

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

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

UNDER the Resource Management
Act 1991

IN THE MATTER of an appeal pursuant to
Clause 14(1) of the First
Schedule of the RMA

AND

IN THE MATTER of Decisions on the
Proposed Waikato District
Plan

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

Joint Appellants

**NOTICE OF NGĀTI TE ATA'S WISH TO BE A PARTY TO THE PROCEEDINGS
PURSUANT TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**
DATE: 21st March 2022

AND

**WAIKATO DISTRICT
COUNCIL**

Respondent

To: The Registrar
Environment Court
Auckland

1. Ngāti Te Ata wishes to be a party to the appeal lodged by Hynds Pipe Systems Limited and Hynds Foundation under Clause 14(1) of the First Schedule to the Resource Management Act 1991 against parts of the decision of the Waikato District Council on the Proposed Waikato District Plan concerning the zoning of land at 88, 242 and 278 Bluff Road and 5 Yashili Drive known as Havelock Village for urban development.
2. Ngāti Te Ata has an interest in the proceedings greater than the interest that the general public has because Ngāti Te Ata are one of the mana whenua iwi and the Hynds site sits within the broader ancestral landscape of significance to Ngāti Te Ata. Ngāti Te Ata whakapapa derives from Waikato Tainui and Te Waiohua (Tāmaki Makaurau).
3. Ngāti Te Ata participated in the District Plan hearing processes concerning the rezoning of land in Pokeno.
4. Ngāti Te Ata is not a trade competitor for the purposes of section 308C of the Resource Management Act (“RMA”).
5. Ngāti Te Ata is interested in the part of the proceedings relating to the development of the Havelock Village site.
6. Ngāti Te Ata supports the relief sought by Hynds for the following reasons:
 - (a) Enabling the development of the Havelock site for residential use will have an adverse impact upon cultural integrity, values and Ngāti Te Ata’s traditional and spiritual relationship to the Pokeno cultural landscape footprint, the pā maunga, the Waikato River and its many tributaries, and the receiving catchment.

- (b) Enabling the development of the Havelock site will visually and physically compromise the integrity of maunga view shafts, landscapes and natural features including its landforms, ridgelines, trees, bush, wetlands, waterways.
- (c) The planning framework for the Havelock site set out in the Council decision 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) is not the most appropriate way to achieve the purpose of the RMA;
 - (vi) does 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.

7. Ngāti Te Ata agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Karl Flavell

Ngāti Te Ata

Date: 21st March 2022

Address for Service:

Ngāti Te Ata
Attention: Karl Flavell
Po Box 437
Pukekohe 2340

Ph: 0279328998
karl_flavell@hotmail.com