

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

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

ENV-2020-CHC-000070

UNDER	the Resource Management Act 1991
IN THE MATTER OF	an appeal under clause 14(1) of schedule 1 of the Act
BETWEEN	TE RŪNANGA O NGĀTI KUIA TRUST 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
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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-000070 (**Appeal**) between Te Rūnanga o Ngāti Kuia Trust (**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 has an interest greater than the public generally as the governing body of Te Ātiawa o Te Waka-a-Māori iwi which holds mana whenua in Marlborough.
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 provisions for papakāinga and for better protection of tangata whenua iwi's cultural sites and values.
6. 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

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Advice

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