

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO  
TĀMAKI MAKĀURAU ROHE**

<b>UNDER</b>	the Resource Management Act 1991
<b>IN THE MATTER</b>	of of an appeal pursuant to Clause 14(1) of the First Schedule to the Act
<b>AND</b>	
<b>IN THE MATTER</b>	of Decisions on the Proposed Waikato District Plan
<b>BETWEEN</b>	<b>WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY</b>  Appellant
<b>AND</b>	<b>WAIKATO DISTRICT COUNCIL</b>  Respondent

---

**NOTICE BY WAAHI WHAANUI TRUST, TE RIU O WAIKATO LIMITED AND  
NGA MUKA DEVELOPMENT TRUST OF WISH TO BE PARTY TO APPEAL  
PURSUANT TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

Dated *Jr* July 2021

---

**To:** The Registrar  
Environment Court  
DX CX 100086  
PO Box 7142  
AUCKLAND

1. **WAAHI WHAANUI TRUST, TE RIU O WAIKATO LIMITED AND NGA MUKA DEVELOPMENT TRUST** each wish to be a party to the following proceedings:

The appeal lodged by **WAKA KOTAHI / NEW ZEALAND TRANSPORT AGENCY** under Clause 14(1) of the First Schedule to the Resource Management Act 1991 against the decision of the Waikato District Council to authorise the rezoning of land at Ohinewai in response to the submission by Ambury Properties Limited ("APL") in respect of the Proposed Waikato District Plan.

2. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust are Waikato Tainui entities that are members of the Tangata Whenua Governance Group ("TWGG"). The TWGG was established to formalise the relationship between mana whenua and APL / The Comfort Group to enable ongoing consultation in respect of the Sleepyhead Estate development that is proposed for the rezoned land at Ohinewai. Mr Glen Tupuhi submitted evidence in support of the rezoning in his capacity as the Chairman of the TWGG.

3. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust have an interest in the proceedings that is greater than the general public for the following main reasons:

- (a) They are mana whenua of the area and commissioned the preparation of a Kaitiaki Environmental Values Assessment of the proposed Sleepyhead Estate proposal.
- (b) They strongly support the proposed Sleepyhead Estate development as a result of the significant benefits that the development will bring in terms of economic growth, job creation and consequential economic, social and cultural benefits.
- (c) The TWGG has had ongoing collaboration and engagement with APL and The Comfort Group in relation to the proposed rezoning of the land at Ohinewai rezoning.

4. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust are not trade competitors for the purposes of section 308D of the RMA.
5. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust are each interested in all aspects of the proceedings.
6. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust oppose the relief sought by the Appellant in its entirety for the following reasons:
  - (a) The rezoning of Ohinewai will result in significant social, economic and cultural benefits to a deprived area of the Waikato District including mana whenua by providing future jobs, services and housing.
  - (b) The rezoning represents a significant opportunity to create an ongoing partnership between mana whenua and a private developer and investor.
  - (c) To the extent that the appeal seeks that critically important elements of the rezoning be declined, it is strongly opposed.
7. Waahi Whaanui Trust, Te Riu O Waikato Limited and Nga Muka Development Trust each agree to participate in mediation or other alternative dispute resolution of this proceeding.

Dated at Auckland this <sup>27<sup>th</sup></sup> day of July 2021



---

**Hori Awa**

Waahi Whaanui Trust



---

**Tawera Nikau**

Te Riu o Waikato Limited



---

**Glen Tupuhi**

Nga Muka Development Trust

**ADDRESS FOR SERVICE**

C/- Glen Tupuhi  
Chairman  
[tupuhiglen@gmail.com](mailto:tupuhiglen@gmail.com)  
16 Riverview Terrace  
Hamilton 3214