

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2024-CHC-35

I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

IN THE MATTER

of an appeal under clause 14(1) of the First
Schedule of the Resource Management Act
1991

BETWEEN

Transpower New Zealand Limited
Appellant

AND

Otago Regional Council
Respondent

NOTICE OF WISH OF DIRECTOR-GENERAL OF CONSERVATION TUMUAKI AHUREI
TO BE A PARTY TO APPEAL
7 June 2024

Director-General of Conservation Tumuaki Ahurei

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NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS

To:

The Registrar
Environment Court
Christchurch

1. The Director-General of Conservation Tumuaki Ahurei (D-G) wishes to be a party to the following proceedings:

Transpower New Zealand Limited v Otago Regional Council
ENV-2024-CHC-35
2. The D-G received notice of this appeal on 16 May 2023.
3. The D-G made a submission on the matters included in the proposed Otago Regional Policy Statement ('pORPS'). The D-G has an interest in this proceeding that is greater than that of the general public.
4. The D-G is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. The D-G is interested in all aspects of the appeal, but has a particular interest in parts of the appeal relating to changes to:
 - a. the definition of the 'effects management hierarchy',
 - b. the significant resource management issues of the region,
 - c. the objectives (including CE-O5, EIT-INF-O6),
 - d. the policies (including CE-P4, CE-P5, CE-P6, LF-FW-P12, ECO-P4, ECO-P5, ECO-P6, NEW EIT-INF-PX, EIT-INF-P13, NEW EIT-INF-P13A, EIT-INF-P15, EIT-EN-P16, HCV-WT-P2, HCV-HH-P5), and
 - e. the methods (including EIT-INF-M4, EIT-INF-M5).
6. The D-G **opposes** the relief sought in relation to the matters listed because the changes sought by the Appellant will reduce protection of the coastal and wider natural environment compared to the Council's decision, and would not give effect to:
 - a. the New Zealand Coastal Policy Statement 2010,

- b. the National Policy Statement for Freshwater Management 2020, and
 - c. the National Policy Statement for Indigenous Biodiversity 2023.
7. Further, the relief sought would:
- a. be inconsistent with Part 2 of the Resource Management Act 1991 ('RMA'),
 - b. not implement the Regional Council's functions under s 30 of the RMA, and,
 - c. be contrary to s 32 of the RMA, in that it would not be the most appropriate way to achieve the purpose of the Act or objectives in the pORPS.
8. The D-G agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Ceri Warnock

Counsel for the Director-General of Conservation Tumuaki Ahurei

Dated 7 June 2024

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