

**Before the Environment Court  
At Auckland**

**I Mua I te Kōti Taiao  
Tāmāki Makaurau Rohe**

**ENV-2021- AKL- 000104**

**Under** the Resource Management Act 1991 (**RMA**)

**In the matter of** an appeal under clause 14 of the First Schedule of the RMA

**Between** Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga,  
Te Manaaki Taiao o Heretaunga and Ngāti Kahungunu Iwi  
Incorporated

**Appellant**

**And** Hawke's Bay Regional Council

**Respondent**

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**Notice of the Māori Trustee's wish to be a party to proceedings under  
section 274 of the Resource Management Act 1991**

**Date:** 13 August 2021

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Solicitor on the record  
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**To:** The Registrar, Environment Court, Auckland  
**And to:** The appellant, Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngāti Kahungunu Iwi Incorporated  
**And to:** The respondent, the Hawke's Bay Regional Council  
**And to:** The section 274 parties

- 1 The Māori Trustee wishes to be party to the proceeding **ENV-2021-AKL-000104**, the Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngāti Kahungunu Iwi Incorporated's (**Appellant**)'s appeal against the decision of the Hawke's Bay Regional Council on Proposed Change 7 to the Hawke's Bay Regional Resource Management Plan (**PC7**).
- 2 Poukawa 13B is an area of Māori Freehold Land situated at Te Hauke, 12 kilometres south of Hastings and comprising approximately 522 hectares. It includes most of Lake Poukawa.
- 3 The land is subject to an Ahu Whenua Trust known as the Poukawa 13B Trust, constituted under the Te Ture Whenua Maori Act 1993. Under this Trust the land is vested in the Māori Trustee as Responsible Trustee. The Māori Trustee is appointed by the Māori Land Court under that Act.
- 4 The Poukawa 13B Trust, as owner of most of the Lake Poukawa lakebed, have advocated for the Lake for some time (along with relevant hapū and iwi entities) for it to be protected from uses that will affect its values (both ecological and cultural).
- 5 The Māori Trustee made a submission on PC7 - Outstanding Water Bodies (submission #35). As notified, PC7 listed Lake Poukawa as an outstanding water body in Table 2 of Schedule 25. It's submission supported the listing of the outstanding water bodies.
- 6 The Council's Decision removed Lake Poukawa from Table 2 in Schedule 25, did not protect the significant values and outstanding

values of Lake Poukawa through its policies, did not provide for reasonable existing uses that are not adversely affecting the values of Lake Poukawa and applied new criteria that were not part of the consultation or notification phases for PC7.

7 The Māori Trustee is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

8 The Māori Trustee is interested in the parts of the appeal that relate to the issues identified in paragraph 6 above.

9 The Māori Trustee supports the relief sought by the Appellant to the extent it relates to Lake Poukawa and relates to the issues set out in paragraph 6 above.

**Date:** 13 August 2021



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Kerry M Anderson / M J Dicken  
Counsel for the Māori Trustee

This document is filed by Kerry Anderson of DLA Piper, solicitor for the Māori Trustee.

The address for service on the Māori Trustee is at:

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Documents for service on the Māori Trustee may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 2791, Wellington 6140.

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*Advice*

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