

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

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

**ENV-2022-AKL-000083**

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

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

**BETWEEN** **Pokeno West Limited** and **West Pokeno Limited**  
Appellants

**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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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 Pokeno West Limited and West Pokeno Limited 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. Amongst other things, Kāinga Ora’s submission and further submission on the PDP addressed the provisions and spatial application of the General Residential and Medium Density Residential Zones.
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 potentially 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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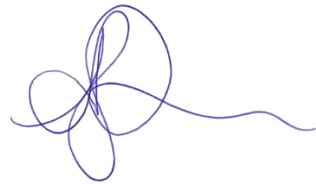
<sup>1</sup> As at December 2021.

- 3.2 Does not relate to trade competition or the effects of trade competition.
4. Kāinga Ora is interested in the appeal to the extent it seeks to amend the provisions of the General Residential or Medium Density Residential Zone as they apply across the District. At a general level Kāinga Ora supports relief which will increase the housing capacity of urban residentially zoned land within the District but considers that the introduction of the new Medium Density Residential Standards<sup>2</sup> into the PDP is more appropriately dealt with through the Intensification Planning Instrument which must be notified pursuant to s80F RMA.
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:** Douglas Allan / Alex Devine, 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: D A Allan / A K Devine, dallan@ellisgould.co.nz / adevine@ellisgould.co.nz.

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<sup>2</sup> Introduced through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.