

BEFORE THE ENVIRONMENT COURT

ENV-2022-AKL- 000045 &000032

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

BLUE WALLACE SURVEYORS LIMITED

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 Blue Wallace Surveyors Limited, an appeal under clause 14 of the First Schedule of the Resource Management Act, by Blue Wallace Surveyors Limited 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 as set out by the appellant in its appeal:

- a. The amendments (**bold & underline**) sought to SASM Chapter; Objective-O2;

*The connections between tangata whenua and their ancestral lands, water, sites of significance, waahi tapu, other taonga and taonga species are **recognised**, protected or enhanced, **with such recognition, protection, or enhancement to have regard to the nature and extent of the site and that connection.***

- b. The amendments (**bold & underline**) sought to SASM Chapter; Policy-P1;

*(1) Ensure subdivision, use and development does not compromise, **or gives appropriate recognition to**, the cultural and spiritual significance of areas, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora and fauna;*
*(2) Areas and sites of significance to Maaori including waahi tapu sites and waahi tapu areas are **recognised, or** protected from adverse effects of development or*

activities on those sites where such protection is appropriate having regard to the nature and extent of the site.

- c. The amendments (**bold & underline**) sought to SASM Chapter; Rules SASM R1, SASM-R4, SASM-R5.

SASM-R1, that **“(v) Archaeological investigations”** is added under PER activity status.;

SASM-R4 That **“taking into account the nature of the site and the nature and extent of any claimed cultural connection”** is added after RDIS (b);

SASM-R5, that **“taking into account the nature of the site and the nature and extent of any claimed cultural connection”** is added after RDIS (b).

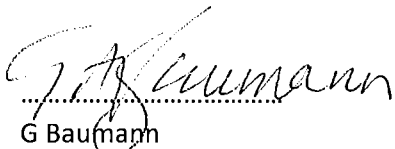
- d. Any other similar, consequential, or other relief as is necessary to address the issues raised in Blue Wallace’s appeal.

6. HNZPT opposes the relief sought because:

- a. With regard the amendments sought to Objective 02, Policy P1 and Rules R4 and R5, HNZPT is unclear as to the intent 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 is particularly concerned that the proposed amendments may seek to challenge the content of the Schedule 3-Sites and areas of significance to Maaori, at the time of a resource consent application. HNZPT seeks that the amendments as sought are declined.
- b. With regard the amendment sought to rule R1, that seeks *“archaeological investigations”* as a permitted activity, HNZPT is unclear as to the nature of the activities intended to be covered within this undefined term. As the national regulatory authority in relation to archaeology, HNZPT determines the nature of permitted activities in relation to archaeological sites. 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


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Taonga

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