

Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



27 June 2022

David Haynes
fyi-request-19431-f302589d@requests.fyi.org.nz

Dear David Haynes

Thank you for your email regarding the National Water Conservation (Rakaia River) Order 1988 Reprint 7 March 2013. I appreciate you taking the time to write.

The Ministry for the Environment has not monitored compliance with the Rakaia WCO. There is an obligation for councils to give effect to WCOs and their objectives when assessing new applications for consents (s217 Resource Management Act 1991 (RMA)) and they can impose and enforce conditions on these consents. It is the responsibility of the relevant council to ensure that the conditions of a resource consent are adhered to.

You may also be aware that the Environment Court has been asked to make a declaration as to responsibilities for WCOs under the RMA as concerns have been raised about when councils should take enforcement action.

The court decision will be valuable in this context as we understand that the decision will provide direction to councils on their ability to enforce compliance with a WCO.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker'.

Hon David Parker
Minister for the Environment