

BEFORE THE ENVIRONMENT COURT

ENV-2022-AKL-000051

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

of an appeal pursuant to clause 14(1) of the
First Schedule of the Resource Management
Act 1991

BETWEEN

FEDERATED FARMERS OF NEW ZEALAND

APPELLANT

AND

WAIKATO DISTRICT COUNCIL

RESPONDENT

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE
RESOURCE MANAGEMENT ACT 1991**

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Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
Auckland

Heritage New Zealand Pouhere Taonga (HNZPT), wish to be a party to the following proceedings:

in the matter of Waikato District Council v Federated Farmers of New Zealand, an appeal under clause 14 of the First Schedule of the Resource Management Act, by Federated Farmers of New Zealand against part of the decision made by Waikato District Council on the Proposed Waikato District Plan.

1. HNZPT made submissions and further submissions on the subject matter of the proceedings.
2. HNZPT is interested in part of the proceedings associated with this appeal.
3. HNZPT is not a trade competitor for the purposes of 308C of the Resource Management Act 1991.
4. Given the significant cultural and archaeological landscape of the Waikato District, HNZPT is interested in matters related to historic heritage associated with this appeal, in particular the effects of subdivision, use and development on the Sites and areas of significance to Maaori (SASM).
5. HNZPT is interested in the following particular issues and relief sought by the appellant in its appeal namely:

(1) Part 2-19 Sites and areas of significance to Maaori (SASM)

a. The amendments (underline) sought to SASM;

SASM-R1 (1) Activity status: PER

Where:

(a) Disturbance of land within a SASM – Site and area of significance to Maaori as identified in SCHED3 – Sites and areas of significance to Maaori for the purposes of:

- (i) Gardening;
- (ii) Maintaining or repairing fences, including installation of fence posts;
- (iii) Repair or maintenance of existing underground farm infrastructure;
- (iv) cultivation; and
- (v) (v) Interments in a burial ground, cemetery or urupa

And make any consequential changes needed to support this.

- b. The amendment to delete (~~strike through~~) as sought to SASM chapter;
SASM-R3 (1) Cultivation, Activity status: RDIS

Where:

- (a) ~~Cultivation within a SASM – Site and area of significance to Maaori as identified in SCHED3 – Sites and areas of significance to Maaori.~~

And any consequential changes needed to support this.

- c. The amendment (underline addition) sought to SASM Chapter
SASM-R4 earthworks (1) Activity status: RDIS

Where:

- (a) With the exception of activities listed in SASM-R1 Earthworks within a SASM – Site and area of significance to Maaori as identified in SCHED3 – Sites and areas of significance to Maaori 3. Council’s discretion is restricted to the following matters:

- (b) Effects on heritage and cultural Values

And any consequential changes needed to support this

(2) Part 2-18 Maaori Values and Maatauranga Maaori

- (a) The amendment sought to the Part 2-18 Maaori Values and Maatauranga Maaori.

~~MV-R1(1) All discretionary and non-complying activities in Part 2 – Districtwide matters and Part 3 – Area specific matters sections of this Plan must address:~~

- (a) ~~The effects on values held by mana whenua and the appropriateness to mana whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document.~~

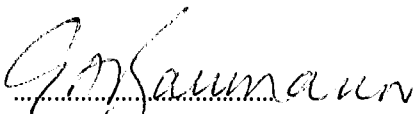
6. HNZPT opposes the relief sought because:

- a. With regard the amendments sought to Part 2-19- Sites and areas of significance to Maaori, HNZPT is unclear as to the intent of some of the amendments and is concerned that the SASM sites may be subject to adverse effects at the time of subdivision, use and development. HNZPT seeks that the amendments as sought are declined.
- b. With regard the amendments sought to Part 2-18-Maori Values and Maatauranga Maaori. HNZPT considers that approach provides a reminder of the consideration of Maaori Values at the time of consent processing. It is unlikely that this rule would create an additional burden to

that already being undertaken by the applicant. HNZPT seeks that the amendments as sought are declined.

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

DATED this 16th day of March 2022



G Baumann

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Taonga

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