

**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 of the
RMA

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

Joint Appellants

AND **WAIKATO DISTRICT COUNCIL**

Respondent

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

DATED: 2022

To: The Registrar
Environment Court
Auckland

1. Ngāti Tamaoho wishes to be a party to the appeal by Hynds Pipe Systems Limited and Hynds Foundation against parts of the decision of the Waikato District Council on the Proposed Waikato District Plan (“Proposed District Plan”) concerning the zoning of land at 88, 242 (in part) and 278 Bluff Road and 5 Yashili Drive.

2. Ngāti Tamaoho:

(a) Has an interest in the proceedings greater than the interest that the general public has, because the Pokeno area (including the Havelock site) is of significant cultural value to Ngāti Tamaoho.

This is an area is of immense historical, traditional, and cultural importance to Ngāti Tamaoho. It is part of the wider cultural landscapes of Pōkino, Mangatāwhiri, Te Ia-roa, Tane-te-waiora, Waipapa, Rakauahura, Kaineratou, Waihehe and others. Ngāti Tamaoho have been living here since the time of our earliest ancestors.

The area includes a wide range of wāhi tupuna, including pā and papakāinga, wāhi tapu, tupuna maunga, tupuna awa, urupā, māra-kai, mahinga-kai, tauranga-waka, urupa. Many of these sites are the oldest and most significant of their kind in the region. The pā, papakāinga, wāhi tapu and urupa here are of national historical and cultural significance.

(b) Lodged submissions and further submissions on the Proposed Waikato District Plan and participated in the hearing process.

3. Ngāti Tamaoho is not a trade competitor for the purposes of section 308C of the Resource Management Act (“RMA”).

4. Ngāti Tamaoho is interested in the part of the appeal relating to the plan provisions applying to the Havelock site.

5. Ngāti Tamaoho supports the relief sought by Hynds at paragraph 9 of its Notice of Appeal and seeks that the relief sought by Hynds is accepted for the following reasons:

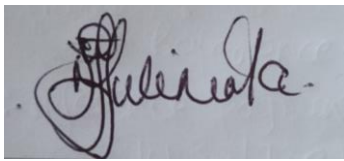
(a) Ngāti Tamaoho considers that Hynds is correct in its conclusion that the parts of the Council’s decision appealed will result in a Proposed District Plan that:

(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 land;
- (iv) will not achieve the efficient use and development of natural and physical resources;
- (v) are not the most appropriate way to achieve the purpose of the RMA;
- (vi) do 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 PWDP.

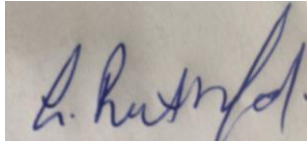
6. Ngāti Tamaoho agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Edith Tuhimata

Ngati Tamaoho

Date; 22nd March 2022



Lucie Rutherford

Ngāti Tamaoho

Date: 22nd March 2022

Address for Service:

**Ngati Tamaoho Trust
Attention: Edith Tuhimata and Lucie Rutherford
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