

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

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

ENV-2020-CHC-000036

UNDER	the Resource Management Act 1991
IN THE MATTER OF	an appeal under clause 14(1) of schedule 1 of the Act
BETWEEN	HERITAGE NEW ZEALAND POUHERE TAONGA Appellant
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-000036 (**Appeal**) between Heritage New Zealand Pouhere Taonga (**Appellant**) 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 presented evidence to the Hearing Panel seeking relief consistent with the Appellant's notice of appeal.
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 whole of the appeal which is subject to this proceeding.
5. The Appellant seeks more appropriate protection of historic heritage.
6. Save for the provisions of the PMEP that refer to "heritage resources" and not "historic heritage" which are the subject of its own appeal (ENV-2020-CHC-000043), Te Ātiawa Trust supports all of the relief sought by the Appellant because:
 - (a) the relief sought will provide better and more appropriate protection for the historic heritage of Marlborough's tangata whenua iwi;
 - (b) the relief sought is consistent with Part 2 of the Act, in particular the relief sought:

- i. is consistent with the requirement to recognise and provide for the relationship of Maori with their ancestral land and sites (s 6(e)) as a matter of national importance;
- ii. is consistent with the requirement to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development (s 6(f)) as a matter of national importance;
- iii. is consistent with the requirement to have particular regard to Kaitiakitanga (s 7);
- iv. is consistent with the requirement to take into account the principles of the Treaty of Waitangi (s 8);
- v. implements the Respondent's functions under s31 of the Act; and/or
- vi. 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.



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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.