

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

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

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of an appeal pursuant to  
Clause 14(1) of the First  
Schedule to the RMA

**BETWEEN** **HYNDS PIPE SYSTEMS  
LIMITED and HYNDS  
FOUNDATION**

**Joint Appellants**

**AND** **WAIKATO DISTRICT  
COUNCIL**

**Respondent**

---

**NOTICE OF POKENO VILLAGE HOLDINGS LIMITED'S WISH TO BE A  
PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE RESOURCE  
MANAGEMENT ACT 1991  
DATED: 21 MARCH 2022**

---



**S J Simons / K A Storer**

Telephone: (09) 969 2300  
Facsimile: (09) 969 2304  
Email: sue@berrysimons.co.nz  
kate@berrysimons.co.nz  
Postal: PO Box 3144  
Shortland Street  
AUCKLAND 1140

**To:** The Registrar  
Environment Court  
Auckland

1. **POKENO VILLAGE HOLDINGS LIMITED** ("PVHL") wishes to be a party to the following proceedings:

The appeal lodged by **HYNDS PIPE SYSTEMS LIMITED AND HYNDS FOUNDATION** (together, "Hynds") under Clause 14(1) of the First Schedule to the Resource Management Act 1991 ("RMA") against parts of the decision of the Waikato District Council on the Proposed Waikato District Plan ("Proposed District Plan") which predominantly concerns the zoning of land at 88, 242 (in part) and 278 Bluff Road and 5 Yashili Drive owned by Havelock Village Limited ("HVL" and "HVL Land") to a combination of General Residential and General Rural zones.

2. PVHL has an interest in the proceedings that is greater than the interest that the general public has, because PVHL:

- (a) Has played a major role in the growth of Pokeno. PVHL was one of the proponents of PC 24 to the operative Waikato District Plan which established the Pokeno Structure Plan that has guided the development of Pokeno to date.
- (b) Has a particular interest in ensuring that the continued expansion of Pokeno occurs in logical and well-planned manner.

3. PVHL lodged a submission and further submission on the Proposed District Plan and participated in the hearing process concerning the development of Pokeno.

4. PVHL is not a trade competitor for the purposes of section 308C of the RMA.

5. PVHL is interested in the following aspects of the proceedings:

- (a) Zoning of the HVL Land to a combination of General residential and General rural;
- (b) Inclusion of the Havelock Precinct Plan and associated provisions relating to HVL's Land in the Strategic Directions, General residential zone, General rural zone and Subdivision chapters of the Proposed District Plan. These include the provisions that relate to the Environmental Protection Areas ("EPA") and Pokeno Industrial Buffer identified on the Havelock Precinct Plan;

- (c) Zoning of the properties at 39, 51 and 65 Pioneer Road as Rural Lifestyle zone;
  - (d) Zoning of the property at 67 Pioneer Road owned by Steven and Teresa Hopkins ("Hopkins' Land") as Rural Lifestyle zone; and
  - (e) The permitted activity status for dwellings and minor dwellings within the General rural zone.
6. PVHL supports the relief sought by Hynds for the following reasons:
- (a) The HVL Land is an inappropriate location for residential development, having regard to its proximity to and outlook over existing heavy industrial activities, its steep topography and its location on the ridgeline that forms part of Pokeno's rural backdrop.
  - (b) Insufficient evidence has been provided to demonstrate that the HVL Land can be serviced in terms of transport, stormwater, water and wastewater.
  - (c) Notwithstanding (a), if residential development is to be provided for on any parts of the HVL Land, the provisions of the Proposed District Plan need to be strengthened in order to achieve their purpose as identified in the Council decision and to establish a logical and robust framework for the development of the HVL Land, including in particular:
    - (i) Strengthening the objectives, policies and rules for subdivision and development; and
    - (ii) Strengthening the objectives, policies and rules in the General Residential and General Rural zone chapters relating to the EPA and Pokeno Industry Buffer.
  - (d) The parts of the Council's decision identified in paragraph 5(a)-(e) above will result in a Proposed District Plan that:
    - (i) Will not manage the use and development of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural wellbeing, and therefore will not promote sustainable management as per Part 2 of the RMA;

- (ii) Will not achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
- (iii) Will not adequately control the actual and potential effects of the use and development of the land;
- (iv) Will not achieve the efficient use and development of natural and physical resources;
- (v) Is not the most appropriate way to achieve the purpose of the RMA;
- (vi) Does not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions, in particular the assessment of the benefits and costs of the effects that are anticipated from the implementation of the decisions, such as the opportunities for economic growth and employment;
- (vii) Will not give effect to the Waikato Regional Policy Statement; and
- (viii) Will not adequately or appropriately manage the effects of the activities to be enabled by the Proposed District Plan.

7. PVHL agrees to participate in mediation or other alternative dispute resolution of the proceedings.



**S J Simons / K A Storer**

**Solicitors for Pokeno Village Holdings Limited**

**Date: 21 March 2022**

**Address for Service**

Berry Simons

Po Box 3144

Shortland Street

Auckland 1140

**Telephone:** (09) 969 2300

**Facsimile:** (09) 969 2304

**Email:** sue@berrysimons.co.nz

**Contact:** Sue Simons