

s274 Notices - Te Taiwhenua o Heretaunga

Plan Change 9: TANK

Appellant No.	Appellant Name
192	Federated Farmers of New Zealand
194	Aotearoa New Zealand Fine Wine Estates
195	Hawke's Bay Winegrowers Association Inc, Gimblett Gravels Winegrowers Association Incorporated, Villa Maria Estate Limited, Pernod Ricard Winemakers New Zealand Limited (The Winegrowers);
196	Royal Forest and Bird Protection Society of New Zealand
199	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited (The Oil Companies)
200	Horticulture New Zealand
201	Mangaroa Marae, representing the hapū – Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti Pāhū and Ngāti Pouwharekura
202	Ōmahu Marae, (HUPHA) – Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Honomōkai, Ngāti Mahuika
203	Delegat Limited
204	Heinz Wattie's Limited
205	Hastings District Council
206	Ngāti Kahungunu Iwi Incorporated



Te Taiwhenua o
HERETAUNGA

Resource Management (Forms, Fees, and Procedure)
Regulations 2003 (as at 03 March 2015)

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH), wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000192

Federated Farmers of New Zealand Limited

vs

Hawke's Bay Regional Council

2. The nature of the proceedings concern a Notice of Appeal filed with the Environment Court of New Zealand by Federated Farmers of New Zealand Limited against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We are an organisation who made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in and oppose all of the matters raised by Federated Farmers in their notice of appeal - being the relief stated in Appendix A.
7. The reasons we oppose the relief sought are because if granted, it:
 - Would result in unsustainable abstraction/use of freshwater resources;
 - Would not give effect to the NPSFM or provisions in the Regional Policy Statement;
 - Would not uphold or contribute to upholding Te Mana o te Wai priority setting;
 - Will have adverse effects on the tikanga Māori values, relationships, concepts, uses and aspirations associated with water resources, in the affected catchments;
 - Will have significant adverse effects on water quality and water quantity, and be inconsistent with HBRC's statutory functions under section 30 of the Resource Management Act 1991, and with Part 2 of the Act;
 - Will result in minimal protection for Source Protection Zones;
 - Would embed unsustainable abstraction/use of water in resource management in Hawke's Bay, and
 - Will create inconsistencies between Change 9 provisions and methods, and operative parts of the Regional Resource Management Plan and Coastal Environment Plan.
8. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



Mr Marei Apatu
Te Kaihautū
Te Manaaki Taiao

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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
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000194

Aotearoa New Zealand Fine Wine Estates LP

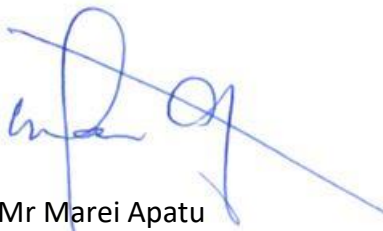
vs

Hawke's Bay Regional Council

2. The nature of the proceedings is a Notice of Appeal filed with the Environment Court of New Zealand by Aotearoa New Zealand Fine Wine Estates LP against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We are an organisation who made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in all of the matters raised by Aotearoa New Zealand Fine Wine Estates LP in their notice of appeal, being the relief stated in the fourth column of Table 1 of the appeal documents.
7. We oppose the relief sought by the appellants.
8. We oppose the relief sought in the appellant's Notice of Appeal because if granted, it:
 - Would not promote the purpose of the Resource Management Act, 1991;
 - Would not give effect to the NPSFM or provisions in the Regional Policy Statement;
 - Would not uphold or contribute to upholding, the priority setting in Te Mana o te Wai and the NPSFM 2020 objective;
 - Will have adverse effects on the tikanga Māori relationships, values, concepts, uses and aspirations, associated with the water resources in the affected catchments;
 - Will lead to further water quality and water quantity decline, which is inconsistent with HBRC's statutory functions under section 30 of the Resource Management Act 1991, and
 - Will promote or embed unsustainable management of freshwater resources.
9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



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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
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH), wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000195

Hawke's Bay Wine Growers Association Incorporated

vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns an appeal against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.
6. We are interested in all of the matters raised by Hawke's Bay Winegrowers Association Incorporated (HBWG) as summarised in paragraph 6 of their notice of appeal.

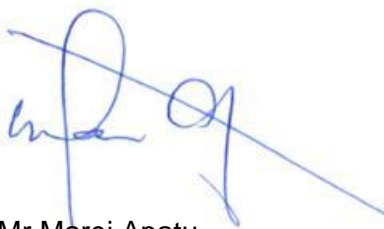
7. We oppose the relief sought where HBWG seek to maintain or increase the current levels of abstraction without addressing adverse effects, including cumulative adverse effects.

8. Reasons for our opposition:

- The current levels of abstraction are not sustainable, and consent renewal criteria does not fully take into account the nature and extent of adverse effects;
- Proposals to augment groundwater and flows in streams are experimental, unproven in terms of efficacy, and reliant on consents from other parties;
- Current levels of abstractions result in mining of groundwater without addressing adverse effects;
- The quantity limits set in PC9 for groundwater and surface water abstraction are not based on a robust methodology;
- The exclusions in Plan Change 9 allow for abstractions over and above allocation limits rendering the limits ineffective in terms of sustainable management and use;
- If granted, the relief sought would be inconsistent with HBRC's statutory functions under section 30 of the RMA 1991, with requirements in Part 2, and would not give effect to the NPSFM or provisions in the operative Regional Policy Statement;
- If granted, the relief sought by HBWG will create inconsistencies between Plan Change 9 provisions/methods, and other parts of the operative Regional Resource Management Plan and the operative Regional Coastal Environment Plan.

9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



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Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TTOH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000196

Royal Forest and Bird Protection Society of New Zealand Incorporated.

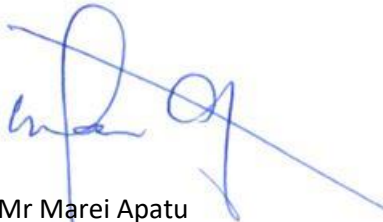
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concern a notice of Appeal filed with the Environment Court by Royal Forest and Bird Protection Society of New Zealand Incorporated against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions about the subject matter of the proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, including the Heretaunga Plains groundwaters, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.
6. We are interested in all of the matters raised by Royal Forest and Bird Protection Society of New Zealand Incorporated in their Notice of appeal
7. In particular we are interested in the following matters:
 - The relief sought by the appellant and the reasons cited in Table 1 of the notice of appeal.

8. We support the appeal where it seeks relief to:
- Reduce adverse effects on water quality;
 - Improve water retention in groundwaters and surface waters;
 - Reduce water allocation quantities to more sustainable levels;
 - Improve aquatic habitat provision and protection for aquatic fauna, and
 - Better align PC9 with higher order policy directives.
9. Reasons for support are that:
- The decisions do not give effect to the National Policy Statement on Fresh water Management (NPSFM);
 - Do not give effect to the New Zealand Coastal Policy Statement (NZCPS);
 - Are not consistent with Part 2 of the Resource Management Act ('the Act');
 - Do not implement the Council's functions under s 30 of the Act, and
 - Some decisions create an inconsistency between PC9 and other operative parts of the Regional Resource Management Plan and between PC9 and the Regional Coastal Environment Plan.
10. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti
Yours sincerely



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To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH), wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000199

BP Oil NZ Limited, Mobil Oil NZ Limited and
Z Energy Limited (The Oil Companies)

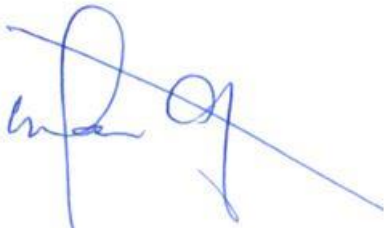
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concern a Notice of Appeal filed with the Environment Court of New Zealand by the Oil Companies against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We are an organisation who made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in and oppose all of the matters raised by the Oil Companies outlined in paragraph 14 of the appeal and relating specifically to Rule TANK 10
7. We oppose the relief sought because if granted, it:
 - Would render allocation limits in Plan Change 9 meaningless;
 - Would enable unsustainable abstraction/use of freshwater resources, and embed this in future water management, and
 - Will create inconsistencies between Change 9 provisions and methods, and other parts of the Regional Resource Management Plan.
8. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti
Yours sincerely,



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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
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH), wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000200

Horticulture New Zealand Limited

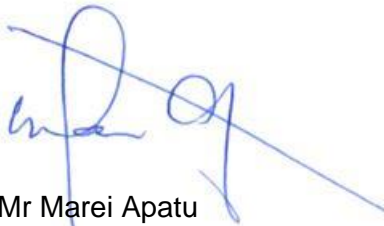
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns a Notice of Appeal filed with the Environment Court against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in and oppose all of the matters raised by Horticulture New Zealand in their notice of appeal as summarised in paragraph 6 of the appeal and specified in Appendix A.
7. We oppose the relief sought because if granted, it:
- Would result in unsustainable abstraction, and unsustainable use of freshwater resources, and embed these in future water management policy;
 - Will have significant adverse effects on water quality and water quantity, and be inconsistent with HBRC's statutory functions under section 30 of the Resource Management Act 1991, and with requirements of Part 2 of the Act;
 - Would not give effect to the NPSFM or provisions in the Regional Policy Statement;
 - Would not uphold or contribute to upholding Te Mana o te Wai priorities;
 - Will have adverse effects on the tikanga Māori relationships, values, concepts, uses and aspirations associated with water resources in the affected catchments, and
 - Will create inconsistencies between Plan Change 9 provisions and methods, other parts of the operative Regional Resource Management Plan and Coastal Environment Plan
8. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



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Resource Management (Forms, Fees, and Procedure)
Regulations 2003 (as of 03 March 2015)

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000201

Mangaroa Marae

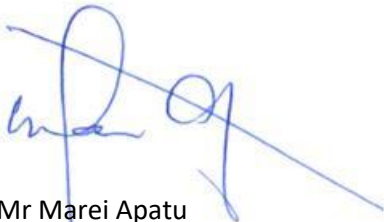
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns a notice of appeal filed with the Environment Court by Mangaroa Marae against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council and adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions on the subject matter of the proceedings, being the management of land use and water resources in the Ngaruroro and the Karamū catchments, including the water in the Heretaunga Plains Aquifer System.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.
6. We are interested in all of the matters raised by Mangaroa Marae in their Notice of appeal
7. In particular we are interested in the following particular issues:
 - The specific relief sought through the Mangaroa Marae appeal stated in paragraphs 13 to 17, and 25 to 31.

8. We support the appeal in terms of the relief sought relating to PC9 and the mana of Mangaroa whānau/hapū, the improvement of water quality and the retention of more water quantity within the rivers and aquifers of the Heretaunga Plains through:
- Amending PC9 so that its objectives are clearly stated outcomes;
 - PC9 enables the restoration and subsequent protection for, the mauri and mana of the Karamū and Ngaruroro Rivers, and the Heretaunga aquifers.
 - Reductions in nutrients and contaminants entering water resources;
 - Increased protection for ecosystems and taonga species
 - Greater consideration for reducing adverse effects on cultural values and interests associated with the Karamū and its tributaries, the Ngaruroro and its tributaries, and the groundwaters beneath the Heretaunga Plains;
 - Provision for staged increases in minimum flows in the Karamū and Ngaruroro Rivers
9. Reasons:
- The decisions version of PC9 does not actively protect the rights and interests of the appellants and those they represent in terms of the area's natural and physical resources and the taonga over which they have a kaitiaki responsibility.
10. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti
Yours sincerely



Mr Marei Apatu
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Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000202

Omahu Marae Trustees

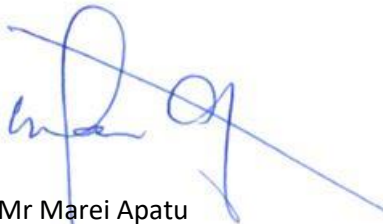
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns a notice of appeal filed with the Environment Court by Omahu Marae Trustees against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions on the subject matter of the proceedings, being the management of land use and water resources in the Ngaruroro and the Karamū catchments, including the water in the Heretaunga Plains Aquifer System.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.
6. We are interested in all of the matters raised by all of the matters raised by Omahu Marae Trustees Marae in their notice of appeal.
7. In particular we are interested in the following particular issues:
 - The specific relief sought through the Omahu Marae appeal as stated in paragraphs 13 to 17, and 26 to 32.

8. We support the appeal in terms of the relief sought relating to PC9 and the mana of Omaha whānau/hapū, the improvement of water quality and the retention of more water quantity within the ancestral rivers and the aquifers of the Heretaunga District through:
- Amending PC9 so that its objectives are clearly stated outcomes;
 - PC9 enables the restoration and subsequent protection for, the mauri and mana of the Karamū and Ngaruroro Rivers, and the Heretaunga aquifers.
 - Reductions in nutrients and contaminants entering water resources;
 - Increased protection for ecosystems and taonga species
 - Greater consideration for reducing adverse effects on cultural values and interests associated with the Karamū and its tributaries, the Ngaruroro and its tributaries, and the groundwaters beneath the Heretaunga Plains;
 - Provision for staged increases in minimum flows in the Karamū and Ngaruroro Rivers
9. Reasons:
- The decisions version of PC9 does not actively protect the rights and interests of the appellants and those they represent in terms of the area's natural and physical resources and the taonga over which they have a kaitiaki responsibility.
10. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti
Yours sincerely



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Te Manaaki Taiao

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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
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000203

Delegat Limited

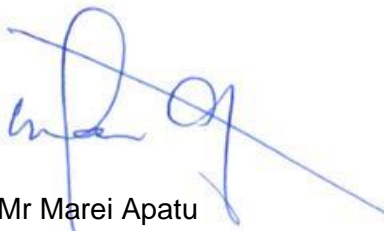
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concern a Notice of Appeal filed with the Environment Court of New Zealand by Delegat Limited against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We are an organisation who made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in all of the matters raised by Delekat Limited in their notice of appeal, being the relief stated in paragraphs 6 and 19 of the notice of appeal. Primarily the relief applies to amendments to Policy TANK 34 and the definition for “Actual and Reasonable” and it’s consequent application through Change 9.
7. We oppose the relief sought by the appellants.
8. We oppose the relief sought in the Notice of Appeal because if granted, it:
 - Would result in unsustainable abstraction and use of freshwater resources;
 - Would not give effect to the NPSFM or provisions in the Regional Policy Statement;
 - Would not be in accordance with the priority setting in Te Mana o te Wai;
 - Will have adverse effects on the tikanga Māori values, concepts, uses and aspirations of tāngata whenua/Māori, in the affected catchments;
 - Will lead to water quality and water quantity decline, which is inconsistent with HBRC’s statutory functions under section 30 of the Resource Management Act 1991, and
 - Will embed unsustainable abstraction and use of water in Hawke’s Bay resource management policy.
9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



Mr Marei Apatu
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Te Manaaki Taiao

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CX10086
Auckland

1. Te Taiwhenua o Heretaunga (TToH) wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000204

Heinz Wattie's Limited

vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns a Notice of Appeal filed with the Environment Court by Heinz Wattie's Limited against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions about the subject matter of the proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.
6. We are interested in the matters raised by Heinz Wattie's Limited at paragraph 17 of their appeal, and associated with the decisions on Policy TANK 34.

7. In particular we are interested in the relief sought by the appellant to amend or enable:

- Policy and rule framework around water storage, use and reticulation.
- Provisions to enable increasing groundwater allocation quantities; and
- Promotion for the ingress of lower quality surface water into groundwater within the Heretaunga Plains Aquifer System.

8. We oppose the relief sought by Heinz Wattie's Limited because:

- It does not promote the purpose of the Resource Management Act, 1991;
- It would result in PC9 not giving effect to provisions in the Regional Policy Statement, and being inconsistent with the operative Regional Coastal Plan
- If granted, it would not uphold or contribute to upholding the priority setting in the NPSFM objective;
- Will lead to water quality and water quantity decline, which is inconsistent with the HBRC's statutory functions under section 30 of the Resource Management Act 1991,

9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti

Yours sincerely,



Mr Marei Apatu

Te Kaihautū

Te Manaaki Taiao

Te Taiwhenua o Heretaunga Trust

P O Box 718

Hastings

4156

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Te Taiwhenua o
HERETAUNGA

Resource Management (Forms, Fees, and Procedure)
Regulations 2003 (as at 03 March 2015)

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. We, Te Taiwhenua o Heretaunga (TToH), wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000205

Hastings District Council

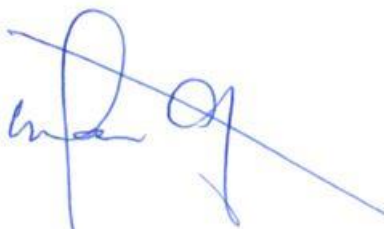
vs

Hawke's Bay Regional Council

2. The nature of the proceedings concerns a notice of appeal filed with the Environment Court of New Zealand by Hastings District Council (HDC) against the decisions of the Independent Hearing Panel appointed by the Hawke's Bay Regional Council and thereafter adopted by the Council, on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We are an organisation who made submissions (#132) and further submissions about the subject matter of the appeal proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in the matters raised by HDC in paragraph 6 and specified in Attachments A and B of their notice of appeal.
7. We support the appeal where it seeks:
 - An more appropriate consenting pathway for the provision of municipal and papakainga water supplies;
 - Omission of municipal and papakainga water supplies from flow augmentation and habitat enhancement schemes;
 - Amendments to the criteria and decision-making processes for protection of Source Protection Zones (SPZ), and
 - Expansion of SPZ in Plan Change 9 maps, although Te Taiwhenua o Heretaunga seek greater expansion of the SPZ areas than do Hastings District Council.
8. We support the relief sought because:
 - It prioritises human health needs in accordance with Te Mana o te Wai;
 - It would provide greater consistency with Part 2 of the Resource Management Act and the National Policy Statement for Freshwater.
9. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti,
Yours sincerely,



Mr Marei Apatu
Te Kaihautū
Te Manaaki Taiao

Te Taiwhenua o Heretaunga
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Hastings 4156

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Te Taiwhenua o

HERETAUNGA

Resource Management (Forms, Fees, and Procedure)

Regulations 2003 (as of 03 March 2015)

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
CX10086
Auckland

1. Te Taiwhenua o Heretaunga wish to be a party to the following proceedings:

An appeal under Clause 14 of the First Schedule to the Resource Management Act, 1991:

ENV-2022-AKL-000206

Ngāti Kahungunu Iwi Incorporated

vs

Hawke's Bay Regional Council

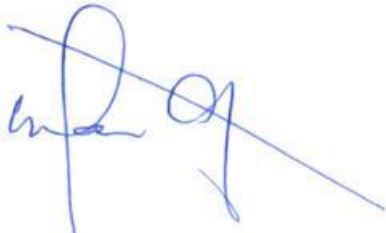
2. The nature of the proceedings concerns a Notice of Appeal filed with the Environment Court by Ngāti Kahungunu Iwi Incorporated against the decisions of an Independent Hearing Panel appointed by the Hawke's Bay Regional Council on Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan 2006.
3. We are an organisation who have interest in the proceedings that is greater than that of the general public.
4. We made submissions (#132) and further submissions about the subject matter of the proceedings, being the management of land use and water resources in four catchments – The Tūtaekurī, the Ngaruroro and the Karamū River catchments, and the Ahuriri catchment, and the management of groundwater.
5. We are not a trade competitor for the purposes of [section 308C](#) of the Resource Management Act 1991.

6. We are interested in all of the matters raised by Ngāti Kahungunu Iwi Incorporated in their Notice of appeal.
7. In particular we are interested in the relief sought in paragraphs 13 to 15, and Appendices 1, 2 and 3 of the Ngāti Kahungunu Iwi Incorporated notice of appeal.
8. We support the relief sought by the appellant.
9. The reasons for our support are because:
 - Despite ten years having lapsed since Plan Change 9 processes began, the decisions version of PC9 do not address the key issues in terms of promoting the sustainable management of natural and physical resources throughout the four catchments – the Tūtaekurī, Ngaruroro and Karamū River catchments, the Ahuriri catchment, or the groundwater beneath the Heretaunga Plains.
 - The quantities of groundwater being abstracted from the Heretaunga Plains are excessive and indications are that groundwater abstraction exceeds the rate of recharge, i.e., the groundwater is being mined.
 - Water quality issues relating to nutrients, contaminants and their adverse effects have not been adequately addressed through Plan Change 9
 - Water quantity issues relating to minimum flow setting, habitat protection and water allocation (for surface water), and sustainable abstraction, stream depletion effects, and consequential effects on instream values will not lead to these issues being managed in a sustainable manner through the decisions version of PC9.
 - The decisions on PC9 for water quality and water quantity if upheld, will have significant adverse effects on the tikanga Māori values, relationships, concepts, uses and aspirations that the whānau and hapū of Heretaunga have for the four TANK catchments, and for Heretaunga Plains Aquifer System.
 - The decisions on PC9 do not give effect to the NSFM 2020, provisions in the operative Regional Policy Statement, and are inconsistent with an operative regional plan, i.e., the Regional Coastal Environment Plan.
 - The decisions on PC9 do not actively protect the rights, interests and values of whānau/hapū of Heretaunga as required by the Treaty principles.
 - The decisions seek to prevent tangata whenua from having an active participation or role in many resource consent processes and decision-making, which have the capacity to adversely affect their taonga.
 - Some PC9 decisions are contrary to HBRC's statutory roles and functions under s30 of the Resource Management Act 1991.
 - Processes enabled through PC9 decisions, have not been adequately researched to assess whether they promote sustainable management of surface water or groundwater.

- Despite the PC9 having been in process for ten years, some of the decisions have been postponed and left to a further plan change at a future date, meaning that submitters including tangata whenua parties, will have to go through additional hearings processes for the same or similar issues to be addressed. This creates undue prejudice for submitters.

10. We agree to participate in mediation or other alternative dispute resolution of the proceedings.

Nāhaku noa iti
Yours sincerely,



Mr. Marei Apatu
Te Kaihautū
Te Manaaki Taiao

Te Taiwhenua o Heretaunga Trust
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