

**Before the Environment Court
At Auckland
I Mua I te Kōti Taiao
Tāmaki Makaurau Rohe
ENV-2022-AKL-000072**

Under the Resource Management Act 1991 (**RMA**)

In the matter of an appeal under clause 14(1) of Schedule 1 of the RMA

Between **Havelock Village North Limited**
Appellant

And **Waikato District Council**
Respondent

**Notice of intention to join the appeal by Havelock Village North Limited
against the decision of the Waikato District Council on the Proposed Waikato
District Plan by Yashili New Zealand Dairy Co. Limited**

Date: 21 March 2022



Solicitor on the Record
Contact solicitor

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TO: The Registrar
Environment Court
AUCKLAND

1 Yashili New Zealand Dairy Co. Limited (**Yashili**) wishes to be a party to the following proceeding:

1.1 The appeal by Havelock Village North Limited (**HVNL**) against the decision of the Waikato District Council (**Council**) on the Proposed Waikato District Plan (**Proposed Plan**).

2 Yashili is a person who made a submission about the subject matter of the proceeding, having made a further submission (FS#1086) on the submission of HVNL (#862).

3 In that submission, Yashili supported the original submission by HVNL, subject to the inclusion of adequate mitigation measures and/or an appropriate set back distance between the proposed residential development and its industrial site(s) within the provisions of the Proposed Plan to address any potential adverse reverse sensitivity effects, in particular in respect of noise, related to this interface.

4 At the hearing, a joint position on appropriate provisions was provided by HVNL and Yashili. Decision Report 28I recorded that:

In terms of noise effects, there was agreement between experts for HVL and Yashili on the noise provisions (noting that Hynds did not provide noise evidence with respect to the HVL proposal). We are satisfied that the proposed provisions relating to the Pōkeno Industry Buffer no-build area, design requirements for dwellings in the 40 dB contour, and acoustic barrier requirement will achieve acceptable noise outcomes within the residential portion of the development.

5 Yashili is not a trade competitor for the purposes of section 308C or 308C(a) of the RMA.

6 Yashili is interested in the following parts of the proceeding:

6.1 Appeal on Decision Report 28I.

- 7 Yashili is interested in the following particular issues:
- 7.1 The appropriate and adequate mitigation measures and/or an appropriate set back distance between the proposed residential development and its industrial site(s) within the provisions of the Proposed Plan to address any potential adverse reverse sensitivity effects, in particular in respect of noise, related to this interface.
- 8 Yashili is neutral to the relief sought, except to the extent that any relief results in amendment to any buffer provisions between proposed residential development and industrial sites.
- 9 Yashili agrees to participate in mediation or other dispute resolution of the proceeding.

Date: 21 March 2022



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SF Quinn/ K H Rogers
Counsel on behalf of Yashili

This document is filed by Stephen Quinn of DLA Piper New Zealand, solicitor for Yashili.
The address for service on Yashili is at:

DLA Piper New Zealand
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Documents for service on Yashili may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 2791, Wellington 6140, or
- emailed to the solicitor at both stephen.quinn@dlapiper.com and kate.rogers@dlapiper.com.

Please direct enquiries to:

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