

BEFORE THE ENVIRONMENT COURT OF NEW ZEALAND ENV-2022-AKL-0045
AUCKLAND REGISTRY
I MUA I TE KOOTI TAIAO O AOTEAROA
TAMAKI MAKAUROU ROHE

In the Matter of the Resource Management Act 1991 (**Act**)
And
In the Matter of an application under 274 of the Act with respect to
the Proposed Waikato District Plan

Between Blue Wallace Surveyors Limited
Appellant
And Waikato District Council
Respondent
And Perjuli Developments Limited
Section 274 Party

Notice of Wish to be a party to proceedings pursuant to section 274 RMA

Dated 21 March 2022

To The Registrar
Environment Court
Auckland

Introduction

1. Perjuli Developments Limited (**Perjuli**) wishes to be party to the following proceedings:
 - ENV-2022-AKL-000045
 - Blue Wallace Surveyors Limited (Appellant) and Waikato District Council (Respondent)
 - an appeal pursuant to cl 14(1) of the First Schedule of the Resource Management Act 1991
2. Perjuli is recognised as a submitter in relation to the subject matter of this appeal. Perjuli also has an interest in these proceedings that is greater than the public generally due to being the landowner of a site that is part of the subject matter of the appeal.
3. Perjuli is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Perjuli is interested in all of the proceedings.
5. Perjuli is interested in the following particular issues:
 - a. The identification of 5851 Great South Road, Ngaaruawaahia as a Site or Area of Significance to Maaori;
 - b. Part 2, Objective SASM-O2; Part 2, Policy SASM-P1; Part 2, Rules SASMR1, SASM-R4, and SASM-R5.
6. Perjuli supports the relief sought by Blue Wallace Surveyors Limited for the reasons stated in Perjuli's appeal ENV-2022-AKL-0053, including that:
 - a. As the owner of the site at 5851 Great South Road, Ngaaruawaahia, Perjuli is aware through proceedings ENV-2021-AKL-000025 that the cultural significance of the site is contested, and that there is

cultural evidence to support that the site and the borrow pits thereon are not of cultural significance.

- b. The site has been zoned for residential purposes, and the SASM classification will inhibit effective development of the land for residential purposes and so inhibit reasonable use of the land.
 - c. Provisions in the WPDP as to SASM classification do not recognise that the relative strength of claimed relationships needs to be assessed by a consent authority in certain circumstances: see *Ngāti Maru Trust v Ngāti Whātua Ōrākei Whaia Maia Limited* [2020] NZHC 2768.
 - d. There has not been a thorough and individualised assessment of the sites with SASM classification, but rather a blanket assessment largely based on 'desktop' analysis.
7. Perjuli agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signature: **Perjuli Developments Limited**



By its solicitor, Thomas Gibbons

Date: 21 March 2022

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.