

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2024-CHC-39

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

Environmental Defence Society Incorporated
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

Solicitor Rōia: Ceri Warnock

Department of Conservation | Te Papa Atawhai

Private Bag 4715, Christchurch 8011

Phone Waea: (027) 408 3324

Email Īmera: cwarnock@doc.govt.nz

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:

Environmental Defence Society Incorporated v Otago Regional Council
ENV-2024-CHC-39
2. The D-G received notice of this appeal on 15 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. the definitions of 'commercial port activity' and 'SNA, or significant natural area',
 - b. integrated management (IM-P12),
 - c. objectives (including CE-O5, EIT-INF-O4, EIT-EN-O2, EIT-TRAN-O10),
 - d. policies (including CE-P9, CE-P10, LF-LS-P16A, ECO-P1, ECO-P2, ECO-P10, ECO-P11, EIT-INF-P12, EIT-INF-P13, EIT-EN-P1, EIT-EN-P4, EIT-EN-P5, EIT-EN-P6, EIT-TRAN-P23),
 - e. methods (ECO-M2, ECO-M5, ECO-M7, EIT-EN-M1, EIT-EN-M2, EIT-TRAN-M7),
 - f. anticipated environmental results (ECO-AER4).
6. The D-G **supports** the relief sought in relation to the matters listed because the changes sought by the Appellant will increase protection of the coastal and wider natural environment compared to the Council's decision, and will 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 consistent with Part 2 of the Resource Management Act 1991 ('RMA'),
 - b. implement the Regional Council's functions under s 30 of the RMA, and,
 - c. be the most appropriate way to achieve the objectives in the pORPS, in accordance with s 32 of the RMA.
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

Address for service: Department of Conservation | Te Papa Atawhai
Private Bag 4715, Christchurch 8011
Phone Waea 027 408 3324
Email Īmera: cwarnock@doc.govt.nz / pwilliams@doc.govt.nz