

IN THE ENVIRONMENT COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY

ENV-2024-CHC-

I TE KŌTI TAIAO O AOTEAROA  
ŌTAUTAHI ROHE

UNDER

cl 14 of Schedule 1 to the  
Resource Management Act 1991  
("RMA")

IN THE MATTER OF

an appeal against decisions on the  
non-freshwater planning  
instrument related parts of the  
Proposed Otago Regional Policy  
Statement 2021

BETWEEN

**ARA POUTAMA AOTEAROA –  
DEPARTMENT OF  
CORRECTIONS**

Appellant

AND

**OTAGO REGIONAL COUNCIL**

Respondent

AND

**TE RŪNANGA O MOERAKI, KĀTI  
HUIRAPA RŪNAKA KI  
PUKETERAKI, TE RŪNANGA O  
ŌTĀKOU AND HOKONUI  
RŪNANGA**

(continued overleaf)

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**NOTICE OF WISH ON BEHALF OF KĀI TAHU TO BE A PARTY TO  
PROCEEDINGS**

Dated 15 May 2024

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**Solicitor instructing:**

Chris Ford



Te Rūnanga o NGĀI TAHU

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**AND**

**TE AO MARAMA  
INCORPORATED ON BEHALF  
OF WAIHOPAI RŪNAKA, TE  
RŪNANGA O ŌRAKA APARIMA,  
AND TE RŪNANGA O AWARUA**

**AND**

**TE RŪNANGA O NGĀI TAHU**

Section 274 Parties

**NOTICE OF WISH ON BEHALF OF KĀI TAHU TO BE A PARTY TO  
PROCEEDINGS**

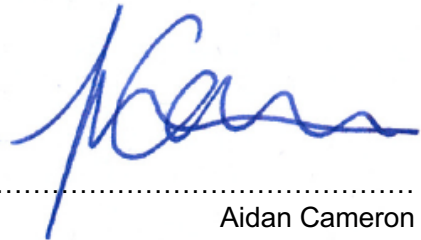
**To:** the Registrar  
Environment Court  
Auckland, Wellington and Christchurch

**This document notifies you that** the following parties, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (collectively, “**Kāi Tahu ki Otago**” or “**Kā Rūnaka**”); Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te Rūnanga o Awarua (collectively, “**Ngāi Tahu ki Murihiku**”); and Te Rūnanga o Ngāi Tahu (“**TRONT**”); together referred to as “**Kāi Tahu**”, wish to be parties to the following proceedings:

- ENV-2024-CHC- Ara Poutama Aotearoa Department of Corrections (“**the Appellant**”) v Otago Regional Council (“**the Respondent**”).
1. The Kāi Tahu rūnaka represent the relevant hapū that exercise rakatirataka and kāitiakitaka within their respective takiwā, which includes the Otago Region. Accordingly, Kāi Tahu have a unique and abiding interest in the sustainable management of te taiao – the environment – within the Otago region.
  2. In that respect, the rūnaka have an interest in the proceedings greater than the general public.
  3. Kāi Tahu also made submissions about the subject matter of the proceedings, namely the definition of regionally significant infrastructure.
  4. Kāi Tahu are not a trade competitor for the purposes of s308C of the Resource Management Act (“**RMA**”).
  5. Kāi Tahu are interested in all of the proceedings.

6. Kāi Tahu oppose the relief sought by the Appellant for the following reasons:
- (a) Inclusion of community corrections activity in the definition of “regionally significant infrastructure” would be inconsistent with the definition of infrastructure in s 2 of the RMA.
  - (b) Inclusion of community corrections activity in the definition of “regionally significant infrastructure” would conflict with achievement of, and would not give effect to, the objectives of the National Policy Statement for Freshwater Management (“**NPSFM**”) and the National Policy Statement for Indigenous Biodiversity (“**NPSIB**”), due to the inclusion of regionally significant infrastructure in the exceptions for specified infrastructure in these national instruments.
  - (c) Inclusion of community corrections activity in the definition is not the most appropriate way to achieve the objectives of the PORPS and the purpose of the RMA, as required by section 32 of the RMA.
7. Kāi Tahu agree to participate in mediation or other alternative dispute resolution of the proceedings.

**KĀI TAHU** by its duly authorised agents:



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Aidan Cameron  
Counsel for Kāi Tahu

**Date:** 4 June 2024

**Address for service:**

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**To:** the Registrar of the Environment Court at Christchurch

**And to:** the Appellant

**And to:** the Respondent

**Advice**

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