

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2022-AKL-000048

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

AND

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

BETWEEN **WAKA KOTAHI NEW ZEALAND
TRANSPORT AGENCY**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

**To: The Registrar
Environment Court – Auckland**

**NOTICE OF STEVEN AND TERESA HOPKINS WISH TO BE A PARTY TO
PROCEEDINGS UNDER S274 OF THE ACT**

21 March 2022

NAME OF PERSON WHO WISHES TO BE PARTY

1. Steven and Teresa Hopkins (the '**Hopkins**') wish to be a party to the appeal proceedings (ENV-2022-AKL-000048) (the '**Appeal**') Waka Kotahi New Zealand Transport Agency ('**Waka Kotahi**') and Waikato District Council ('**Respondent**') in relation to the Respondent's decisions on the Proposed Waikato District Plan notified 17 January 2022.
2. The Hopkins did not make a submission or further submission on the subject matter of the Appeal. Notwithstanding this, the Hopkins have an interest in the proceedings greater than the public generally as their property at 67 Pioneer Road, Pokeno adjoins State Highway 1 (**SH1**) and thus would be greatly impacted by the relief sought by Waka Kotahi.
3. The Hopkins are not a trade competitor for the purposes of section 308C or 308CA of the Act.

THE PROCEEDING

4. The Hopkins are interested in all of the proceedings, namely the amendments Waka Kotahi seek to place on land within proximity to state highways.

RELIEF SOUGHT

5. The Hopkins oppose the relief sought by Waka Kotahi in its Notice of Appeal at Annexure A relating to the new provisions proposed for sensitive land uses within 100m of a state highway. The setbacks of the Proposed Waikato District Plan ('**PWDP**') are sought to be maintained.

REASONS FOR RELIEF SOUGHT

6. The decision correctly concluded that the setbacks as contained in the PWDP are a more appropriate approach that strikes a suitable balance between the internalisation of effects and placing additional requirements on landowners;
7. The decision correctly concluded that the setback approach provides more clarity for the community whilst offering protection against reverse sensitivity effects.
8. The Hopkins are a prime example of a landowner that would be adversely affected by the blunt 100m setback provision. The 100m setback would impact a significant portion of their land. However, the underlying topography is such that actual

reverse sensitivity effects are unlikely to be comparable with other adjoining landowners.

DISPUTE RESOLUTION

9. The Hopkins agree to participate in mediation or other alternative dispute resolution of the Appeal.

DATED this 21st day of March 2022



Sir William Birch
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For and on behalf of Steven and Teresa Hopkins

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