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To: [DistrictPlan](#)
Cc: andrew.bayly@national.org.nz
Subject: Objection to the proposed changes to the Waikato District Plan as per letter sent by the Waikato District Council dated 27 September 2022
Date: Thursday, 27 October 2022 8:52:12 pm
Attachments: [313197573_2005880316280565_7891437895308427182_n.jpg](#)
[313186727_2005880386280558_5224862979421936897_n.jpg](#)
[312888637_2005880456280551_2257491395485629702_n.jpg](#)

Attached please find a copy of the submission by the Pokeno Community Committee to the Waikato District Council.

I wish to inform you that my wife, Anne Nicholas, and I are in complete agreement with its contents. We, like many others we know in the community of Pokeno moved to live here some four years ago because we were impressed with the covenant which set out the standards for all who moved here to live. We left our three-storey home in Cockle Bay, Auckland which had been our home for just over twenty years when I retired from my position at The University of Auckland; the size of the building had become too difficult for us to maintain.

The only frustration for us has been having to put up with the dust created by the recent land works in the area. In particular the current stream of trucks charging up and down Hillpark Drive to deposit fill up by the Waikato Expressway. That has resulted in both our house and cars being, on many many occasions, coated in layers of dust which when moistened by rainfall have created coatings which are extremely difficult to remove. We have also been concerned about the effects that regularly having to breathe in that dust could have. Because of our recent experiences we are very concerned about what would happen if the area directly behind us was developed.

In addition I wish to express our disgust at how the letter outlining changes to the district plan arrived in our letter box after the local body elections had been held. This fact meant that our community was deprived of being able to question candidates for those positions before placing our votes.

If our council does not listen to the wishes of the residents [ratepayers] of the Pokeno community there will be a considerable backlash for them.

Professor Peter Nicholas
28 Hillpark Drive
Pokeno 2402

Waikato District Council
Via Email

27th October 2022

**POKENO COMMUNITY COMMITTEE SUBMISSION ON:
ENABLING HOUSING SUPPLY VARIATION 3 TO THE PROPOSED WAIKATO DISTRICT PLAN**

Reference:A.Proposed Waikato District Council Plan

Introduction

- The following is a submission by the Pokeno Community Committee (PCC) to the Waikato District Council (WDC) in response to proposed changes to the Waikato District Plan (Reference A). This would potentially enable the owners of properties within 800 metres of Pokeno Town Centre to construct up to three dwellings up to three stories high (3x3) without the need for resource consent. (Variation 3).
- The PCC understands that this variation results from a central government initiative, imposed on Local Authorities and affecting towns, villages and suburbs with a population greater than 5,000. The intent appears to be one solution to address the current housing supply issue affecting many areas across New Zealand by facilitating more medium density (MD) housing by reducing some of the perceived or actual barriers (such as cost and the requirement for resource consent).
- The PCC does not intend to address each part of Reference A in this submission. Rather, this submission outlines our overall response to the Variation. In developing this submission, the PCC takes into account the views of Pokeno residents as expressed at a public meeting on this matter held at Pokeno on 25th October 2022. Approximately 50 residents attended that meeting and there was unanimous agreement that the PCC should make this submission opposing the changes.

Submission

- The PCC opposes the proposed changes enabling housing supply (Variation 3 to Reference A) which would allow medium density housing (3x3) without the need for a resource consent and without the need for public notification and makes the following points in support:
 - Pokeno Character.** When the development of Pokeno began, a key component of the development was that Pokeno would have the character of a village in a rural setting. That theme has been consistent since development began and it is something residents have bought into and are determined to retain. For many, it was a key reason for buying into Pokeno and the WDC will be aware that the PCC and residents have expressed (and continue to express) concerns that new housing developments in hitherto undeveloped areas of Pokeno might not fit that theme. There is genuine concern that should the proposed variation proceed, the character of Pokeno will be forever and irreversibly changed. In other words, residents will have lost the ability to determine for themselves, how they want "their" town to develop.
 - Unfairness.** Should the variation proceed, property owners may (and some almost certainly will) be faced with the prospect of having several multi-story dwellings constructed close to their boundary with all the adverse effects - such as being cast in shadow, loss of outlook, claustrophobic conditions - associated with that. It is likely to result in a decrease in the value of affected neighbouring properties - the homes of those who bought the property in the belief that their outlook and surrounds, indeed their lifestyle, would be protected by the

covenants to which most properties are subject. Those ultimately affected will have no warning of such development and will have no recourse. As if that were not enough in terms of unfairness, the proposed variation splits the community. Those living within the 800m radius are potentially affected while those outside the 800m radius are not - yet. If the entire character of a town can be changed once regardless of the views of its residents, what is to prevent such changes happening again?

•**Unjust and Undemocratic.** Having such a significant change of rules imposed with little or no consultation with those affected is unjust and undemocratic. This is not simply NIMBY-ism. This change, should it proceed, potentially has far reaching implications not only on the wealth and health of those affected but also on the very character that Pokeno - the village and community - has striven to portray, maintain and protect.

•**Status of Covenants.** The subject of covenants was raised in 4b above. Most Pokeno properties built during the surge in growth of the town are subject to covenants which, by definition, impose certain restrictions on property owners. While they are restrictive, they also provide protection - ensuring the character of Pokeno is retained. Property owners are aware of - and accept - these covenants and for the most part, abide by them. The proposed changes completely undermine those covenants both in intent and in effect.

•**Resources.** There are concerns that the growth in MD housing these changes permit will have significant impact on the provision of resources. Water is perhaps the major concern but other resources such as electricity, roading, telephone and internet services may also come under some strain.

•**Green Spaces.** Pokeno is already in deficit when it comes to the amount of green spaces considered adequate for the population. While not making up for this deficit, the fact that current houses all have some space within their current boundaries (especially for children to play) provides some alleviation. MD housing will have no such space within their boundaries making the green space deficit even larger.

•**Blunt Instrument.** The need for additional (affordable) housing to address the current shortage is well known. However, fixing one problem by creating another is not the answer. This approach is, in our view, at best a blunt instrument when a much more nuanced approach is required. Do not accept, let alone create, significant and adverse impacts on current property owners, neighbours and community members today by introducing something that has dubious benefit for a small number of as yet unknown future residents.

•**No Public Notification.** The PCC notes with real concern that many sections of Reference A - especially those in Part 3 - specifically state that no public notification will occur. This is unacceptable and suggests WDC intends to approve elements it knows are likely to be unpopular (or which it feels it may have no choice but to approve) by stealth. This is not the way we want our elected representatives or their staff to act.

Recommendations

•Acknowledging that the fundamental drivers for the proposed variation come not from the WDC but from central government, the PCC makes the following recommendations:

•Reject the current central government directive that imposes these changes on existing properties. All local authorities are impacted by this imposition so, assuming most if not all local authorities are not in favour, then use the collective voice to send a clear message to the government. Defy if it comes to that.

Recognise that Pokeno has developed to exhibit and showcase a special character. Include this character as a Qualifying Matter in Reference A (MRZ2-P6). Put measures in place (such as not allowing MD dwellings to cause significant loss of light and/or outlook) to protect those properties which may be adjacent to future MD housing and whose current owners are subject to covenants. At the least, these changes should only apply to newly created residential sections that have not yet been sold to a homeowner and where the use of MD housing will not adversely impact the special character of Pokeno.

Yours faithfully,