



Environment Weekly Update

For the week starting 21 August 2023

Hon. David Parker, Minister for the Environment

Hon. Peeni Henare, Associate Minister for the Environment

Hon. Rachel Brooking, Associate Minister for the Environment


Hon. James Shaw, Associate Minister for the Environment

Minister's comments

Context

1. Water

Out of scope



1.2. Rakaia Water Conservation Order – Environment Court declaration proceedings


Minister Parker is currently party to Environment Court declaratory proceedings in Canterbury relating to the National Water Conservation (Rakaia River) Order 1988 (Rakaia WCO).

Briefings earlier this year (BRF-2808 and BRF-2948) summarised Environment Canterbury's (ECan) declarations to the Environment Court, and other parties' alternative declarations, seeking to clarify roles and responsibilities in relation to the monitoring and enforcement of the Rakaia WCO. BRF-2948 signalled that one of the declarations sought relates directly to Minister Parker'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, which is the main reason officials recommended Minister Parker be involved in proceedings.

During the pre-hearing conference on 25 April 2023, it was agreed that facilitated conferencing between parties would be needed in order to refine the legal issues that the declarations relate to and resolve any other procedural matters. Crown Law will be attending facilitated conferencing on 16 August 2023. A substantive hearing date is expected to be timetabled at that time.

9(2)(ba)(i)



There remains a wider issue - being the continued degradation of the Rakaia River despite a WCO being in place.

Out of scope

