

Form 34 Notice of appeal to Environment Court (general)

To the Registrar

Environment Court Email: EnvironmentCourt@justice.govt.nz
Auckland, Wellington, and Christchurch

I, Te Kauri Marae Trust, appeal a decision (*or* part of a decision) on the following matter: The joint application by Gleeson Managed Fill Limited to Waikato Regional and Waikato District Councils under section 88 of the Resource Management Act 1991 for resource consents to establish and operate managed fill disposal sites (including all related water, earthworks, discharge and diversion regional consents) in a Rural Zone, at 310 Riverview Road, Huntly.

Te Kauri Marae lodge an objection on the basis it is clear we independently as mana whenua, not in conjunction, or as a collective, requested to be consulted on all environmental and cultural matters pertaining to this application. The decision appears to err on weighing discussions before our submission, that Te Kauri Marae would be represented as mana whenua by another entity namely Waahi Whaanui Trust (WWT) a registered charity. As our brief opposition noted, we as a Marae and local mana whenua are an independent Maori land trust, are not represented by WWT on environmental issues. We request direct involvement in the development of the Maatauranga Maaori Environmental Monitoring Plan (the MAMAE) conditions at paragraphs 5, 6 and 45 to 50 noted and that the timeframes be increased for meaningful input by mana whenua to occur in the creation of the process to formulate and monitor the MAMAE with local mana whenua. Particularly:

- a) A Tiriti o Waitangi co-governance approach be taken to the process to formulate and monitor the MAMAE itself, with local mana whenua,
- b) WWT does not represent Te Kauri marae trust as mana whenua on environmental issues.
- c) The local marae are the mana whenua and should be consulted directly not WWT.
- d) The applicant should not draft the process or MAMAE document itself in isolation of mana whenua as it is a non-Maori commercial entity and not an expert in Matauranga Maaori.
- e) The conditions be varied to include Te Kauri marae trust specifically and other local marae directly (Taupiri, Waahi paa, Kaitimutimu, Te Ohaaki, Hukanui aa muri, Maurea, Horahora) or at least at a minimum Te Kauri marae trust.
- f) An independent expert in Matauranga Maaori should be engaged to oversee the MAMAE process and monitoring and should be selected in consultation with local mana whenua.

I received notice of the decision on 30 March 2023

The decision was made by Waikato Regional Council

I am not* a trade competitor for the purposes of [section 308D](#) of the Resource Management Act 1991.

*Select one.

*I am directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I attach the following documents* to this notice:

- (a) a copy of the relevant decision (*or* part of the decision):
- (b) a list of names and addresses of persons to be served with a copy of this notice:
- Gleeson Managed Fill Limited Application number: LUC048/22
- (c) any other documents necessary for an adequate understanding of the appeal.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach copies of these documents to copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained on request from the appellant.



.....
Signature of appellant (*or* person authorised to sign on behalf of appellant)

26/04/2023
Date

Address for service of appellant: 159 Hetherington Road, RD2, Huntly
Telephone: 0275663389
Fax/email: billtakerei12@gmail.com
Contact person: Bill Takarei, Te Kauri Marae Trustee Chair

Note to appellant

You may use this form for any appeal for which you cannot identify a prescribed form. You must lodge the original and 1 copy of this notice with the Environment Court. The notice must be signed by you or on your behalf. You must pay the filing fee required by [regulation 35](#) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

Your right to appeal may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

Advice to recipients of copy of notice of appeal

How to become a party to proceedings

If you wish to become a party to the appeal, you must,—

- (a)

within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and

(b)

within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

You may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* [form 38](#)).

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

Advice

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

Schedule 1 form 34: amended, on 3 March 2015, by [regulation 15\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 34: amended, on 3 March 2015, by [regulation 15\(2\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 34: amended, on 1 November 2010, by [regulation 19\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 34: amended, on 1 June 2006, by [regulation 10\(4\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).