

**From:** [Stephanie Frame \[EXTERNAL\] \(Parliament\)](#)  
**To:** [Sara Clarke](#); [John Blincoe](#)  
**Cc:** [Macaela Flanagan](#); [Nadeine Dommissie](#); [Environment](#)  
**Subject:** RE: Short update on Rakaia River declaratory proceedings  
**Date:** Tuesday, 15 August 2023 1:25:54 pm  
**Attachments:** [image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)

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Hi Sara

Please can you drop something to this effect into this weeks weekly update too, thanks

Steph



**Stephanie Frame (she/her) | Private Secretary (Environment)**  
**Office of Hon David Parker**

Office of Hon David Parker MP | Attorney-General | Minister for the Environment |  
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**From:** Sara Clarke <Sara.Clarke@mfe.govt.nz>  
**Sent:** Monday, 14 August 2023 2:22 pm  
**To:** John Blincoe <John.Blincoe@parliament.govt.nz>  
**Cc:** Steph Frame <Stephanie.Frame@parliament.govt.nz>; Macaela Flanagan <Macaela.Flanagan@mfe.govt.nz>; Nadeine Dommissie <Nadeine.Dommissie@mfe.govt.nz>  
**Subject:** Short update on Rakaia River declaratory proceedings

Kia ora John,

Just a short update on the Rakaia River declaratory proceedings

- The Minister is a party to Environment Court declaration proceedings, initiated by ECan, relating to the monitoring and enforcement of the Rakaia Water Conservation Order.
- A large number of declarations have subsequently been sought from numerous parties in response to ECan's initial application, many of which relate to ECan's enforcement responsibilities under the RMA (legal points) while others are technical points relating to consents or the Lake Coleridge project. There are currently 16 declarations.
- BRF-2808 and BRF-2948 set out in further detail the initial declarations sought by ECan and the additional declarations sought by other parties.
- BRF-2948 signalled that one of the declarations sought relates directly to the Minister's functions and duties under sections 24/25 of the RMA. We anticipate there may be argument as to the exact nature and scope of the Minister's responsibilities, 9(2)(g)(i)
- The next step in the process is facilitated conferencing between all parties this week (Wednesday 16<sup>th</sup> August) 9(2)(h), 9(2)(j), 9(2)(ba)(i)
- Crown Law will be attending remotely on behalf of the Minister.
- 9(2)(g)(i)

9(2)(g)(i)

[Redacted content]

Nga mihi,

**Sara Clarke (she/her)**

*Director | Ringatohu*

*Implementation (Freshwater, Land and Climate)*

Ministry for the Environment | Manatū Mō Te Taiao

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*Ministry staff work flexibly by default. For me this means I will often do shorter days (9.30am – 4pm) but clear and respond to emails out of traditional work hours.*



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