

**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

CĀIN WHANAU

Appellants

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**

15 Show Place
Christchurch 8024
PO Box 13 046,
Christchurch 8042
P: 03 363 8958
E: ttw@ngaitahu.iwi.nz

Counsel acting:

Aidan Cameron

BANKSIDE CHAMBERS

Level 22, 88 Shortland St
Auckland 1010
PO Box 1571, Shortland St
Auckland 1140
P: +64 9 307 9955
E: aidan@bankside.co.nz

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- Cain Whānau (“**the Appellants**”) 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 s308C of the Resource Management Act (“**RMA**”).
 5. Kāi Tahu are interested in all of the proceedings

6. Kāi Tahu conditionally support the relief sought by the Appellants, subject to confirmation of the particular relief that is proposed to address the concerns raised, 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) appropriately avoid, remedy, or mitigate adverse effects of activities on the environment;
 - (b) it recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka, consistent with s 6(e) of the RMA;
 - (c) it has appropriate regard to the exercise of kaitiakitaka by Kāi Tahu mana whenua, consistent with s 7(a) of the RMA; and
 - (d) it appropriately takes into account the principles of the Treaty of Waitangi and Treaty Settlement provisions, consistent with s 8 of the RMA; and
 - (e) it meets the relevant statutory considerations in Schedule 1 and Part 5 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:

c/- Lisa MacKenzie
Te Rūnanga o Ngāi Tahu
15 Show Place
PO Box 13 046
CHRISTCHURCH 8042
P: +64 21 387 967
E: ttw@ngaitahu.iwi.nz

To: the Registrar of the Environment Court at Christchurch

And to: the Appellants

And to: the Respondent

Advice

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