

Date: 1<sup>st</sup> March 2022

Form 7

Notice of appeal to Environment Court against decision on the Proposed Waikato District Plan

To: The Registrar  
Environment Court  
Auckland, Wellington, and Christchurch

1. I, Ayesha Ashraf Choudhary (*and/or Nominee*) appeal against a decision of Waikato District Council on the following plan: Proposed District Plan (PDP) zoning of 7 Munro Road, Pōkeno.
2. I am a successor in title, Kwanghoon Yang [360.2] made a submission on the PDP to amend the zoning of the property at 7 Munro Road, Pōkeno from Rural Zone to Residential.
3. I am not a trade competitor for the purposes of section 308D of the Act.
4. I am not directly affected by an effect of the subject site of the appeal that –
  - a. Adversely affects the environment.
5. I received notice of the decision on January 17<sup>th</sup>, 2022 (online version).
6. The decision was made by Waikato District Council.
7. The decision that I am appealing is the PDP decision regarding the General Rural Zone (GRUZ) of 7 Munro Road, Pōkeno.
8. A summary of the decision:
  - a. Council Hearings of Submissions on the Proposed Waikato District Plan. Report and Decisions of Independent Commissioners. Decision Report 28I: Zoning – Pōkeno (Decisions Report), dated 17<sup>th</sup> January 2022.
9. The Decisions Report discusses the subject site at paragraph 135 (page 54) and outlines the following:
  - a. *135. Six locations on Figure 3 above remain to be discussed (2, 9, 10, 11, 17 and 19), and no evidence was presented to support any of these submissions. Five of these sought rezoning of Rural land on Pōkeno's western edge to urban zones (generally Residential), and one sought to retain the notified Village Zone. In the absence of any evidence, we agree with Mr Mead's analysis and recommendations in respect of the following submissions, and have made no changes to zoning at the relevant addresses:*
  - b. *...Kwanghoon Yang (7 Munro Road) – retain Rural Zone.*
10. The reasons for the appeal are as follows:
  - a. Kwanghoon Yang did not understand the process or the need to carry out site specific evidence.
  - b. I am the successor in title and have completed residential developments at 94 Pōkeno Road and 6 Munro Road. As part of this development a 46-lot staged residential subdivision is currently underway. I have extended the public reticulated network to service the 94 Pōkeno Road and 6 Munro Road development. The preliminary advice that I have had from the consultants involved in my neighbouring site development (94 Pōkeno Road and 6 Munro Rd) is that the public network could be extended to service 7 Munro Road.

11. I seek the following relief:

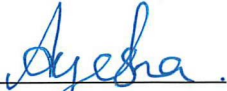
- a. The opportunity to complete site specific reporting to demonstrate the site can be serviced and that engineering solutions can be obtained to address geotechnical and flooding matters.

12. I attached the following documents to this notice:

- a. A copy Kwanghoon Yang [360.2] submission.
- b. A copy of the relevant decision.
- c. Concept plan by AA& Co International, Sheet No C101, Rev RO, dated 21/02/22.
- d. A list of names and addresses of persons to be served with a copy of this notice:
  - i. Waikato Regional Council, c/- Lisette Balsom Private Bag 3038 Waikato Mail Centre Hamilton 3240.
  - ii. Mercury NZ Limited, PO Box 445 Hamilton 3240.
  - iii. Waikato District Council, Waikato District Council, Private Bag 544 Ngaruawahia 3742.
  - iv. Pokeno Village Holdings Limited, PO Box 3144 Shortland St Auckland 1140.
  - v. Havelock Village Limited, PO Box 475 Pukekohe 2340.

13. Address for service of appellant:

- a. Greenlane CA Limited, 97 Great South Road, Epsom, Auckland, 1051
- b. 027-290-7095
- c. ayesha@outlook.co.nz



Ayesha Ashraf Choudhary (*and/or Nominee*)

1<sup>st</sup> March 2022