

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

**I MUA I TE KOTI TAIAO O AOTEAROA
OTAUTAHI ROHE**

ENV-2020-CHC-000035

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14 of Schedule 1 of the Act

BETWEEN **Nelson-Marlborough Fish and Game Council**

Appellant

AND **Marlborough District Council**

Respondent

NOTICE OF DALTON DOWNS LIMITED WISH TO BE PARTY TO PROCEEDINGS

Dated 8 June 2020

SOLICITOR ACTING: **M HARDY-JONES / K M LAWSON**
FIRM OF SOLICITORS: **HARDY-JONES CLARK**
TEMPLE CHAMBERS
DX WC60007
76 HIGH STREET
PO BOX 646
BLENHEIM

TELEPHONE: (03) 578 5339
FACSIMILE: (03) 578 0323

To The Registrar
Environment Court
Christchurch

Name of Person who wishes to be Party

- 1 Dalton Downs Limited (**Dalton**) wish to be a party to the following proceedings:
ENV-2020-CHC-000035, an appeal by Nelson Marlborough Fish and Game Council against the decision of the Marlborough District Council on the Proposed Marlborough Environment Plan (**PMEP**).
- 2 Dalton is:
 - (a) a person who has an interest in the proceedings that is greater than the interest that the general public has being a user of irrigation water sourced from the Pelorus River Freshwater Management Unit.

Trade competition

- 3 Dalton is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

- 4 Dalton is interested in part of the proceedings.
5. The part of the proceedings Dalton is interested in is those parts relating to:
 - (a) Volume 1, Chapter 5– Allocation of Freshwater Resources; and
 - (b) Volume 3, Appendix 6 – Environmental Flows and Levels.

Particular Issues

- 6 Dalton is interested in the following issues:
 - (a) Policy 5.2.4;
 - (b) Policy 5.2.5;
 - (c) Policy 5.2.6;
 - (d) Policy 5.2.7;
 - (e) Policy 5.2.8;
 - (f) Policy 5.3.10; and
 - (g) Appendix 6.

Relief sought

- 7 Dalton opposes the relief sought because:
- (a) It lacks clarity and does not accord with best resource management practices;
 - (b) It will unduly restrict access to, and the reliability of, irrigation water for Pelorus water users;
 - (c) The current provisions of the MEP sufficiently provide for environmental and recreational values;
 - (d) Any environmental benefit from the proposed relief is unclear;
 - (e) It does not promote the efficient use and development of natural and physical resources; and
 - (f) It does not promote the sustainable management of natural and physical resources.

Dispute resolution

- 8 Dalton agrees to participate in mediation or other alternative dispute resolution of the proceedings.



M Hardy-Jones / K M Lawson
Counsel for Awatere Water User Group Inc

Date: 8 June 2020

Address for service:

Dalton Downs Limited
C/- Hardy-Jones Clark
76 High Street
PO Box 646
Blenheim 7201

Attention: Mike Hardy-Jones/Kim Lawson
Telephone: (03) 578 5339
Facsimile: (03) 578 0323
Email: mike@hjc.co.nz/kim@hjc.co.nz

Advice

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