

**In the Environment Court of New Zealand
Christchurch Registry**

**I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe**

ENV-2024-CHC-36

Under of the Resource Management Act 1991 (**RMA**)
In the matter of an appeal under cl 14 of the RMA

Between **Kāi Tahu**
Appellant

And **Otago Regional Council**
Respondent

**Notice of wish to be a party to an appeal on
behalf of Queenstown Lakes District Council**

MC.

Counsel acting:
Janette Campbell
Barrister
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Notice of person's wish to be party to proceedings

To: The Registrar of the Environment Court at Christchurch

And to: The Respondent

Name of Person who wishes to be a Party

1 Queenstown Lakes District Council (**Council**) wishes to be a party to the following proceeding:

(a) An appeal by Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga; 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; together referred to as Kāi Tahu (**Appellants**) (ENV-2024-CHC-36) against the decision of Otago Regional Council on the Proposed Otago Regional Policy Statement (**pORPS**).

2 The Council is a local authority.

Trade Competition

3 The Council is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**RMA**).

The Proceeding

4 The Council is interested in all of the proceeding.

Particular Issues and reasons

5 Without derogating from paragraph 4, the Council supports the Appellant's relief sought in relation to:

(a) The approach to climate change mitigation and adaptation in IM-P12 and IM-P10;

6 Without derogating from paragraph 4, the Council opposes the Appellant's relief sought in relation to the:

(a) Definition of Māori land;

(b) Definition of papakāika; and

(c) Management of effects on wāhi tūpuna, and in particular, HCV-WT-M2;

7 The definitions of Māori land and papakāika, as sought by the Appellant, are overly broad and inappropriately extend the reach of the enabling provisions.

- 8 The relief sought by Kāi Tahu goes too far in prioritising the management of wāhi tupuna above other important resource management issues including landscape and natural hazards. The suggested amendment to control all activities that affect wahi tūpuna sites and areas is uncertain and is a unjustified level of regulation given the extent of wahi tūpuna sites, already identified in Council's proposed district plan.
- 9 Accordingly, the Council opposes the relief sought in the appeal and remains interested in the final form of the appealed provisions to ensure that there are no inappropriate outcomes that will limit the Council's ability to properly manage the use, development, or protection natural and physical resources in its district through the District Plan.

Dispute Resolution

- 10 The Council agrees to participate in mediation or other alternative dispute resolution of the proceeding.

Date: 7 June 2024



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J C Campbell / B A Watts
Counsel for Queenstown Lakes District Council

This document is filed by Brandon Andrew Watts of Meredith Connell, solicitor for the Appellant. The address for service on the Appellant is Level 7, MC Centre, 8 Hardinge St, Auckland, New Zealand.

Documents for service on the Appellant may be left at that address for service or may be:

- (a) posted to the solicitor at PO Box 90750, Victoria Street West, Auckland 1142, New Zealand;
- (b) left for the solicitor at a document exchange for direction to DX CP24063;
- (c) emailed to janette@campbell.legal, with a copy sent to brandon.watts@mc.co.nz