

**BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2022-AKL-000051

IN THE MATTER of appeals under Clause 14(1) of
Schedule 1 of the Act in relation to the
Proposed Waikato District Plan.

AND

IN THE MATTER of a Proposed District Plan

BETWEEN **FEDERATED FARMERS OF NEW
ZEALAND INC**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

**To: The Registrar
Environment Court – Auckland**

**SECTION 274 NOTICE FROM POKENO WEST LTD AND WEST POKENO LTD
ON THE APPEAL BY
FEDERATED FARMERS OF NEW ZEALAND INC**

22 March 2022

Counsel Instructed

Peter Fuller
Quay Chambers
2 Commerce Street
P O Box 106215
Auckland City 1143
peter.fuller@quaychambers.co.nz
021 635 682

TO The Registrar
Environment Court
Auckland

NOTICE

1. Pokeno West Limited and West Pokeno Limited (**Pokeno West**) wish to be parties pursuant to s 274 of the Resource Management Act 1991 (**Act**) to the following proceedings:

**Federated Farmers of New Zealand Inc v Waikato District Council:
ENV-2022-AKL-000051**

Master Topic: Proposed Waikato District Plan

2. Pokeno West made a submission (#97) on the Proposed Plan and has also lodged its own appeal – ENV-2002-AKL-000083.
3. Pokeno West has an interest in part of the proceeding seeking an amendment to SUB-P5 to remove reference to "achieves the lot yield anticipated in an approved structure plan".
4. Pokeno West is interested in all of the issues arising from that part of the relief outlined above.
5. Pokeno Wests' interest is greater than the interest that the general public has due to the significant land holdings it is intending to develop to provide much needed housing in Pokeno.
6. Pokeno West is not a trade competitor for the purposes of section 308C or 308CA of the Act.
7. Pokeno West supports the relief being sought for reasons including;
 - a) The reasons set out in the Appeal.
 - b) While Pokeno West generally supports structure planning as a spatial planning tool, the requirement for applications to be assessed against an "approved" structure plan is unnecessarily onerous.

- c) For example, at Pokeno West, land has been lived zoned in the Decision and while the key planning considerations of a structure plan have been assessed, there is no formal “approved” structure plan *per se*.
 - d) Therefore the current wording of the provision is inappropriate and would be an impediment to development, particularly if a zoned urban area effectively had to go “backwards” and undertake a structure planning process that then required Council approval. This could delay development and the building of affordable homes by up to 2 years.
 - e) There is a need to ensure policy consistency between SUB-P5 and SUB-P6.
 - f) The relief that the Appellant is seeking will better give effect to the objectives and policies of the National Policy Statement – Urban Development 2020, that requires minimum levels of vacant land capacity in the short, medium and long-term.
 - g) The relief sought will enable the Council to perform its functions under s31(1)(aa) to ensure there is sufficient development capacity in respect of housing and business land to meet the demands of the district.
 - h) The relief sought will enhance the social and economic wellbeing of landowners and potential new residents, by speeding up the process of providing affordable housing choices.
 - i) The relief meets the Purpose of the Act.
8. Pokeno West agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 22nd day of March 2022



Peter Fuller
Counsel for Pokeno West Limited

Address for service:

Peter Fuller
LLB, MPlan, DipEnvMgt, BHortSc
Barrister
P O Box 106215
Auckland City 1143
Phone: 09 374 1651
021 635 682
Email: peter.fuller@quaychambers.co.nz

LIST OF PARTIES TO BE SERVED WITH THIS NOTICE

Respondent – Waikato District Council

District Plan Hearings Administrator
Waikato District Council
Private Bag 544
Ngaruawahia 3742
Email: Districtplan@waidc.govt.nz

Federated Farmers of NZ Inc

C/- Peter Matich
Email: pmatich@fedfarm.org.nz

Submitters Served By the Appeal