

s274 Notices - Ngāti Kahungunu Iwi Inc

Plan Change 9: TANK

Appellant No.	Appellant Name
192	Federated Farmers of New Zealand
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
198	T&G Global Limited
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
207	Napier City Council

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000192

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Federated Farmers of New Zealand**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Federated Farmers of New Zealand** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
-



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000193

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Te Taiwhenua o Heretaunga**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 16th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Te Taiwhenua o Heretaunga** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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 - (b) Give effect to the priorities established by Te Mana o te Wai;
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 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **supports** relief sought in the appeal, and seeks an outcome that is consistent with the relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 16th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000194

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

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

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
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021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Aotearoa New Zealand Fine Wine Estates LP** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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- (l) implements tikanga;
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- (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.

5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.

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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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With copy to Counsel:
Rob Enright, Barrister
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000195

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

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

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Hawke’s Bay Winegrowers Association Inc, Gimblett Gravels Winegrowers Association Inc, Villa Maria Estate Ltd, Pernod Ricard Winemakers New Zealand Ltd** on the Hawkes Bay Regional Council’s (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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With copy to Counsel:
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Wānaka
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000196

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

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

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 16th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Royal Forest and Bird Protection Society of New Zealand** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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- (l) implements tikanga;
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- (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.

5 Ngāti Kahungunu **supports** relief sought in the appeal, and seeks an outcome that is consistent with the relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.

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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 16th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000197

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Wairua Dairies Limited**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Wairua Dairies Ltd** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000198

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **T & G Global Limited**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **T & G Global Ltd** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
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**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000199

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **BP Oil New Zealand Limited, Mobil Oil New
Zealand Limited and Z Energy Limited**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;

- (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;
- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
- (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
- (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
- (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
- (l) implements tikanga;
- (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
- (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.

5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.

6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000200

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Horticulture New Zealand**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
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Counsel Acting
Rob Enright
Wānaka & Auckland
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021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Horticulture New Zealand** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
-



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000201

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Mangaroa Marae (representing the hapū,
Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti
Pāhū, and Ngāti Pouwharekura)**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 16th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Mangaroa Marae (representing the hapū, Ngāti Rāhungaiterangi, Ngāti Pōpōro, Ngāti Pāhū, and Ngāti Pouwharekura)** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;

- (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;
- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
- (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
- (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
- (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
- (l) implements tikanga;
- (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
- (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.

5 Ngāti Kahungunu **supports** relief sought in the appeal, and seeks an outcome that is consistent with the relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.

6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 16th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000202

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Ōmahu Marae, Ngāti Hinemanu, Ngāi Te
Upokoiri, Ngāti Honomōkai, Ngāti Mahuika**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 16th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
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rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Ōmahu Marae, Ngāti Hinemanu, Ngāi Te Upokoiri, Ngāti Honomōkai, Ngāti Mahuika** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;

- (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;
- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
- (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
- (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
- (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
- (l) implements tikanga;
- (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
- (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.

5 Ngāti Kahungunu **supports** relief sought in the appeal, and seeks an outcome that is consistent with the relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.

6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 16th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000203

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Delegat Limited**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
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Counsel Acting
Rob Enright
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rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Delegat Limited** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
-



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000204

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Heinz Wattie's Limited**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Heinz Wattie's Limited** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
-



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000205

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Hastings District Council**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
Heretaunga
ngaio@kahungunu.iwi.nz

Counsel Acting
Rob Enright
Wānaka & Auckland
rob@publiclaw9.com
021 276 5787

To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Hastings District Council** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
-



Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
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By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
Rob Enright, Barrister
Wānaka
By email to: rob@publiclaw9.com

**In the Environment Court
Auckland Registry**

**I Mua I Te Kooti Taiao o Aotearoa
Ki Tāmaki Makaurau**

ENV 2022 AKL 000207

Under the Resource Management Act 1991 (RMA)

In the matter of an appeal under Clause 14(1) of the First
Schedule of the Act

Between **Napier City Council**
Appellant

And **Hawkes Bay Regional Council**
Respondent

**Notice of Ngāti Kahungunu Iwi Incorporated's wish to become
a party to proceedings pursuant to section 274 RMA 1991**

Dated this 15th day of November 2022

Filed by
Ngāti Kahungunu Iwi Incorporated
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To: The Registrar
Environment Court
Tāmaki Makaurau

- 1 Ngāti Kahungunu Iwi Incorporated wishes to be party to the appeal by **Napier City Council** on the Hawkes Bay Regional Council's (**Council**) decisions on Plan Change 9 (**PC9**) to the Regional Resource Management Plan (**Plan**). PC9 relates to 4 Awa and their catchments in the Hawkes Bay region: Tūtaekuri, Ahuriri, Ngaruroro, and Karamū (**TANK catchments**).
- 2 Ngāti Kahungunu made a submission on PC9 in respect of matters raised by the appeal.
- 3 Ngāti Kahungunu is interested in all of the proceedings.
- 4 Ngāti Kahungunu is interested in the following particular issues:
 - (a) Give effect to the National Policy Statement on Freshwater Management 2020 (NPS-FM 2020);
 - (b) Give effect to the priorities established by Te Mana o te Wai;
 - (c) Implement a policy framework that gives appropriate priority to tangata whenua interests in their ancestral rivers, aquifers, and taonga;
 - (d) Identify waterbodies within the Tank catchments within a freshwater management unit (FMU);
 - (e) Identify freshwater values, including tangata whenua values for water and ecosystems, and the mauri of the wai;
 - (f) Safeguard the life-supporting capacity of the TANK catchment's waterbodies and aquifers including protection of drinking water sources from the effects of land uses;
 - (g) Manage water quality and allocation/over-abstraction by reference to the priorities established for Te Mana o te Wai in the national framework;

- (h) Avoid or reduce over-allocation/over-abstraction, including for existing consented or status quo activities and reliance on the inappropriate 'actual and reasonable use' test;
 - (i) Ensure flows and levels for all waterbodies are set at a level that gives priority to the health, wellbeing, and mauri of water bodies and freshwater ecosystems;
 - (j) recognizes relevant Treaty principles such as rangatiratanga and active protection;
 - (k) recognizes and provides for Ngāti Kahungunu's relationship with their cultural and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, and the exercise of kaitiakitanga;
 - (l) implements tikanga;
 - (m) Prevent transfer of water permits to over-allocated / over-abstracted catchments;
 - (n) issues raised in this Appeal overlap with issues and relief identified in the Ngāti Kahungunu appeal in ENV AKL 000206 (**the appeal in ENV AKL 000206**). Any relief in this Appeal must be consistent with relief sought in the appeal **in ENV AKL 000206**.
- 5 Ngāti Kahungunu **opposes** relief sought in the appeal, except to the extent that the Appeal supports relief sought in the Ngāti Kahungunu appeal in **ENV AKL 000206**. Full reasons are set out above, and further reasons are set out in the appeal in **ENV AKL 000206**.
- 6 Ngāti Kahungunu agrees to participate in mediation or other alternative dispute resolution of the proceedings.
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Signature of person authorized to sign on behalf of
Ngāti Kahungunu Iwi Incorporated

Dated 15th November 2022

Address for service of the Appellant:
Ngāti Kahungunu Iwi Incorporated
By email to: ngaio@kahungunu.iwi.nz

With copy to Counsel:
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