



THE ENVIRONMENT COURT OF NEW ZEALAND

NOTICE OF MEDIATION

The parties to these proceedings in the attached schedule have been directed to attend court-assisted mediation. The prerogative for setting a date for the mediation lies solely with the Registrar and is made first and foremost in terms of the availability of an Environment Commissioner. Accordingly, this matter has been set down for mediation at the date, time and at the venue specified below:

DATE:	Tuesday, 26 November 2024 – Friday, 29 November 2024
TIME:	10:00 AM
VENUE:	Cargill Room, Scenic Circle Southern Cross Hotel Corner of Princes Street and High Street Dunedin Ph: (03) 4746013; Fax: (03) 4775776

Note To Participants:

Participation in the mediation process is mandatory, and each party must participate in person or by a representative unless leave is granted by the Court not to attend. Any application for leave to be excused **must be made in writing** to the Registrar, giving reasons and be served upon all other participants to the proceedings.

The Court has released a Practice Note on Alternative Dispute Resolution, which may assist parties in the protocols around the Mediation Process. A copy of this Practice Note can be obtained through this Environment Court Registry.

Information on the Environment Court and the Court's Practice Notes which serve as a guide, are available at www.justice.govt.nz/courts/environment-court.

If any party has special needs (for example in relation to disability and access, deafness), they are to advise the Court in writing of this not later than 10 working days from the date of the mediation so that appropriate arrangements can be considered.

<https://www.justice.govt.nz/courts/going-to-court/pre/interpreters-language-and-disability-access/>

Should any party wish to contact the Mediator either before or after the mediation, then all contact should be through the Court's Registry.

Dated at Christchurch Environment Court Registry on 30 October 2024

Karina Kelly

Case Manager - Mediation

Direct dial phone: (03) 353 8536

E-mail address: Karina.Kelly@justice.govt.nz

ENVIRONMENT COURT

WX11113

PO Box 2069

Christchurch

Facsimile: (03) 365 1740



LIST OF PARTIES

TOPIC: pORPS: Group 1 Mana whenua and Māori land

MW – Mana whenua

Provision	Appellant(s)	Interested Parties
Relationship of Kāi Tahu with their rohe [para 1]	<ul style="list-style-type: none">Cain Whānau	<ul style="list-style-type: none">Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCCKāi TahuQLDCTranspower
Kāi Tahu values [paragraphs 4, 5, 6]	<ul style="list-style-type: none">Cain Whānau	<ul style="list-style-type: none">Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCCKāi TahuQLDCTranspower



Provision	Appellant(s)	Interested Parties
Hauora [paragraph 1]	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
Ngāi Tahu Claims Settlement Act 1998 (NTCSA) [paragraph 1]	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
Statutory acknowledgement areas [paragraph 3]	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
Mana Whenua — local authority relationships	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
Involvement and participation with mana whenua	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
Mana whenua consultancy services	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
MW-O1 - Principles of Te Tiriti o Waitangi	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower



MW-P2 – Treaty principles	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC
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Provision	Appellant(s)	Interested Parties
		<ul style="list-style-type: none"> • Forestry Appellants • Kāi Tahu • Transpower
MW-P4 – Sustainable use of Native Reserves and Māori land	<ul style="list-style-type: none"> • Cain Whānau • Kāi Tahu 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Forest & Bird • Queenstown Airport • Forestry Appellants • Kāi Tahu • Meridian Energy • Oceana Gold • OWRUG • Port Otago • QLDC • DCC • Cain Whānau • Fish & Game • Transpower
MW-M1 - Collaboration with Kāi Tahu	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Forestry Appellants • Kāi Tahu • Meridian Energy • QLDC • Transpower
MW-M2 - Mātauraka Māori	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower



MW-M4 – Kāi Tahu rakatirataka	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
MW-M5 - Regional plans and district plans	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Forest & Bird • Forestry Appellants • Kāi Tahu • QLDC

Provision	Appellant(s)	Interested Parties
		<ul style="list-style-type: none"> • Transpower
MW-E1 – Explanation	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
MW-PR1 – Principal reasons	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower
MW-AER2 – Anticipated environmental results	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC • Kāi Tahu • QLDC • Transpower



Foreword or mihi

Provision	Appellant(s)	Interested Parties
Paragraphs 3, 5 and 7	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower

Purpose

Provision	Appellant(s)	Interested Parties
Paragraph 2	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower

How the policy statement works

Provision	Appellant(s)	Interested Parties
Partnership, Te Tiriti o Waitangi and Kāi Tahu [Paragraph 2]	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower

SRMR – Significant resource management issues for the region

Provision	Appellant(s)	Interested Parties
SRMR-I4 – Poorly managed urban and residential growth affects productive land, treasured natural assets, rural industry, infrastructure and community well-being [Impact snapshot - environmental, para 1]	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower



RMIA – Resource management issues of significance to iwi authorities in the region

Provision	Appellant(s)	Interested Parties
Introduction	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower
RMIA-WAI-I2 - Current water management does not adequately address Kāi Tahu cultural values and interests	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower
RMIA-MKB-I3 – Impacts of climate change on both species/habitat viability and increasing pest (flora/fauna) encroachments	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower
RMIA-WTA-I2 – Access to wāhi tapu and wāhi taoka and the ability to undertake customary activities on these sites has been impeded	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower



Provision	Appellant(s)	Interested Parties
Māori land	<ul style="list-style-type: none"> • DCC • Kāi Tahu 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • Forestry Appellants • Kāi Tahu • Transpower • Cain Whānau • Fish & Game • Forest & Bird • Oceana Gold • QLDC • DCC • Queenstown Airport
Mana whenua	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • DCC • Kāi Tahu • QLDC • Transpower
Papakāika	<ul style="list-style-type: none"> • Cain Whānau • Kāi Tahu 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • DCC • Kāi Tahu • QLDC • Cain Whānau • Fish & Game • Forest & Bird • Forestry Appellants • Oceana Gold
Takata whenua or tangata whenua	<ul style="list-style-type: none"> • Cain Whanau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • DCC • Kāi Tahu • QLDC • Transpower



Part 4 – Evaluation and Monitoring

Provision	Appellant(s)	Interested parties
Existing monitoring procedure ra 4]	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower

SCHEDULE OF PROCEEDINGS

1. **Topic:** pORPS: Group 1 Mana whenua and Maori land
Topic Number: ENV-2024-309-000014
 - i. Dunedin City Council v Otago Regional Council
 Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991
 Court Reference: ENV-2024-CHC-000025
 - ii. Cain Whanau v Otago Regional Council
 Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991
 Court Reference: ENV-2024-CHC-000030
 - iii. Kai Tahu v Otago Regional Council
 Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991
 Court Reference: ENV-2024-CHC-000036