

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

ENV-2024-CHC-36

UNDER

The Resource Management Act 1991
(the **Act**)

IN THE MATTER

of an appeal pursuant to clause 14 of
Schedule 1 of the Act

BETWEEN

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

First Appellants

(continued overleaf)

**NOTICE OF WISH TO BE PARTY TO PROCEEDING PURSUANT TO
SECTION 274 OF THE ACT**

5 JUNE 2024



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

Second Appellants

AND **TE RŪNANGA O NGĀI TAHU**

Third Appellants

AND **OTAGO REGIONAL COUNCIL**

Respondent

AND **OTAGO WATER RESOURCE
USER GROUP
INCORPORATED**

Section 274 Party

**NOTICE OF WISH TO BE PARTY TO PROCEEDING PURSUANT TO
SECTION 274 OF THE ACT**

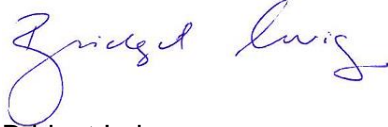
To: Registrar
Environment Court
Christchurch

1. Otago Water Resource User Group Incorporated (**OWRUG**) wish to be a party to the following proceeding: *Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Ao Marama Incorporated, Te Rūnanga o Ōraka Aparima, Te Rūnanga o Awarua, Te Rūnanga o Ngāi Tahu v Otago Regional Council*, ENV-2024-CHC-36.
2. OWRUG made submissions and further submissions in relation to the non-freshwater part of the PORPS, which is the subject of this proceeding (OS00235 and FS00235).
3. OWRUG is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. OWRUG is interested in joining part of the proceedings.
5. OWRUG has a particular interest in certain aspect of the proceedings, as follows:
 - (a) Definition of regionally significant infrastructure (**RSI**).
 - (b) Climate change mitigation and adaptation provisions in IM-P12 and IM-P10.
 - (c) The appeal regarding integrated management, including IM-03, IM-P1, IM-P2, IM-P6, and IM-P14.
 - (d) The effects management framework applying to infrastructure in EIT-EN-P6, EIT-EN-P9A and EIT-INF-P13A
6. OWRUG opposes the relief sought because:
 - (a) Community-scale irrigation and stockwater infrastructure is essential to the Otago region.

- (b) Removal of established community-scale irrigation and stockwater infrastructure from the definition of Regionally Significant Infrastructure will have consequential effects on the operation of the RPS with respect to irrigation infrastructure that have not been assessed in accordance with the Resource Management Act.
- (c) Kai Tahu seek to remove the reference to “climate change adaptation” from Policy IM-P12. Policy IM-P12 needs to recognise both adaptation and mitigation methods to support resilience in rural communities. The impacts of climate change are significant for Otago’s rural water users, including drought and flooding, and changes in pasture composition. Adaptation and mitigation methods are important, such as increasing water storage capacity to continue existing land use practices whilst trialling different crops that are better suited to climatic conditions. OWRUG is concerned that removing the reference to “adaptation” will create barriers to rural communities and their ability to adapt their existing practices to climate change.
- (d) The Panel recommended in their Decision that Policy IM-P10 refers to identifying climate change adaptation and mitigation methods to minimise the effects of existing activities and the wider environment. Kai Tahu is seeking to remove the reference to “minimising” adverse effects of climate change to existing activities. They suggest that minimising the effects of an activity will not always be appropriate. OWRUG and its members have a strong interest in this issue as they need to support rural communities to continue to carry out existing activities and adapt them to climate change.
- (e) OWRUG believes that the “sustainable management” approach in the Decision best reflects purpose of the Act. Kai Tahu are also seeking to revert to a general prioritisation approach which is inconsistent with the Act.

7. OWRUG agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date: 6 June 2024



Bridget Irving

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