

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

RAYONIER MATARIKI
FORESTS, CITY FORESTS
LIMITED, ERNSLAW ONE
LIMITED, PORT BLAKELY NZ
LIMITED

Appellants

AND

OTAGO REGIONAL COUNCIL

Respondent

AND

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

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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(continued overleaf)

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- Rayonier Matariki Forests, City Forests Limited, Ernslaw One Limited, Port Blakely NZ Limited (“**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 particularly interested in the following issues:
 - (a) Policy CE-P3 – Coastal water quality - relief sought to delete clause (5).
 - (b) The proposal to include exclusions for the regulation of forestry activities covered by the National Environmental

Standards for Commercial Forestry, via the relief sought for CE-M3, CE-M4, LF-LS-P16A, LF-LS-M12, LF-LS-M13 ECO-P3, ECO-M5, and the ECO provisions generally.

(c) ECO-P1 – Kaitiakitaka.

6. Kāi Tahu oppose the relief sought by the Appellants for the following reasons:

(a) it will not promote the sustainable management of natural and physical resources, and will not achieve the purpose of the RMA, in that it:

(i) fails to sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;

(ii) does not safeguard the life-supporting capacity of air, water, soil, and ecosystems; and

(iii) fails to appropriately avoid, remedy, or mitigate adverse effects of activities on the environment;

(b) it is contrary to Part 2 of the RMA, including sections 6(e), 7 and 8;

(c) it does not give effect to the direction in national instruments, including the New Zealand Coastal Policy Statement 2010 (“**NZCPS**”), National Policy Statement for Freshwater Management 2020 (“**NPSFM**”) and the National Policy Statement for Indigenous Biodiversity (“**NPSIB**”);

(d) the relief sought does not recognise the discretion provided in the National Environmental Standards for Commercial Forestry for plans to be more stringent to achieve outcomes for the NZCPS, the NPSFM and for the protection of significant natural areas;

(e) it does not address the relevant provisions in the Kāi Tahu ki Otago Natural Resource Management Plan 2005 and Te Tangi a Tauria 2008;

- (f) the relief requested in relation to CE-P3(5) does not promote a ki uta ki tai approach to the management of natural and physical resources; and
 - (g) it is not the most 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

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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.