

BEFORE THE ENVIRONMENT COURT

AT AUCKLAND

ENV-2021-WLG-000021

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of the First Schedule of the Resource Management Act 1991 in relation to Proposed Plan Change 2 to the Horizons Regional Council One Plan

BETWEEN **Ngāti Turanga**
Appellant

AND **Manawatū-Whanganui Regional Council**
Respondent

**NOTICE OF BALLANCE AGRI-NUTRIENTS LIMITED'S
WISH TO BE A PARTY TO THE PROCEEDINGS PURSUANT TO
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar
Environment Court
WELLINGTON

Via E-mail: Jennifer.Gerritsen@justice.govt.nz

1. Ballance Agri-Nutrients Limited ('**BAN**') wishes to become a party to an appeal by Ngāti Turanga (under clause 14(1) of the First Schedule of the Resource Management Act 1991 ('**RMA**') in relation to the Respondent's decisions on Proposed Plan Change 2 to the Horizons Regional Council One Plan ('**PC2**').
2. This notice is made as BAN submitted on the provisions of PC2 to which this appeal relates.
3. BAN is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
4. BAN has an interest in the following parts of the proceedings:
 - (i) The definition for Nutrient Management Plans;
 - (ii) Rule 14.1; and
 - (iii) Rule 14.2.
5. BAN notes that Ngāti Turanga has appealed all of PC2, except for the recalibration of CMLN in Table 14.2, and the transitional pathway to deintensification in Policy 14.6(d)(ii). Ngāti Turanga further seek that all subzones of the Coastal Manawatu surface water management zone are added to One Plan Table 14.1. Ngāti Turanga note, that in the instance that primary relief is refused, the secondary relief is that changes sought in Appendix 1 to its appeal are granted.
6. BAN opposes the relief sought by Ngāti Turanga to the definition for Nutrient Management Plan, Rule 14.1 and Rule 14.2 as Ngāti Turanga seeks that the proposed changes in PC2 to these provisions are refused. BAN has a particular interest in the implementation of, and the timeframes associated with Nutrient Management Plans.
7. BAN agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Dominic Adams

Environmental Manager for Ballance Agri-Nutrients Limited

Dated: 25th of June 2021

Address for Service 1: Ballance Agri-Nutrients Limited
Hewletts Road, Mount Maunganui,
Private Bag 12503
Tauranga Mail Centre
TAURANGA 3143

Attention: Dominic Adams

E-mail: Dominic.Adams@ballance.co.nz

Address for Service 2: Enspire,
Level 3, 35 Grey Street,
TAURANGA 3110

Attention: Bridgette Munro

E-mail: bridgette@enspire.co.nz

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

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

BEFORE THE ENVIRONMENT COURT

AT AUCKLAND

ENV-2021-WLG-000023

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an appeal under clause 14(1) of the First Schedule of the Resource Management Act 1991 in relation to Proposed Plan Change 2 to the Horizons Regional Council One Plan

BETWEEN

Wellington Fish and Game Council

Appellant

AND

Manawatū-Whanganui Regional Council

Respondent

**NOTICE OF BALLANCE AGRI-NUTRIENTS LIMITED'S
WISH TO BE A PARTY TO THE PROCEEDINGS PURSUANT TO
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar
Environment Court
WELLINGTON

Via E-mail: Jennifer.Gerritsen@justice.govt.nz

1. Ballance Agri-Nutrients Limited ('**BAN**') wishes to become a party to an appeal by Wellington Fish and Game Council ('**F&G**') (under clause 14(1) of the First Schedule of the resource Management Act 1991 ('**RMA**') in relation to the Respondent's decisions on Proposed Plan Change 2 to the Horizons Regional Council One Plan ('**PC2**').
2. This notice is made as BAN submitted on the provisions of PC2 to which this appeal relates.
3. BAN is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
4. BAN has an interest in the following parts of the proceedings:
 - (i) The definition for Nutrient Management Plans;
 - (ii) Rule 14.1; and
 - (iii) Rule 14.2.
5. BAN notes that F&G have appealed all of PC2, except the changes proposed to Table 14.2 – *Cumulative nitrogen leaching maximum by Land Use Capability Class* and seeks that the proposed changes in PC2 are rejected, with the exception of Table 14.2; and such further or other relief as the Court considers appropriate or is otherwise consequential on the relief generally sought within the appeal and may address the concerns expressed in the submission, or reasons for the appeal, otherwise raised.
6. Given F&G's position, BAN opposes the relief sought by F&G to the definition for Nutrient Management Plans, Rule 14.1 and Rule 14.2, as F&G seeks that the proposed changes to these provisions are rejected. BAN has a particular interest in the implementation of, and timeframes associated with Nutrient Management Plans.
7. BAN agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Dominic Adams

Environmental Manager for Ballance Agri-Nutrients Limited

Dated: 25th of June 2021

Address for Service 1: Ballance Agri-Nutrients Limited
Hewletts Road, Mount Maunganui,
Private Bag 12503
Tauranga Mail Centre
TAURANGA 3143

Attention: Dominic Adams

E-mail: Dominic.Adams@ballance.co.nz

Address for Service 2: Enspire,
Level 3, 35 Grey Street,
TAURANGA 3110

Attention: Bridgette Munro

E-mail: bridgette@enspire.co.nz

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

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

BEFORE THE ENVIRONMENT COURT

AT AUCKLAND

ENV-2021-WLG-000020

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of the First Schedule of the Resource Management Act 1991 in relation to Proposed Plan Change 2 to the Horizons Regional Council One Plan

BETWEEN **Te Runanga o Raukawa**
Appellant

AND **Manawatu-Whanganui Regional Council**
Respondent

**NOTICE OF BALLANCE AGRI-NUTRIENTS LIMITED'S
WISH TO BE A PARTY TO THE PROCEEDINGS PURSUANT TO
SECTION 274 OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar
Environment Court
WELLINGTON

Via E-mail: Jennifer.Gerritsen@justice.govt.nz

1. Ballance Agri-Nutrients Limited ('**BAN**') wishes to become a party to an appeal by Te Runanga o Raukawa (under clause 14(1) of the First Schedule of the Resource Management Act 1991 ('**RMA**') in relation to the Respondent's decisions on Proposed Plan Change 2 to the Horizons Regional Council One Plan ('**PC2**').
2. This notice is made as BAN submitted on the provisions of PC2 to which this appeal relates.
3. BAN is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
4. BAN has an interest in the following parts of the proceedings:
 - (i) The Definition for nutrient management plan;
 - (ii) Rule 14.1; and
 - (iii) Rule 14.2.
5. BAN notes that Te Runanga o Raukawa has appealed all of PC2, except for the recalibration of CMLN in Table 14.2, and the transitional pathway to deintensification in Policy 14.6(d)(ii). Te Runanga o Raukawa further seek that all subzones of the Coastal Manawatu surface water management zone are added to One Plan Table 14.1. Te Runanga o Raukawa note, that in the instance that primary relief is refused, the secondary relief is that changes sought in Appendix 1 to its appeal are granted.
6. BAN opposes the relief sought by Te Runanga o Raukawa to the definition for Nutrient Management Plan, Rule 14.1 and Rule 14.2 as Te Runanga o Raukawa seeks that the proposed changes in PC2 to these provisions are refused. BAN has a particular interest in the implementation of, and timeframes associated with Nutrient Management Plans.
7. BAN agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Dominic Adams

Environmental Manager for Ballance Agri-Nutrients Limited

Dated: 25th of June 2021

Address for Service 1: Ballance Agri-Nutrients Limited
Hewletts Road, Mount Maunganui,
Private Bag 12503
Tauranga Mail Centre
TAURANGA 3143

Attention: Dominic Adams

E-mail: Dominic.Adams@ballance.co.nz

Address for Service 2: Enspire,
Level 3, 35 Grey Street,
TAURANGA 3110

Attention: Bridgette Munro

E-mail: bridgette@enspire.co.nz

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

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

IN THE ENVIRONMENT COURT OF NEW ZEALAND

WELLINGTON REGISTRY

I TE KŌTI TAIAO O AOTEAROA

TE WHANGANUI-A-TARA ROHE

UNDER

the Resource Management Act 1991

IN THE MATTER

of three appeals under sch 1, cl 14(1)
against the decision of Manawatū-
Whanganui Regional Council of Plan
Change 2 to the One Plan

BETWEEN

TE RUNANGA O RAUKAWA
ENV-2021-WLG-20

AND

NGĀTI TURANGA
ENV-2021-WLG-21

AND

**WELLINGTON FISH AND GAME
COUNCIL**
ENV-2021-WLG-23

Appellants

AND

**MANAWATŪ-WHANGANUI
REGIONAL COUNCIL**

Respondent

PROPOSED PLAN CHANGE 2 TO THE ONE PLAN
Memorandum of Ballance Agri-Nutrients Limited withdrawing its section 274 notices.

Dated: 27th of June 2022

TO: The Registrar
Environment Court
WELLINGTON

Via E-Mail: Jennifer Gerritsen Jennifer.Gerritsen@justice.govt.nz

1. On the 25th of June 2021 Ballance Agri-Nutrients Limited ('**BAN**') filed section 274 notices in respect of the following appeals:
 - (a) ENV-2021-WLG-20 TE RUNANGA O RAUKAWA v MANAWATŪ-WHANGANUI REGIONAL COUNCIL
 - (b) ENV-2021-WLG-21 NGĀTI TURANGA v MANAWATŪ-WHANGANUI REGIONAL COUNCIL
 - (c) ENV-2021-WLG-23 WELLINGTON FISH AND GAME COUNCIL v MANAWATŪ-WHANGANUI REGIONAL COUNCIL
2. BAN has considered its position as to its interest in these appeals and decided to no longer pursue its interest in those appeals as set out in 1. above.
3. BAN gives formal notice of its withdrawal in respect of those appeals as set out in 1. above, and in turn, from the One Plan, Plan Change 2, appeal process.

Dated this 27th day of June 2022



Dominic Adams – Environmental Manager – Ballance Agri-Nutrients Limited