

**BEFORE THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2022-AKL-000036**

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

**IN THE MATTER** of the Resource Management Act 1991  
(RMA)

**AND**

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

**BETWEEN** **DIRECTOR-GENERAL OF CONSERVATION**  
**Appellant**

**AND** **WAIKATO DISTRICT COUNCIL**  
**Respondent**

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**NOTICE OF RANGITAHĪ LIMITED, RAGLAN LAND COMPANY LIMITED  
AND SCENIC PROPERTIES 2006 LIMITED'S WISH TO BE A PARTY TO  
PROCEEDINGS**

**Dated: 22 March 2022**

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Solicitors on Record

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## NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

*Section 274, Resource Management Act 1991*

**To** The Registrar  
Environment Court  
Auckland

### **Name of Person who wishes to be Party**

1. Rangitahi Limited (**Rangitahi**), Raglan Land Company Limited (**RLC**) and Scenic Properties 2006 Limited (**Scenic**) wish to be a party to the following proceedings:
  - a. ENV-2022-AKL-000036 - An appeal by the Director-General of Conservation (**Director-General**) against Waikato District Council's (**WDC**) decisions on Significant Natural Areas under the Proposed Waikato District Plan (**PWDP**).
2. Rangitahi:
  - a. Is a person with an interest in the proceedings greater than the general public, being the owner of Rangitahi Peninsula Zone (**RPZ**) land affected by the appeal; and
  - b. Made submissions and further submissions on the PWDP, including the RPZ affected by the appeal.
3. RLC and Scenic are persons with an interest in the proceedings greater than the general public, being the owners of Future Urban Zone (**FUZ**) and Rural Zone land affected by the appeal.
4. Rangitahi participated in the District Plan hearing processes for the RPZ (Hearing 23), Raglan Rezoning (Hearing 25), and Coastal Hazards - (Hearing 27D).
5. The Director-General's proposed changes to the Significant Natural Area provisions would result in uncertainty for landowners and have the potential to

inappropriately constrain Rangitahi's development of the RPZ, and RLC's future development of the FUZ.

#### **Trade competition**

6. Rangitahi, RLC and Scenic are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**RMA**).

#### **The Proceeding**

7. Rangitahi, RLC and Scenic are interested in all of the proceedings.

#### **Particular Issues**

8. Rangitahi, RLC and Scenic are particularly interested in the following issues:
  - a. The mapping of Significant Natural Areas in the PWDP;
  - b. The proposed classification of Significant Natural Areas where they are not mapped in the PWDP;
  - c. The provisions in the PWDP for removal of exotic trees.

#### **Relief sought**

9. Rangitahi, RLC and Scenic oppose the relief sought under the Director-General's Notice of Appeal and seek that the relief sought by the Director-General is declined.

#### **Reasons for relief sought**

10. The reasons for the relief sought by Rangitahi, RLC and Scenic include:
  - a. The outcome sought by the Director-General:
    - i. Is inconsistent with the sustainable management purpose of the Act;
    - ii. Would result in uncertainty for Rangitahi, RLC, Scenic and other landowners; and
    - iii. Would have an adverse effect on the use of the RPZ and FUZ land for future urban development and housing supply.

- b. The Hearing Panel was correct in finding that SNAs should be limited to areas which are mapped in the PWDP.
- c. Applying the SNA classification to unmapped areas would create uncertainty as to compliance with and enforcement of the PWDP's rules.
- d. An activity status should be plain on the face of a plan and not dependent on a separate assessment outside Schedule 1 of the Act (e.g., the Appendix 2 criteria for determining significance of indigenous biodiversity).
- e. Subdivision provisions for the RPZ include assessment criteria which appropriately address ecological effects (SUB-R136(1)(g)).

**Dispute resolution**

- 11. Rangitahi, RLC and Scenic agree to participate in mediation or other alternative dispute resolution of the proceedings.



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M J Doesburg

Solicitor for Rangitahi Limited, Raglan Land Company Limited and Scenic Properties 2006 Limited

Date: 22 March 2022

**Address for service of Person wishing to be a Party**

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