

IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH

ENV-2024-CHC-24

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

**Aurora Energy Ltd, Network Waitaki Ltd and  
Powernet Ltd**  
*Appellant*

AND

**Otago Regional Council**  
*Respondent*

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

7 June 2024

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**Director-General of Conservation Tumuaki Ahurei**

Solicitor Rōia: Ceri Warnock

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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:  
**Aurora Energy Ltd, Network Waitaki Ltd and Powernet Ltd v Otago Regional Council**  
**ENV-2024-CHC-24**
2. The D-G received notice of this appeal on 14 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, and has a particular interest in the parts of the appeal relating to changes to:
  - a. Objective CE-O5,
  - b. Policies:
    - CE-P1, CE-P4, CE-P9,
    - LF-FW-P12, LF-FW-P13,
    - ECO-P2, ECO-P3, ECO-P4, ECO-P5, ECO-P6,
    - EIT-EN-P8, EIT-INF-P13, and NEW EIT-INF-PXX, and
    - NEW HAZ-NH-PXX.
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 Respondent 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 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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