

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU

IN THE MATTER OF an appeal under Clause 14 of Schedule 1
of the Resource Management Act 1991

BETWEEN TE KOROWAI O NGĀRUAHINE
TRUST

(ENV-2019-AKL-000302)

Appellant

AND TARANAKI REGIONAL COUNCIL

Respondent

MINUTE OF THE ENVIRONMENT COURT

(12 April 2021)

Introduction

- [1] On 2 November 2020 counsel for Te Korowai o Ngāruahine Trust (Ngāruahine) filed a notice of motion seeking to withdraw its interests in the appeal in full. Counsel advised that the parties do not oppose the withdrawal¹.
- [2] Te Kaahui o Rauru (Ngāa Rauru) is a section 274 party to the appeal. On 2 November 2020, it applied to “substitute itself as the appellant” in place of Ngāruahine (Application).
- [3] In the Minute of 2 December 2020, the Court placed Ngāruahine’s proposed withdrawal and Ngāa Rauru’s Application on hold pending the undertaking of

¹ Energy Resources Aotearoa Incorporated, Taranaki Regional Council, Trans Tasman Resources, Powerco, the Oil Companies, Royal Forest and Bird Protection Society of New Zealand, the Fishing Industry Parties, Kiwis Against Seabed Mining, Ngāa Rauru, Greenpeace New Zealand, Taranaki Energy Watch, Port Taranaki Limited, Minister of Fisheries and Federated Farmers of New Zealand.



further work by Ngaa Rauru. As such, the Ngāruahine appeal is technically still live and Ngaa Rauru is not yet an appellant.

Withdrawal of Ngaa Rauru

- [4] In a memorandum dated 6 April 2021, counsel for Ngaa Rauru sought to withdraw Ngaa Rauru's s 274 interest in the Ngāruahine appeal, as well as its Application.
- [5] Ngaa Rauru canvassed the parties and received no objection to the proposed withdrawal, including as to costs². The Court requested that the remaining parties advise the Court of their position, to which the remaining parties except for Federated Farmers of New Zealand, advised of having no issues.

Directions

- [6] Ngaa Rauru's s 274 interest in the Ngāruahine appeal, as well as its Application, are noted as withdrawn.
- [7] Ngāruahine's appeal is also noted as withdrawn, with no issues as to costs. The file will now be closed.
- [8] Given that Mr Knuckey and Ngāruahine have withdrawn their appeals, there are no remaining appeals interested in Topic 5 (Tangata Whenua).

For the Court:



Environment Judge MJL Dickey

² Minister of Conservation, Taranaki Regional Council, Energy Resources Aotearoa Incorporated, New Zealand Sports Fishing Council, Port Taranaki Limited, Fishing Industry Parties, Royal Forest and Bird Protection Society of New Zealand, Trans Tasman Resources, Powerco and the Oil Companies.

