

**FURTHER SUBMISSION ON VARIATION 3: ENABLING HOUSE SUPPLY TO THE  
PROPOSED WAIKATO DISTRICT PLAN**

**To:** Waikato District Council

**Name of Submitter:** Havelock Village Limited (submitter)

**Address:** c/- Buddle Findlay  
PO Box 1433  
Auckland 1140  
Attention: Vanessa Evitt / Mathew Gribben

**1. INTRODUCTION**


- 1.1 This is a further submission on Variation 3: Enabling Housing Supply (**V3** or the **Variation**) to the Proposed Waikato District Plan (**PWDP**) and is filed on behalf of Havelock Village Limited (**HVL**).
- 1.2 This further submission is in support and opposition to original submissions on the Variation to the PWDP.
- 1.3 The specific submissions on the Variation that this further submission relates to are listed in Appendix A.

**2. HVL'S INTEREST IN THE VARIATION**

- 2.1 HVL and its related companies are seeking to develop a comprehensive integrated residential development on land adjoining the existing urban area of Pokeno to the south-west (**Havelock**).
- 2.2 HVL lodged submissions on the Proposed Waikato District Plan seeking residential zoning of its land and took part in various Council hearings from late 2019 until mid-2021. The Council decision on the PWDP rezoned the majority of Havelock to General Residential Zone (**GRZ**), with Precinct Provisions to manage variations in development within Havelock as appropriate (**Decision**). HVL has appealed part of the Decision to the Environment Court seeking that the entire site be zoned for residential development subject to Precinct Provisions. Decisions that impact the potential development of urban residential land, such as the proper implementation of the Medium Density Residential Standards greatly impact the use of HVL's land in the future.
- 2.3 HVL also lodged a submission on the Variation [Submitter 105] seeking that the Urban Fringe Qualifying Matter be deleted from the Variation and Medium Density Residential Standards (from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021) be applied to all residential land within urban environments of the District, including at Pokeno as required by the Enabling Housing Amendment Act.
- 2.4 HVL therefore has an interest in the Variation greater than the general public pursuant to Clause 8 of Schedule 1 of the Resource Management Act 1991.

### 3. RELIEF SOUGHT AND HEARING

- 3.1 HVL seeks the submissions referred to in Appendix A be allowed or disallowed as outlined in that Appendix.
- 3.2 The reasons for the support or opposition are outlined in the Appendix and include the extent to which the relief sought in those submissions is inconsistent or inconsistent with HVL's original submission on the Variation.
- 3.3 All submitters listed in the Attachment A will be served with a copy in accordance with Clause 8A of Schedule 1 of the Resource Management Act 1991.
- 3.4 As stated in its original submission on the Variation, HVL wish to be heard in support of its submission and now further submission. If other submitters make a similar submission, HVL will consider presenting with them at a hearing.



**Vanessa Evitt / Mathew Gribben**

Signed on behalf of Havelock Village Limited

19 December 2022

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**APPENDIX A – FURTHER SUBMISSIONS ON VARIATION 3**

<b>Sub Number</b>	<b>Name</b>	<b>Theme / Submission</b>	<b>Support / Oppose</b>	<b>Reason</b>
29.3	Waka Kotahi NZ Transport Agency	<b>Amend</b> Medium Density Residential Zone 2 and associated maps by evaluating the additional option of providing for increased density in the four towns and make any consequential changes.	Support	Relief sought is consistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter which fails to meet the relevant statutory requirements and is generally an inappropriate restriction on residential development.
44.1	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Supports</b> the proposal to not allow further intensification by retaining the General Residential Zone in Pookeno to address qualifying matters and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Relief sought is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno. Relief sought is also inconsistent with statutory requirements.
44.2	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Opposes in part</b> Variation 3 to the extent that increased housing density enabled by the Variation would generate adverse stormwater effects on downstream catchments, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Relief sought is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.  Existing provisions in the Proposed District Plan are adequate to manage stormwater effects and no additional provisions are required.
44.3	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Opposes in part</b> Variation 3 to the extent that the Variation goes above and beyond the central Government directions to promulgate plan changes to incorporate <sup>3</sup> the MDRS and give effect to the NPS-UD and would enable more intense development, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Relief sought is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.  As notified Variation 3 is inconsistent with legislative requirements and national direction to provide for housing intensification in centres and should be amended, including the manner sought in HVL's original submission, or similar changes.
44.4	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Amend</b> the stormwater management provisions throughout the proposed district plan to ensure that such adverse stormwater effects on properties downstream of proposed development are appropriately, avoided remedied or mitigated, in the event that Variation 3 is approved, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Existing provisions in the Proposed District Plan are adequate to manage stormwater effects and no additional provisions are required.
44.5	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Amend</b> the stormwater provisions of the proposed district plan and Variation 3 to address the adverse the stormwater effects of more intense development in terms of altered natural flow paths, and altered hydrological conditions, including the volume, frequency and duration of discharges, and the extent of inundation on downstream properties, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submissions.	Oppose	Existing provisions in the Proposed District Plan are adequate to manage stormwater effects and no additional provisions are required.
44.6	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Amend</b> the proposed district plan to take a consistent approach to stormwater management across the entire plan, with the stormwater management provisions in all chapters amended accordingly. The submission notes that there are provisions governing stormwater management in urban areas throughout the proposed district plan including in the Definitions, Strategic Direction, Water Wastewater and Stormwater, All Infrastructure, Natural Hazards and Climate Change, Subdivision, Earthworks and all Residential Zone chapters of the proposed district plan, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Existing provisions in the Proposed District Plan are adequate to manage stormwater effects and no additional provisions are required.
44.7	Anna Noakes and MSBCA Fruhling Trustee's Company Ltd	<b>Support.</b> Retain the proposal not to allow further intensification of residential land at Pookeno to address qualifying matters, and any consequential amendments to other parts of the proposed district plan to address the matters raised in the submission.	Oppose	Relief sought is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.
46.1	Synlait Milk Ltd	<b>Support.</b> Retain the Pookeno planning map as notified, in particular the retention of the General Residential Zoning as shown on the Planning Map. Submission opposes any change from General Residential to Medium Residential Zone 1 or Medium Residential Zone 2 on land adjoining or in proximity of the Heavy Industrial Zone.	Oppose	Relief sought is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.  In addition, residential zoning adjoining or in proximity to Heavy Industry Zone can be up zoned if reverse sensitivity effects can be appropriately minimised or managed with buffers or other such set backs.
46.2	Synlait Milk	<b>Amend</b> MRZ2-O6 Reverse Sensitivity as follows:	Oppose	It is inappropriate and unnecessary to only "avoid" the potential for reverse sensitivity entirely. The provisions

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	Ltd	<i>Avoid or minimise the potential for reverse sensitivity by managing the location..</i>		should allow for such potential effects to be minimised as an alternative to avoiding all effects. This may allow medium density housing to be developed while adequately protecting other uses from potential effects.
46.3	Synlait Milk Ltd	<b>Support</b> by retaining MRZ-P6 qualifying matters as notified.	Oppose	Relief sought is opposed to the extent it is inconsistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter.
46.4	Synlait Milk Ltd	<b>Support</b> by retaining MRZ-P11 Reverse Sensitivity as notified and retain existing mitigation such as the Pokeno Industry Buffer to avoid any erosion of the existing development rights and opportunities of the Heavy Industrial Zone.	Oppose in part	HVL supports the retention of the Pokeno Industry Buffer in the Proposed Waikato District Plan which appropriately manages the interface between the Synlait site and future residential development at Havelock, but opposes the relief to the extent that it is inconsistent with application of the MDRS to relevant residential zones in the District, including in Pokeno.
47.1	Pokeno Village Holdings Ltd	<b>Oppose.</b> Delete Variation 3 from the proposed district plan.	Oppose	The Council has a statutory duty under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 to introduce Variation 3 in order to implement the requirements of that Act. The relief sought would be contrary to this statutory obligation and is unlawful.
47.2	Pokeno Village Holdings Ltd	<b>Amend</b> maps by reviewing all land zoned General Residential Zone in the proposed Waikato district plan decision, reducing General Residential Zone to give effect to the NPS-UD in a manner that reflects the true residential demand capacity.	Oppose	It is beyond the scope of Variation 3 to review all land zoned as General Residential Zone and to amend planning maps. It is therefore unlawful to grant the relief sought.
50.1	Ministry of Housing and Urban Development	<b>Oppose:</b> Delete the "urban fringe" qualifying matter and Apply the proposed MRZ2 zone (which contains the MDRS standards) to the spatial extent of the GRZ in its entirety within Huntly, Ngaaruwaahia, Pokeno and Tuakau, along with any consequential changes	Support	The relief is consistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.
106.8	Kainga Ora	<b>Oppose:</b> Delete the "urban fringe" qualifying matter and Apply the proposed MRZ2 zone (which contains the MDRS standards) to the spatial extent of the GRZ in its entirety within Huntly, Ngaaruwaahia, Pokeno and Tuakau, along with any consequential changes	Support	The relief is consistent with the original submission by Havelock Village Limited, which sought to delete the Urban Fringe Qualifying Matter and apply the MDRS to all residential land within urban environments of the District, including in Pokeno.