

IN THE ENVIRONMENT COURT OF NEW ZEALAND

AUCKLAND REGISTRY

I TE KŌTI TAIAO O AOTEAROA

TĀMAKI MAKAURAU ROHE

ENV-2022-000051

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under Clause 14(1) of the First Schedule of the Resource Management Act 1991

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND INCORPORATED**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

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

22 March 2022

To **The Registrar**
Environment Court
PO Box 7147
Wellesley Street
Auckland

NAME OF PERSON WHO WISHES TO BE PARTY

1. Te Whakakitenga o Waikato wishes to be a party pursuant to section 274 of the Resource Management Act 1991 (“RMA”) to the following proceedings:
 - a) Federated Farmers of New Zealand Incorporated v Waikato District Council (ENV-2022-AKL-000051) being an appeal against decisions of the Waikato District Council on the Proposed Waikato District Plan.
2. Te Whakakitenga o Waikato made submissions and further submissions on the Proposed Waikato District Plan (submission number 286 and further submission number FS1108 for Stage 1).
3. Te Whakakitenga o Waikato provided evidence at hearings on several matters to which the appeal relates in particular as regards to Maaori values and maatauranga Maaori, tangata whenua provisions and landscapes.
4. Te Whakakitenga o Waikato also has an interest in these proceedings that is greater than the general public being the representative iwi authority for Waikato-Tainui, a people that are directly affected by the proposed relief sought by the appellant.

TRADE COMPETITION

5. Te Whakakitenga o Waikato is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

THE PROCEEDING

6. Te Whakakitenga o Waikato is interested in **part** of the proceedings in relation to the stated appeal these being the:
 - a) relief sought to Strategic Direction SD-02 (page 7 of the appeal);
 - b) relief sought to Part two - Historical and Cultural Values as regards deletion of MV-R1 (Maaori Values) (pg 12 of the appeal);
 - c) relief sought to Part two - Historical and Cultural Values regarding Sites of Significance to Maaori Rules (SASM – R1 (1), SASM-R3(1) and SASM-R4);
 - d) relief sought to ECO-R112(d) (pg 26 of the appeal);
 - e) relief sought to ECO-R16 (1)(d) (pg 29 of the appeal); and,
 - f) relief sought to General Rural Zone Rule GRUZ-S2 and the additional permitted rule GRUZ-Rx as regards Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas (pg 49 – 50 of the appeal)
7. Te Whakakitenga o Waikato **oppose** the relief sought in the parts of the appeal noted paragraph 6 above as the amendments do not provide appropriate recognition and protection of tangata

whenua and mana whenua values, resources and our sites of significance, taonga and landforms and landscapes.

8. Te Whakakitenga o Waikato **oppose** the relief sought in the parts of the appeal noted paragraph 6 above as the relief sought does not give effect to section 6, 7 and 8 of the RMA.
9. Te Whakakitenga o Waikato **oppose** the relief sought in regards to SD-02 as the Proposed District Plan - Decision Version better integrates with and reflects the objectives, policies and rules of the Maori Land chapter.
10. Te Whakakitenga o Waikato further **oppose** the relief sought in regards to deleting MV-R1 (Maaori Values) (pg 12 of the appeal). Te Whakakitenga o Waikato consider that MV-R1 (Maaori Values) is an entirely necessary and appropriate rule and necessary to address section 6, 7 and 8 of the RMA. MV-R1 is further a key component of the Proposed District Plan Decisions Version to assist with implementing the objectives and policies contained within the MV-Maori values and Maatauranga Maaori section of the plan and will further assist in the implementation and administration of the district plan. Te Whakakitenga o Waikato consider the notified rule MV-R1 better achieves the purpose of the RMA (s5) and sections 6, 7 and 8 of the RMA.
11. Te Whakakitenga o Waikato further **oppose** the relief sought noted in Paragraph 6(f) above, as Waikato-Tainui provided extensive evidence during hearing proceedings to ensure the Waikato-River, our awa tupuna, received the necessary recognition and that Te Ture Whaimana o Te Awa o Waikato was given effect to or implemented. This in part is realised by the recognition and identification of Waikato River as an Outstanding Natural Feature in the Proposed District Plan Decisions Version and further by the accompanying objectives, policies and rules.
12. Te Whakakitenga o Waikato also **oppose** the relief sought by the applicant in regards to new structures and minor dwellings within Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas (relief sought noted in paragraph 6(f) above) as this is inappropriate, inconsistent with the relevant objectives and policies of the Proposed District Plan Decisions version and fails to adequately recognise and address the values and attributes of these areas including Maori values.
13. Te Whakakitenga o Waikato consider the Proposed District Plan - Decisions Version rules managing subdivision, landuse and development within Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas are necessary to provide for recognition of the values and attributes including Waikato-Tainui values and associations with these areas which notably include our awa tupuna along with many maunga, landforms, landscapes and taonga.

DISPUTE RESOLUTION

14. Te Whakakitenga o Waikato agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 22 March 2022



Marae Tukere

Acting Chief Executive

Waikato-Tainui