

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

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

ENV-2020-CHC-43, 36, 39, 49, 50, 62, 70

UNDER	the Resource Management Act 1991
IN THE MATTER OF	an appeal under clause 14(1) of schedule 1 of the Act
BETWEEN	Te Ātiawa o Te Waka-a-Māui Trust
	Appellant and s274 Party
AND	MARLBOROUGH DISTRICT COUNCIL
	Respondent

**MEMORANDUM OF COUNSEL FOR TE ĀTIAWA O TE WAKA-A-MĀUI
TRUST FOR CASE MANAGEMENT CONFERENCE 28 AUGUST 2020**

Dated: 14 August 2020

PITT & MOORE
SOLICITORS
NELSON

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May it Please the Court

1. The Court's minute of 16 June 2020 directed the Marlborough District Council (**MDC**) to lodge and serve a case management memorandum and directed all parties to respond to any issues arising by 14 August 2020.

2. Te Ātiawa o Te Waka-a-Māui Trust (**Te Ātiawa Trust**) has reviewed the case management memorandum filed by MDC and related appellants to and wishes to raise:
 - (a) corrections to the table of topics and subtopics as it relates to Te Ātiawa's interests as s274 party to the various appeals – those corrections detailed below;

 - (b) support in principle for MDC's suggestion that it be given time to assess the impact of the National Policy Statement for Freshwater Management 2020 and the Resource Management National Environmental Standards for Freshwater Regulations 2020 on the Proposed Marlborough Environment Plan – given the importance of these changes to freshwater management.

Corrections

3. With reference to the table of topics and subtopics prepared by MDC, Te Ātiawa Trust:
 - (a) should be **added** as a 274 party to the following topics:
 - i. Topic 5.6 – the s274 party notice filed in relation to the Oldham appeal related to this topic);
 - ii. Topic 5.11 – the s274 party notice filed in relation to the Port Marlborough appeal relating to Policy 8.3.4;
 - iii. Topic 10.10 – the s274 party notice filed in relation to the Port Marlborough appeal relating to Rule 13.4.2.3;

- iv. Topic 10.12 – the s274 party notice filed in relation to the Port Marlborough appeal relating to Rule 15.5.3.3.

(b) should be **removed** as a 274 party to the following topics:

- i. Topic 4.4 – the s274 party notice filed in relation to Trustpower’s appeal not related to this topic;
- ii. Topic 15.3 – no s274 party notice has been filed in relation to any appeals on this topic;
- iii. Topic 15.5 – the s274 party notice filed in relation to the Trustpower’s appeal not related to this topic;
- iv. Topic 15.6 – no s274 party notice has been filed in relation to any appeals on this topic;
- v. Topic 17.1 – the s274 party notice filed in relation to the Trustpower’s appeal not related to this topic.

Dated this 14th day of August 2020.



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