

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AT CHRISTCHURCH**

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

ENV-2020-CHC-000062

UNDER the Resource Management Act
1991

IN THE MATTER OF an appeal under clause 14(1)
of schedule 1 of the Act

BETWEEN **KEVIN CHARLES DAVID
OLDHAM, LYNETTE RAYWIN
ANNE OLDHAM, FRANK
THOMAS BURNS, KIRSTEN
MARGARET BURNS,
ABIGAIL JENNIFER JEAN
BURNS, OLIVIA MEAGAN
ROSE BURNS, COLIN
RONALD NORTON, TOM
RONALD NORTON,
RICHARD ALLAN HALL and
RITA SANDRA HALL**

Appellants

AND **MARLBOROUGH DISTRICT
COUNCIL**

Respondent

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS UNDER s 274 BY
TE ĀTIAWA O TE WAKA-A-MĀUI TRUST**

Dated: 5 June 2020

PITT & MOORE
SOLICITORS
NELSON

Solicitor: Andrea Halloran
andrea.halloran@pittandmoore.co.nz

78 Selwyn Place
PO Box 42
DX WC70013, Nelson
Tel 0-3-548-8349
Fax 0-3-546-9153

To: The Registrar
Environment Court
Christchurch

1. Te Ātiawa o Te Waka-a-Māui Trust (**Te Ātiawa Trust**) wishes to be a party to the appeal proceedings ENV-2020-CHC-000062 (**Appeal**) between Kevin Charles Oldham and others (**Appellants**) and the Marlborough District Council (**Respondent**) in relation to the Respondent's decision on the Proposed Marlborough Environment Plan (**PMEP**).
2. Te Ātiawa Trust made submissions about the subject matter of the proceeding and has an interest in the proceedings greater than the interest of the general public as the governing body of Te Ātiawa o Te Waka-a-Māori iwi which holds mana whenua in Marlborough.
3. Te Ātiawa Trust is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (**the Act**).
4. Te Ātiawa Trust is interested in the part of the appeal which relates to the topic of "Landscape and Natural Character".
5. The Appellant seeks a more coherent and consistent application of the boundaries, designations and methodology proposed and seeks to ensure that the boundaries, designations and methodology to be used are sound and consistent with the ongoing use of the waters by iwi and iwi members to both sustain themselves and protect their ongoing relationship with the ancestral lands and water of their rohe, including by the operation of marine farms.
6. Te Ātiawa Trust supports all of the relief sought by the Appellants as it relates to the topic of "Landscape and Natural Character" because the relief sought:

- (a) is consistent with Part 2 of the Act, in particular:
 - i. the requirement to recognise and provide for the relationship of Maori with their ancestral land and sites (s 6e) as a matter of national importance;
 - ii. the requirement to have particular regard to Kaitiakitanga (s 7);
 - iii. the requirement to take into account the principles of the Treaty of Waitangi (s 8);
- (b) implements the Respondent's functions under s31 of the Act; and/or
- (c) represents best resource management practice.

7. Te Ātiawa Trust agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 5th day of June 2020.



.....
A M Halloran
Counsel on behalf of Te Ātiawa o Te Waka-a-Māui Trust

TO: Environment Court
PO Box 2069
CHRISTCHURCH

Also by email to: Christine.McKee@justice.govt.nz

AND TO: Marlborough District Council
By email only: Kaye.McIlveney@marlborough.govt.nz

Address for service of person wishing to be a party

Andrea Halloran

Pitt and Moore Lawyers

78 Selwyn Place, Nelson 7010

PO Box 42, Nelson 7040

Telephone 03-548-8349

Facsimile 03-546-6761

Email: andrea.halloran@pittandmoore.co.nz

Advice

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