

s274 Notices – Heinz-Watties Ltd

Plan Change 9: TANK

Appellant No.	Appellant Name
193	Te Taiwhenua o Heretaunga
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
197	Wairua Dairies Limited

**In the Environment Court
at Auckland**

**I Mua I Te Kōoti Taiao o Aotearoa
Ki Tamaki Makaurau**

ENV-2022-AKL-000193

In the matter of the Resource Management Act 1991
(**RMA**)

and

In the matter of An appeal pursuant to Section 14(1) of
Schedule 1 of the RMA

Between **Te Taiwhenua o Heretaunga**
Appellant

And **Hawke's Bay Regional Council**
Respondent

**Notice of Heinz Wattie's Limited's wish to become a party to
proceedings pursuant to s274 RMA**

16 November 2022

Sainsbury Logan & Williams
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Email: ljb@slw.co.nz
Ref: Lara Blomfield

To The Registrar
Environment Court
AUCKLAND

1 Heinz Wattie's Limited (**Heinz Wattie's**) wishes to be a party to the appeal by Te Taiwhenua o Heretaunga (**TToH**) on the Hawke's Bay Regional Council's decision on Proposed Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments).

2 Heinz Wattie's made a submission on Proposed Plan Change 9.

3 Heinz Wattie's is not a trade competitor for the purposes of section 308C or 308CA of the Act.

4 Heinz Wattie's is interested in part of the proceedings.

5 Heinz Wattie's opposes the following relief sought in TToH's appeal:


5.1 The deletion of the term 'Actual and Reasonable' from the glossary and from objectives, policies, rules, schedules and assessment criteria in Plan Change 9 because without it there is no basis to decide how much water should be allocated to existing users.

5.2 Requiring tangata whenua parties to be notified as affected parties in all applications for existing and new consents to take water for irrigation. This relief is opposed because decisions about affected parties should be made in accordance with the RMA.

5.3 Seeking the imposition of a ten year consent duration limit. A ten year consent duration will be too short whereas a 15 year consent duration provides a balance between certainty for water users who may need to invest in infrastructure to utilise their consent, and flexibility for changes to respond to environmental needs.

6 Heinz Wattie's agrees to participate in mediation or other alternative dispute resolution of the proceedings.

16 November 2022



Lara Blomfield
Counsel for Heinz Wattie's Limited

Address for service of Heinz Wattie's Limited

The address for service of Heinz Wattie's is at the offices of its solicitor Lara Jane Blomfield, Sainsbury Logan & Williams, 61 Tennyson Street, Napier. Documents may be served upon Heinz Wattie's at that address or by way of PO Box 41, Napier and by email at ljb@slw.co.nz.

**In the Environment Court
at Auckland**

**I Mua I Te Kōoti Taiao o Aotearoa
Ki Tamaki Makaurau**

ENV-2022-AKL-000194

In the matter of the Resource Management Act 1991
(**RMA**)

and

In the matter of An appeal pursuant to Section 14(1) of
Schedule 1 of the RMA

Between **Aotearoa New Zealand Fine Wine
Estates LP**

Appellant

And **Hawke's Bay Regional Council**

Respondent

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LJB-130422-2-397-V1

To The Registrar
Environment Court
AUCKLAND

1 Heinz Wattie's Limited (**Heinz Wattie's**) wishes to be a party to the appeal by Aotearoa New Zealand Fine Wine Estates LP on the Hawke's Bay Regional Council's decision on Proposed Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments).

2 Heinz Wattie's made a submission on Proposed Plan Change 9.

3 Heinz Wattie's is not a trade competitor for the purposes of section 308C or 308CA of the Act.

4 Heinz Wattie is interested in all of the proceedings.

5 Heinz Wattie's generally supports the relief sought in relation to POL TANK 34, RULE TANK 8 and the definition of 'Actual and Reasonable' because:

5.1 POL TANK 34 in its current form is unnecessarily restrictive.

5.2 Not all water permits or associated resource consents for programmed or staged developments will specify that those permits or consents were granted on that basis.

5.3 For consistency RULE TANK 8 and the definition of 'Actual and Reasonable' should be amended to enable the allocation of water for programmed or staged but as yet unimplemented primary production development.

6 Heinz Wattie's agrees to participate in mediation or other alternative dispute resolution of the proceedings.

16 November 2022



Lara Blomfield
Counsel for Heinz Wattie's Limited

LJB-130422-2-397-V1

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**In the Environment Court
at Auckland**

**I Mua I Te Kōoti Taiao o Aotearoa
Ki Tamaki Makaurau**

ENV-2022-AKL-000195

In the matter of the Resource Management Act 1991
(**RMA**)

and

In the matter of An appeal pursuant to Section 14(1) of
Schedule 1 of the RMA

Between **Hawke's Bay Winegrowers
Association Incorporated & Others**

Appellant

And **Hawke's Bay Regional Council**

Respondent

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proceedings pursuant to s274 RMA**

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LJB-130422-2-398-V1

To The Registrar
Environment Court
AUCKLAND

1 Heinz Wattie's Limited (**Heinz Wattie's**) wishes to be a party to the appeal by Hawke's Bay Winegrowers Association & Others (**Winegrowers**) on the Hawke's Bay Regional Council's decision on Proposed Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments).

2 Heinz Wattie's made a submission on Proposed Plan Change 9.

3 Heinz Wattie's is not a trade competitor for the purposes of section 308C or 308CA of the Act.

4 Heinz Wattie's is interested in part of the proceedings.

5 Heinz Wattie's generally supports the relief sought in relation to the definition of 'Actual and Reasonable' because:


5.1 The current definition of 'Actual and Reasonable' does not appear to enable the allocation of water for programmed or staged but as yet unimplemented development.

5.2 The amendments sought at paragraph 13(c)(ii) and (iii) of Winegrowers' appeal is an improvement on the current wording and allows site specific considerations to be taken into account in applying the IRRICALC model.

5.3 The amendments sought at paragraph 13(c)(ii) of Winegrowers' appeal is broadly consistent with the relief sought in at paragraph 17.1 of Heinz Wattie's appeal.

6 Heinz Wattie's agrees to participate in mediation or other alternative dispute resolution of the proceedings.

16 November 2022



Lara Blomfield
Counsel for Heinz Wattie's Limited

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In the Environment Court
at Auckland

I Mua I Te Kōoti Taiao o Aotearoa
Ki Tamaki Makaurau

ENV-2022-AKL-000196

In the matter of the Resource Management Act 1991
(RMA)

and

In the matter of An appeal pursuant to Section 14(1) of
Schedule 1 of the RMA

Between **Royal Forest and Bird Protection
Society of New Zealand
Incorporated**

Appellant

And **Hawke's Bay Regional Council**

Respondent

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LJB-130422-2-401-V1

To The Registrar
Environment Court
AUCKLAND

1 Heinz Wattie's Limited (**Heinz Wattie's**) wishes to be a party to the appeal by the Royal Forest and Bird Protection Society of New Zealand Inc (**Forest & Bird**) on the Hawke's Bay Regional Council's decision on Proposed Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments).

2 Heinz Wattie's made a submission on Proposed Plan Change 9.

3 Heinz Wattie's is not a trade competitor for the purposes of section 308C or 308CA of the Act.

4 Heinz Wattie's is interested in part of the proceedings.

5 Heinz Wattie's generally opposes the relief sought in relation to:

5.1 Policy TANK 34 for the reasons set out at paragraph 8-10 of Heinz Wattie's appeal.

5.2 Policy TANK 52 – Policy TANK 56 and Rule TANK 14, Rule TANK 15, Rule TANK 17, RULE 18 and Schedule 32 because water harvesting at high flows and its storage and release will potentially enable irrigation of highly productive but currently un-irrigated land while also producing benefits of the type listed in Policy TANK 54.

6 Heinz Wattie's agrees to participate in mediation or other alternative dispute resolution of the proceedings.

16 November 2022



Lara Blomfield
Counsel for Heinz Wattie's Limited

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**In the Environment Court
at Auckland**

**I Mua I Te Kōoti Taiao o Aotearoa
Ki Tamaki Makaurau**

ENV-2022-AKL-000197

In the matter of the Resource Management Act 1991
(**RMA**)

and

In the matter of An appeal pursuant to Section 14(1) of
Schedule 1 of the RMA

Between **Wairua Dairies Limited**

Appellant

And **Hawke's Bay Regional Council**

Respondent

**Notice of Heinz Wattie's Limited's wish to become a party to
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To The Registrar
Environment Court
AUCKLAND

- 1 Heinz Wattie's Limited (**Heinz Wattie's**) wishes to be a party to the appeal by Wairua Dairies Ltd on the Hawke's Bay Regional Council's decision on Proposed Plan Change 9 (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments).
- 2 Heinz Wattie's made a submission on Proposed Plan Change 9.
- 3 Heinz Wattie's is not a trade competitor for the purposes of section 308C or 308CA of the Act.
- 4 Heinz Wattie's is interested in part of the proceedings.
- 5 Heinz Wattie's generally supports the relief sought in relation to Policy TANK 50 for the reasons set out at paragraphs 8-10 of Heinz Wattie's appeal (which concern a similar provision in Policy TANK 34).
- 6 Heinz Wattie's agrees to participate in mediation or other alternative dispute resolution of the proceedings.

16 November 2022



Lara Blomfield
Counsel for Heinz Wattie's Limited

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