

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

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

UNDER	the Resource Management Act 1991
IN THE MATTER	of an appeal pursuant to Clause 14(1) of the First Schedule to the RMA
AND	
IN THE MATTER	of Decisions on the Proposed Waikato District Plan
BETWEEN	HAVELOCK VILLAGE LIMITED
	Appellant
AND	WAIKATO DISTRICT COUNCIL
	Respondent

**NOTICE OF POKENO VILLAGE HOLDINGS LIMITED'S WISH TO BE A
PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991
DATED: 21 MARCH 2022**



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To: The Registrar
Environment Court
Auckland

1. **POKENO VILLAGE HOLDINGS LIMITED** ("PVHL") wishes to be a party to the following proceedings:

The appeal by **HAVELOCK VILLAGE LIMITED** ("HVL") under Clause 14(1) of the First Schedule to the Resource Management Act 1991 ("RMA") against parts of the decision of the Waikato District Council on the Proposed Waikato District Plan ("Proposed District Plan") that concerns the zoning of land at 88, 242 (in part) and 278 Bluff Road and 5 Yashili Drive owned by Havelock Village Limited ("HVL" and "HVL Land") to a combination of General Residential and General Rural zones.

2. PVHL has an interest in the proceedings that is greater than the interest that the general public has, because PVHL:
 - (a) Has played a major role in the growth of Pokeno. PVHL was one of the proponents of PC 24 to the operative Waikato District Plan which established the Pokeno Structure Plan that has guided the development of Pokeno to date.
 - (b) Has a particular interest in ensuring that the continued expansion of Pokeno occurs in logical and well-planned manner.
3. PVHL lodged a submission and further submission on the Proposed District Plan and participated in the hearing process concerning the development of Pokeno.
4. PVHL is not a trade competitor for the purposes of section 308C of the RMA.
5. PVHL is interested in all aspects of the proceedings.
6. PVHL opposes the relief sought by HVL in its entirety for the following reasons:
 - (a) The HVL Land is an inappropriate location for residential development, having regard to its proximity to and outlook over existing heavy industrial activities, its steep topography and its location on the ridgeline that forms part of Pokeno's rural backdrop;

- (b) Insufficient evidence has been provided to demonstrate that the HVL Land can be serviced in terms of transport, stormwater, water and wastewater;
- (c) Notwithstanding (a), if residential development is to be provided for on any parts of the HVL Land the provisions of the Proposed District Plan need to be strengthened, not weakened, in order to achieve their purpose as identified in the Council decision and to establish a logical and robust framework for the development of the HVL land, including in particular:
 - (i) Strengthening the objectives, policies and rules in the Proposed District Plan for subdivision and development; and
 - (ii) Strengthening the objectives, policies and rules in the General Residential and General Rural zone chapters relating to the Environment Protection Areas and Pokeno Industry Buffer;
- (d) The expansion of the urban area onto the ridgeline above RL100 would adversely impact on the character and amenity of Pokeno; and.
- (e) The relief sought by HVL would result in a Proposed District Plan that:
 - (i) Does not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the decisions, such as the opportunities for economic growth and employment;
 - (ii) Will not give effect to the Waikato Regional Policy Statement;
 - (iii) Will not achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
 - (iv) Will not manage the use and development of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural wellbeing, and therefore will not promote sustainable management as per Part 2 of the RMA;

- (v) Will not adequately control the actual and potential effects of the use and development of land;
- (vi) Will not achieve the efficient use and development of natural and physical resources; and
- (vii) Is not the most appropriate way to achieve the purpose of the RMA.

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



S J Simons / K A Storer

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Date: 21 March 2022

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