

**BEFORE THE ENVIRONMENT COURT**

**ENV-2020-CHC-000046**

**AT CHRISTCHURCH**

**I MUA I TE KOOTI TAIAO**

**IN THE MATTER**

of an appeal under clause 14  
of Schedule 1 of the Resource  
Management Act 1991

**BETWEEN**

**Te Rūnanga o Kaikōura  
and Te Rūnanga o Ngāi  
Tahu**

*Appellant*

**AND**

**Marlborough District  
Council**

*Respondent*

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**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE  
MINISTER OF CONSERVATION**

**Dated: 8 June 2020**

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Department of Conservation

Solicitor/Counsel acting: M Pemberton/D van Mierlo

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## **Notice of person's wish to be a party to proceedings**

### **Section 274 Resource Management Act 1991**

To: The Registrar  
Environment Court  
CHRISTCHURCH

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
  - 1.1. Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu v Marlborough District Council
2. The Minister made submissions and appeared at the Council hearing on the proposed Marlborough Environment Plan (the Plan)
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
5. The Minister is interested in all of the proceedings, but has a particular interest in parts of the appeal relating to:
  - 5.1. Policy 5.2.2
  - 5.2. Policy 5.2.4
  - 5.3. Policy 5.2.22
  - 5.4. Policy 5.2.23
6. The Minister **supports** the relief sought.

***Relief supported***

7. The Minister supports the relief sought in relation to the matters listed because:

7.1. Policy 5.2.2: the amendment to this policy is supported in giving effect to the NPSFM regarding Te Mana o Te Wai.

7.2. Policy 5.2.4: the expanded clause c) is supported in providing greater specificity to the provision for the maintenance of fish passage and habitats for indigenous species.

7.3. Policy 5.2.22: the proposed amendments provide important policy direction for the prohibited activity rules for these and a number of other rivers and is supported but some rewording is required to accurately reflect the prohibited activities.

7.4. Policy 5.2.23: changes to river flows is a key matter missing from the matter list for consideration for new damming activities, as such changes may impact on quality of habitats for indigenous species.

8. The Minister agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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Matt Pemberton/Dean van Mierlo  
Solicitor/Counsel for the Minister of Conservation

8 June 2020

Address for service of person wishing to be a party:

**Minister of Conservation**  
Planning Shared Services  
Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

*Contact persons*

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And

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**Advice**

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