

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
REGISTRY AUCKLAND**

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

ENV-2025-AKL

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

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 to the RMA

BETWEEN **KĀINGA ORA – HOMES AND COMMUNITIES**
Applicant

AND **HAMILTON CITY COUNCIL**
Respondent

**NOTICE OF GORDON CHESTERMAN ON BEHALF OF GUARDIANS OF
CLAUDELANDS UNINCORPORATED WISH TO BE PARTY TO
PROCEEDINGS
10 April 2025**

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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 Gordon Chesterman on behalf of Guardians of Claudelands unincorporated (**Guardians of Claudelands**) wishes to be a party to the following proceedings: Clause 14(1) of the First Schedule, RMA, Kāinga Ora – Homes and Communities (**KO**) appeal against part of the decision of Hamilton City Council (**HCC**) on Plan Change 9 (Historic Heritage and Natural Environment) to the Operative District Plan (**Decision**).
- 2 Guardians of Claudelands has not made a submission on the subject matter as it was formed three months after the plan change was notified, but has an interest greater than the public for the following reasons:
 - (a) Guardians of Claudelands was formed on 2 October 2022. It was specifically formed to advocate for, protect, and enhance the historic neighbourhood and environment of Claudelands (Claudelands being defined as Claudelands West Special Character Area as defined in Hamilton City Council's location map in the District Plan of 2022). This started with the involvement in the development of Opoia Pa (formally Sonning Carpark);
 - (b) Guardians of Claudelands is made up of owners and residents within the Claudelands area who are directly affected by the suggested reduction of the Historic Heritage Area (**HHA**) in Claudelands.
 - (c) Guardians of Claudelands works closely with manawhenua, Ngaati Wairere, the largest of Waikato Tainui's 33 hapu. on matters relating to Opoia Pa and surrounding areas. This partnership highlights Ngaati Wairere's commitment to protecting both built and cultural heritage. Noted Ngaati Wairere historian and carver, Wiremu Puke,

is a foundation member of the Guardians of Claudelands' committee; and

- (d) Guardians of Claudelands is unique within Hamilton, having been formed to protect Heritage as a community group.

Trade competition

- 3 Guardians of Claudelands is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

- 4 Guardians of Claudelands is interested in part of KO's proceedings. In particular, amendments sought by KO in their appeal of Plan Change 9 to the Operative District Plan in relation to reducing the Claudelands HHA.

Particular Issues

- 5 Guardians of Claudelands is interested in the following particular issues:
 - (a) Changes to the boundaries of the Claudelands HHA sought by KO; and
 - (b) The definition of "Surroundings".

Relief sought

- 6 Guardians of Claudelands opposes the relief sought by KO which seeks to reduce HHA in the Claudelands area from the Operative District Plan because:
 - (a) The current HHA boundary, as recommended in the Decision (and shown in **Attachment 1**), is essential for preserving the area's unique historical significance;
 - (b) Claudelands HHA has been correctly identified in the Decision as 'Outstanding' in terms of its heritage qualities.

- (c) A wider definition of "surroundings" could limit the protection afforded to heritage sites and allow for inappropriate development.

Dispute resolution

- 7 Guardians of Claudelands agree to participate in mediation or other alternative dispute resolution of the proceedings.

CM

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Charlotte Muggeridge/Devony Baker

Solicitors for Guardians of Claudelands wishing to be a Party

Date: 10 April 2025

Address for service of Guardians or Claudelands

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Attachment 1: Claudelands HHA Decision

