

In the Environment Court  
At Auckland

ENV-2025-AKL-000162

I te Kōti Taiao o Aotearoa  
Ki Tāmaki Makaurau

<b>Under the</b>	Resource Management Act 1991 (the RMA)
<b>In the matter</b>	of an appeal under Clause 14(1) of the First Schedule of the Act
<b>Between</b>	<b>TE RUUNANGA O NGAATI MAHUTA KI TE HAUAARU</b> Appellant
<b>And</b>	<b>WAITOMO DISTRICT COUNCIL</b> Respondent

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**NOTICE OF PERSON’S WISH TO BE PARTY TO PROCEEDINGS**

**22 August 2025**

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## Notice of person's wish to be party to proceedings

**To:** The Registrar  
Environment Court  
Auckland

**And to:** Waitomo District Council

**And to:** Te Ruunanga o Ngaati Mahuta ki te Hauaaauru

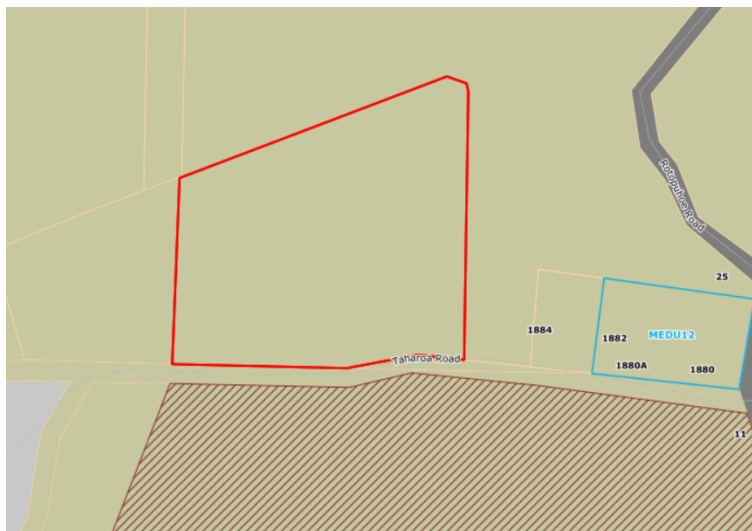
## INTRODUCTION

1. The Tukotahi Tuteao Whaanau Trust (the **Trust**) wishes to be a party to the appeal ENV-2025-AKL-000162 by Te Ruunanga o Ngaati Mahuta ki te Hauaaauru (the **Appellant / TRONM**) against part of the decision of Waitomo District Council (the **Council / the Respondent**) on the Proposed Waitomo District Plan (the **Proposed Plan**).
2. The Trust did not make a submission on the Proposed Plan. The Trust has an interest in these proceedings that is greater than the interest of the general public under section 274(1)(d), because its trustees and beneficiaries are members of the hapuu represented by TRONM, and because it is an owner and kaitiaki of Maaori Freehold Land directly affected by the provisions under appeal. Those provisions affect the use, development, and protection of our land, including potential papakaainga and safeguarding of wahi tuupuna and wahi tapu. The provisions constrain the reasonable use and development of this land, and any adverse effects would impact the Trust more than the general public.
3. The Trust is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

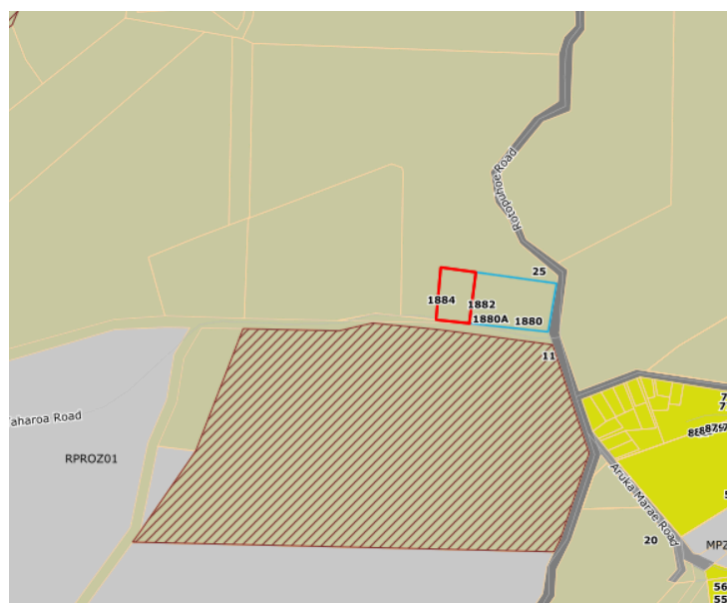
## INTEREST IN THE PROCEEDINGS

4. The Trust is an owner of Maaori Freehold Land under Te Ture Whenua Māori Act 1993, identified in the Proposed Plan as Taharoa A7H2B1 Block. Taharoa A7H2B1

Block is shown in Figure 1 below, showing affected areas under the Proposed Plan provisions:

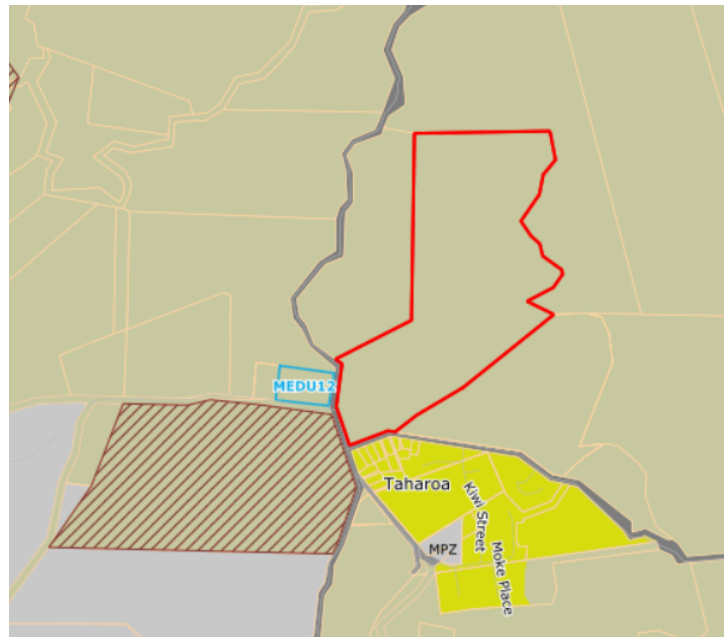


5. The Trust is not a registered owner of Taharoa A7H2A Block, as that block is an urupaa. However, Taharoa A7H2A Block remains directly relevant because the Trust represents their deceased ruuruhi who remains a named owner in that block. Accordingly, it is recognised as an affected parcel by the Trust. Taharoa A7H2A Block is shown in Figure 2 below, showing affected areas under the Proposed Plan provisions:



6. The Trust is an owner of Maaori Freehold Land under Te Ture Whenua Māori Act 1993, identified in the Proposed Plan as Taharoa A7J5A Block. The Trust has deep

ancestral connections with this whenua through generations of farming. Taharoa A7J5A Block is shown in Figure 3 below, showing affected areas under the Proposed Plan provisions:



7. The whenua outlined above are within the TRONM area of interest and may be affected by the provisions under appeal. The Trust is particularly concerned about the potential for cumulative adverse impacts, especially from mining activities already operating in the surrounding environment (such as dust and effects on amenity), which are occurring closer to our whenua. Of particular concern is the Taharoa A7J5A Block, which contains two residential dwellings and is the subject of ongoing papakainga development planning. This block has already been adversely affected by dust generated from nearby mining operations.
8. The Trust is interested in the entire Appeal.
9. The Trust supports all of the relief sought in the Appeal.
10. Without limiting the generality of the above, The Trust is particularly interested in the following relief sought by TRONM:
  - a. Inclusion of additional provisions that recognise and provide for the relationship of Maaori with their land (pursuant to section 6(e));

- b. Amendment to Rule GRUZ-S6 (previously GRUZ-R42) to exempt Maaori Land from the requirements of Rule GRUZ-S6.1;
- c. Amendment of the Rural Production Zone map and RPROZ-SCHED1 to remove the land previously within the Rural Zone of the Operative Plan, within the TRONM area of interest;
- d. Removal of the Indicative Rural Production Areas overlay and notations, within the TRONM area of interest;
- e. Amendment of policies RPROZ-P4 and RPROZ-P6, and rule RPROZ-R25 in the Decision to the notified version of the provisions; and
- f. Such other orders, relief, alternative and/or other consequential amendments to address the concerns set out in the Appeal.

#### **POSITION ON RELIEF SOUGHT**

- 11. The Trust supports the relief sought in the Appeal by TRONM on the basis that the relief would:
  - a. Ensure the Proposed Plan is consistent with Part 2 of the RMA including that:
    - i. recognising and providing for the ability of Maaori to connect to our ancestral lands, waters, sites, waahi tapu, and other taonga as required under section 6(e);
    - ii. have particular regard to kaitiakitanga as required under 7(a) and
    - iii. by taking into account the principles of Te Tiriti o Waitangi as required by section 8.

- b. More effectively promote the sustainable management of natural and physical resources to assist the Council in carrying out its functions to achieve the purpose of the Act;
- c. More effectively manage or enable the efficient and integrated use, development and protection of natural and physical resources;
- d. Ensure the Proposed Plan gives effect to higher order planning instruments in accordance with section 75 of the RMA;
- e. Be more effective in ensuring the actual and potential adverse effects on the environment are avoided, remedied or mitigated; and
- f. More appropriately achieve the objectives of the Proposed Plan in terms of section 32 of the RMA.

#### **MEDIATION**

- 12.** The Trust agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Verna Tuteao (on behalf of Tukotahi Tuteao Whaanau Trust)

**DATED** 22 August 2025

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