

IN THE ENVIRONMENT COURT OF NEW ZEALAND

AUCKLAND REGISTRY

I TE KŌTI TAIAO O AOTEAROA

TĀMAKI MAKAURAU ROHE

ENV-2022-000074

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 **TRANSPower NEW ZEALAND LIMITED**

Appellant

AND **WAIKATO DISTRICT COUNCIL**

Respondent

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

22 March 2022

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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) Transpower New Zealand Limited v Waikato District Council (ENV-2022-AKL-000074) 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 landscape matters to which the appeal relates.
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 at pages 10 and 11 of the appeal as regards amendments sought to Rule AINF-R19; and,
  - b) Relief sought at pages 10 of 11 as regards amendments sought to Rule GRID-R8.
7. Te Whakakitenga o Waikato **oppose** the relief sought in the appeal noted in 6 a and b above as it does not give effect to section 6, 7 and 8 of the RMA.
8. Te Whakakitenga o Waikato further **oppose** the above amendments sought by the appellant, as a discretionary activity status is inconsistent with the overall policy direction of the Proposed District Plan Decisions Version in regards to identified areas, inclusive of Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas, Outstanding Natural Character Areas and Sites of Significance to Maaori. The relief sought by the appellant fails to recognise and protect the values and attributes of these areas including Maaori values. A non-complying activity status is entirely appropriate and necessary in this regard.

9. Te Whakakitenga o Waikato further **oppose** the amendments sought by the appellant to Rule AINF-R19 and Rule GRID-R8 as this disregards the extensive evidence including as provided by Waikato-Tainui during hearing proceeding to ensure the Waikato-River, our awa tupuna, received the necessary recognition and that Te Ture Whaimana o Te Awa o Waikato was implemented through the District Plan. 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. New or additional national grid infrastructure proximate to the river could pose significant adverse effects as regards to cultural values.
10. Te Whakakitenga o Waikato also **oppose** the relief sought by the applicant in regards to Rule AINF-R19 and Rule GRID-R8 as regards to the potential effects on Maori Sites of Significance, Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character Areas and Outstanding Natural Character Areas.
11. Te Whakakitenga o Waikato also **oppose** the relief sought by the applicant in regards to Rule AINF-R19 and Rule GRID-R8 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.
12. Te Whakakitenga o Waikato consider the Proposed District Plan - Decisions Version rules managing National Grid infrastructure in relation to 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**

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

**Dated:** 22 March 2022



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**Marae Tukere**

Acting Chief Executive

Waikato-Tainui