

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

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

**ENV-2022-AKL-000074**

**UNDER** section 274 of the Resource Management Act 1991

**IN THE MATTER** of an appeal against decisions on the proposed Waikato District Plan

**BETWEEN** **Transpower New Zealand**  
Appellant

**A N D** **Waikato District Council**  
Respondent

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**SECTION 274 NOTICE BY KĀINGA ORA-HOMES AND COMMUNITIES**

**22 March 2022**

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**ELLIS GOULD  
LAWYERS  
AUCKLAND**

**REF: Douglas Allan / Alex Devine**

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DX CP22003  
AUCKLAND**

## SECTION 274 NOTICE BY KĀINGA ORA-HOMES AND COMMUNITIES

**TO: The Registrar  
Environment Court  
Auckland**

**KĀINGA ORA-HOMES AND COMMUNITIES (“Kāinga Ora”)** gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal (“**Appeal**”) by Transpower (“**Appellant**”) against the decision of the Respondent on the proposed Waikato District Plan (“**PDP**”).

1. Kāinga Ora made submissions about the subject matter of the proceedings, as well as a further submission in opposition to the Appellant’s submission on the matters which are now the subject of the Appeal.
2. Kāinga Ora is also a person who has an interest in the proceedings that is greater than the interest the general public has on the grounds that Kāinga Ora:
  - (a) Manages a public housing portfolio in the Waikato District comprising approximately 393 dwellings<sup>1</sup>, including dwellings located on land that will be directly affected by the relief sought in the appeal; and
  - (b) Has statutory roles and responsibilities under the Kāinga Ora – Homes and Communities Act 2019 which broadly relate to ensuring that projects and planning instruments do not inappropriately affect the quality, supply and affordability of housing.
3. Kāinga Ora is not a trade competitor for the purposes of section 308C or 308CA of the RMA. In any event, Kāinga Ora is directly affected by an effect of the subject of the appeal that:
  - 3.1 Adversely affects the environment; and

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<sup>1</sup> As at December 2021.

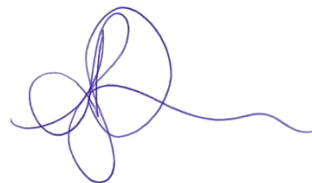
- 3.2 Does not relate to trade competition or the effects of trade competition.
4. Kāinga Ora is interested in all aspects of the Appeal, and in particular those aspects set out in paragraphs 9.1, 9.3-9.4 and 9.6-9.8. Kāinga Ora supports the aspects of the Appeal which seek to reduce inconsistencies and increase the clarity of the provisions, however, it opposes the relief to the extent it seeks to further restrict activities within proximity to the National Grid on the basis that such relief would be unjustified, overly restrictive and would have the potential to compromise residential growth and intensification.
5. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** at Auckland this 22<sup>nd</sup> day of March 2022

**KĀINGA ORA-HOMES AND COMMUNITIES**

by its solicitors and duly authorised agents

Ellis Gould



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**D A Allan / A K Devine**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. **Attention:** Douglas Allan / Alex Devine, dallan@ellisgould.co.nz / adevine@ellisgould.co.nz.