

**IN THE ENVIRONMENT COURT  
AUCKLAND REGISTRY  
TE KOOTI TAIAO O AOTEAROA  
TĀMAKI MAKĀURAU REGISTRY**

**ENV-2017-AKL-000149**

**UNDER** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** an appeal under clause 14(1) of Schedule 1 of  
the Act

**BETWEEN** **MĀORI TRUSTEE**  
**Appellant**

**AND** **BAY OF PLENTY REGIONAL COUNCIL**  
**Respondent**

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**NOTICE ON BEHALF OF CNI IWI LAND MANAGEMENT LIMITED PURSUANT  
TO SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

**17 October 2017**

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**KAHUI**  
LEGAL

Solicitors

PO Box 1654

Telephone: (04) 495 9999

Facsimile: (04) 495 9990

Counsel: J P Ferguson / D H Stone / T M Williams

**WELLINGTON**

**TO: The Registrar  
Environment Court, Auckland**  
**AND TO: Bay of Plenty Regional Council  
Māori Trustee**

1. This notice is issued on behalf of CNI Iwi Land Management Limited (**CNI**).
2. CNI wishes to be a party to an appeal (the **Appeal**) by the Māori Trustee (the **Appellant**) against a decision by the Bay of Plenty Regional Council (the **Respondent**) on Proposed Plan Change 10 - Lake Rotorua Nutrient Management to the Bay of Plenty Regional Water and Land Plan (**Plan Change 10**).
3. CNI made a submission and further submission on the subject matter of the Appeal.
4. CNI also has an interest in the proceedings that is greater than the general public:
  - (a) CNI has responsibility for the day to day management of over 170,000 hectares of land that was returned to CNI Iwi Holdings Trust pursuant to the Central North Island Iwi Collective Claims Settlement Act 2008.
  - (b) In this capacity, CNI is landowner of 7% of the land in the Lake Rotorua Catchment (**CNI Catchment Land**).
  - (c) The Appeal directly affects the CNI Catchment Land.
5. CNI is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (the **Act**).
6. CNI is interested in the Appeal as a whole.

**Position in relation to relief**

7. CNI supports the relief sought by the Appellant for the reasons set out in its Notice of Appeal (*ENV-2017-AKL-00148*) and for the following reasons:

- (a) the relief sought promotes the sustainable management of natural and physical resources;
- (b) the relief sought promotes the sustainable management of resources, meets the reasonably foreseeable needs of future generations, enables social, economic and cultural well-being, and/or represents an efficient use of natural and physical resources;
- (c) the relief sought is consistent with the principles of the Act;
- (d) the relief sought is consistent with the National Policy Statement for Freshwater Management 2014 (amended 2017);
- (e) the relief sought is the most appropriate way to achieve the purpose of the Act or the purpose of Plan Change 10, being to limit nitrogen discharge to Lake Rotorua to 435 tonnes per annum;
- (f) the relief sought gives effect to the Bay of Plenty Regional Policy Statement, particularly policy WL 5B; and
- (g) the relief sought is consistent with the Bay of Plenty Regional Water and Land Plan, particularly the integrated water management provisions.

#### **Alternative Dispute Resolution**

- 8. CNI agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** at Wellington this 17<sup>th</sup> day of October 2017



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**J P Ferguson / D H Stone / T M Williams**

Counsel for CNI Iwi Land Management Limited

**THIS** notice is filed by **JAMES PHILIP FERGUSON** and **DAMIAN HOHEPA STONE** and **TE RANGIMĀRIE MAY WILLIAMS**, solicitors for the CNI Iwi Land Management Limited, of the firm Kahui Legal, Wellington. The address for service of the CNI Iwi Land Management Limited is Level 11, Intilecta Centre, 15 Murphy Street, Wellington.

Documents for service may be left at that address for service or may be:

- (a) posted to the solicitors at PO Box 1654, Wellington; or
- (b) transmitted to the solicitors by facsimile on 04 495 9990; or
- (c) emailed to the solicitors at [damian@kahuilegal.co.nz](mailto:damian@kahuilegal.co.nz) and [terangimarie@kahuilegal.co.nz](mailto:terangimarie@kahuilegal.co.nz).