

**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

**ENVIRONMENTAL DEFENCE
SOCIETY INCORPORATED**

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)

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

Dated 6 June 2024

Solicitor instructing:

Chris Ford



Te Rūnanga o **NGĀI TAHU**

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Counsel acting:

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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

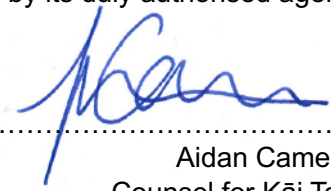
This document notifies you that the following parties, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (collectively, “**Kāi Tahu ki Otago**” or “**Kā Rūnaka**”); Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te 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- Environmental Defence Society Incorporated (“**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.
 4. Kāi Tahu are not a trade competitor for the purposes of s 308C of the Resource Management Act (“**RMA**”).
 5. Kāi Tahu are particularly interested in the following issues:
 - (a) in IM-P12, inclusion of a requirement that climate change mitigation measures can only contravene limits if there is no alternative location or method;
 - (b) the definition of commercial port activity and its implementation in EIT-TRAN-O10 and EIT-TRAN-P23;

- (c) amendment of EIT-INF-P13 to align with the National Policy Statement for Freshwater Management 2020 (“**NPSFM**”) and the National Policy Statement for Indigenous Biodiversity 2023 (“**NPSIB**”); and
 - (d) reinstatement of EIT-EN-P4 regarding location of renewable electricity generation activities to avoid adverse effects on mana whenua values.
6. Kāi Tahu support the relief sought by the Appellant for the following reasons:
- (a) it will promote the sustainable management of natural and physical resources, and achieve the purpose of the RMA, in that it will:
 - (i) manage the use, development, and protection of natural and physical resources in a way which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety, as required by section 5 of the RMA;
 - (ii) sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
 - (iii) safeguard the life-supporting capacity of air, water, soil, and ecosystems;
 - (iv) appropriately avoid, remedy, or mitigate adverse effects of activities on the environment;
 - (b) it is consistent with Part 2 of the RMA, including ss 6(e), 7 and 8;
 - (c) it will promote a ki uta ki tai approach to the management of natural and physical resources;
 - (d) it will address relevant provisions in the Kāi Tahu ki Otago Natural Resource Management Plan 2005 and Te Tangi a Tauira 2008;

- (e) it will give effect to relevant national policy statements, including the New Zealand Coastal Policy Statement, the NPSFM and the NPSIB; and
 - (f) it is an 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:



.....
Aidan Cameron
Counsel for Kāi Tahu

Date: 6 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.