

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

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

ENV-2020-CHC-000050

UNDER	the Resource Management Act 1991
IN THE MATTER OF	an appeal under clause 14(1) of schedule 1 of the Act
BETWEEN	TRUSTPOWER LIMITED 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-000050 (**Appeal**) between Trustpower Limited (**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.
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 part of the proceedings, namely the part where the Appellant seeks to delete the definition of "Maori cultural values" from Chapter 25 of the PMEP.
5. Te Ātiawa Trust opposes the relief sought because:
 - (a) the inclusion of "Maori cultural values" appropriately recognises and defines those important values of iwi that need to be taken into account in accordance with the requirements of the Act;
 - (b) the relief sought is inconsistent 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 6(e)) as a matter of national importance;
 - ii. the requirement to have particular regard to Kaitiakitanga (s 7(a));

- iii. the requirement to take into account the principles of the Treaty of Waitangi (s 8);
 - (c) the relief sought does not implement MDC's functions under s31 of the Act; and/or
 - (d) the relief sought does not represent best resource management practice.
6. 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.