provisions in the PWDP and it is not efficient, effective or necessary to include additional rules in the District Plan on this matter.


Alternative dispute resolution

8. HVL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED: 22 March 2022

HAVELOCK VILLAGE LIMITED

by its solicitors and authorised agents
Buddle Findlay:



Vanessa Evitt

Address for service of person wishing to be a party:

Havelock Village Limited

c/ - Vanessa Evitt / Mathew Gribben
Buddle Findlay
Level 18
188 Quay Street
PO Box 1433, DX CP24024
Auckland 1140

Phone: 64 9 358 2555

Facsimile: 64 9 358 2055

Email: vanessa.evitt@buddlefindlay.com / mathew.gribben@buddlefindlay.com

Names and addresses of persons to be served with a copy of this notice:

First Gas Limited

c/ - Graeme Roberts
Beca Ltd
PO Box 264
Taranaki Mail Centre
New Plymouth 4340

Email: Graeme.roberts@beca.com

Waikato District Council
Bridget Parham

Email: bridget.parham@tompkinswake.co.nz

Beth Ford

Email: beth.ford@tompkinswake.co.nz

Kirsty Ridling

Email: Kirsty.Ridling@waidc.govt.nz

Note to person wishing to be a party

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

- (a) the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- (b) the decision to hold an inquiry, if the proceedings are an inquiry; or
- (c) 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.