

S274 – Form 33

Marlborough Environment Plan



Ngāti Kuia
Te Iwi Pakohe

To the Registrar
Environment Court
Christchurch

1. We, Te Rūnanga o Ngāti Kuia Trust wish to be a party to the following proceedings:
2. The Following appeals to the Marlborough Environment Plan by the Marlborough District Council;
 - Heritage New Zealand - ENV-2020-CHC-36
 - Te Rūnanga o Rangitane o Wairau – ENV-2020-CHC-39
 - Te Rūnanga o Kaikoūra and Te Rūnanga o Ngāi Tahu – ENV-2020-CHC-46
 - Te Atiawa o Te-Waka-a-Maui Trust – ENV-2020-CHC-43
 - Nelson Marlborough Fish and Game – ENV-2020-CHC-35
 - Department of Conservation – ENV-2020-CHC-42
 - Royal Forest and Bird Protection Society of New Zealand Incorporated – ENV-2020-CHC-64
3. We are an iwi authority which has an interest in the proceedings that is greater than the interest that the general public has because, Ngāti Kuia are signatories to the Treaty of Waitangi for the purposes of fulfilling the requirements of Section 8 of the Act.
4. Ngāti Kuia made a submission on the Marlborough Environment Plan.
5. We are not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

Te Rūnanga o Ngāti Kuia Trust

6. We are interested in the following particular issues:
 - a. Matters pertaining to the protection of heritage, particularly Māori and iwi heritage.
 - b. Matters relating to freshwater and Te Mana o Te Wai.
 - c. Matters relating to indigenous biodiversity.

7. We either support or neutral the relief sought because—
 - a. The matters require collaborative resolution. We support the purpose of the appeals and support in the most part, the relief sort by the other parties but as there is a difference in the relief sort by the various parties, we are not in a position to articulate accurately which parts are supported or opposed by each of the parties to the appeals.
 - b. Ngāti Kuia support greater protection of sites of significance within the plan and all parties acknowledge the current plan decision do not achieve this. Ngāti kuia seek a broader range of sites to be protected. For te Mana o Te Wai to be implemented and incorporated in to the plan and for indigenous biodiversity that has cultural significance to be managed in accordance with Tikanga Māori.
 - c. The points of the appeals are matters in which Ngāti Kuia have significant interest and are matters on which we participated in the hearings.
 - d. The points of appeal address areas of the plan where the principles of Te Tiriti have not been taken into account, and are therefore inconsistent with Section 8 of the RMA.
 - e. The Matters are inconsistent with, or ineffective at addressing Issues of Significance to Marlborough’s Tangata Whenua in Chapter 3 of the plan.
 - f. The relief sort will better address those Issues in Chapter 3.
 - g. The use of s274 to become a party to similar appeals allows for a collaborative solution on specific matters to be accomplished. This is more in line with Tikanga Maori.

Appellant	Issue	Particular parts	Support/oppose
Heritage NZ	Protection of sites of significance to Māori and iwi	Chapter 10 Polices Appendix 13 Rule 2.26	Support Conditionally
Rangitāne	Sites of Significance to Rangitāne	All of the appeal	Support

Ngāi Tahu	Sites of Significance to Māori and iwi. Water – Te Mana o te Wai.	<ul style="list-style-type: none"> • Tangata Whenua Iwi • Water Allocation • Heritage and Notable Trees • Resource Quality (Water) 	Support Support Support Conditionally Support
Te Atiawa	Sites of Significance to Māori and iwi Incorporation of Cultural values in freshwater classification.	Volume 2 Chapter 25 Volume 3 Appendix 13 and Schedule 3 Volume 1 Chapter 15 Volume 3, Appendix 5 and Schedule 2	Support Conditionally Neutral Neutral
Fish and Game	Freshwater and Te Mana o te Wai.	All of the appeal	Support conditionally
DOC	Indigenous Bio diversity	Volume 1 Chapter 8 Volume 3 Appendix 3	Support Conditionally
Forest and Bird	Consistency of the plan to the NPS-FW and the NZCPS Indigenous bio-diversity	Volume 1 Chapter 8 Volume 3 Appendix 3	Neutral

8. I agree to participate in mediation or other alternative dispute resolution of the proceedings.



Dave Johnston
General Manager
(person authorised to sign on behalf of person wishing to be a party)

8 June 2020
Date

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