

ENV-2025-AKL-000162

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

22 August 2025

Notice of person's wish to be party to proceedings

To: The Registrar
Environment Court
Auckland

And to: Waitomo District Council

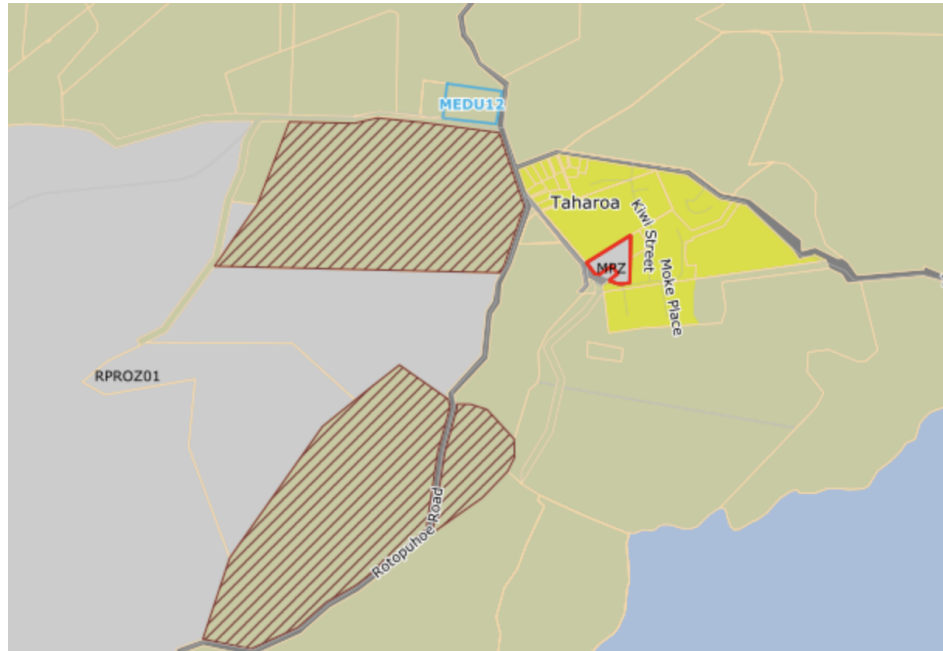
And to: Te Ruunanga o Ngaati Mahuta ki te Hauaaauru

INTRODUCTION

1. The Aaruka Marae Committee (the **Committee**) 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 Committee did not make a submission on the Proposed Plan. The Committee has an interest in these proceedings that is greater than the interest of the general public under section 274(1)(d), because it is a mandated representative of mana whenua and a kaitiaki of Maaori Freehold Land directly affected by the provisions under appeal. The provisions under appeal affect the use, development, and protection of our land and marae, including potential papakaainga, access to customary resources, and safeguarding of waahi tuupuna and waahi tapu. These provisions constrain the reasonable use and development of this land, and any adverse effects would impact the Committee and hapuu members, as mana whenua, more significantly than the general public.
3. The Committee is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

INTEREST IN THE PROCEEDINGS

4. The Committee is mana whenua and kaitiaki of Maaori Freehold Land under Te Ture Whenua Māori Act 1993 of land identified as Taharoa A8 Block in the Proposed Plan. The relevant parcels are shown in Figure 1 below, showing affected areas under the Proposed Plan provisions:



5. The Appeal establishes that the land is within the TRONM area of interest and will be adversely affected by the provisions under appeal. The Committee received no notification or consultation from Council, nor any information about the significant implications of the proposed rezoning, indicative area overlay, rules, and policies for the use of our land.
6. The Committee is interested in the entire Appeal.
7. The Committee supports all of the relief sought in the Appeal.
8. The Committee is particularly interested and supportive of proposed amendments the Appeal seeks, as the provisions in the Proposed Plan do not adequately enable us as mana whenua to exercise rangatiratanga and kaitiakitanga over our ancestral lands and marae. The Committee received no consultation as mana whenua prior to notification of the Proposed Plan and Committee are concerned that the provisions would increase cumulative adverse impacts from mining activities, such as dust, reduced amenity, and other disturbances, by allowing fewer restrictions and rules, and permitting activities in closer proximity to our marae and Maaori

Land. These potential effects directly impact our marae, yet were introduced without meaningful consultation with the Committee as mana whenua.

9. Without limiting the generality of the above, the Committee 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

10. The Committee 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, in particular:

- 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. having 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. Prevent imposition of restrictions that would render our land as incapable of reasonable use;
- f. Be more effective in ensuring the actual and potential adverse effects on the environment are avoided, remedied or mitigated; and
- g. More appropriately achieve the objectives of the Proposed Plan in terms of section 32 of the RMA.

MEDIATION

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

Marcus Roydon Fletcher (on behalf of Aaruka Marae Committee)

M. Fletcher.

DATED 22 August 2025

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