

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

ENVC-2020-CHC-

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of an appeal on a decision on the proposed Marlborough Environment Plan

BETWEEN **HARO PARTNERSHIP** a partnership between Beryl Evelyn Archer and John Roderick Hebbard on the one part, and Phillip James Robson, Sandra Kaye Robson and Trevor Nelson Cameron as trustees of the P and S Robson Family Trust, on the other part.

Appellant

(Continued next page)

**NOTICE OF APPEAL
Dated this 8th day of May 2020**

Next Event Date:
Judicial Officer:

**GASCOIGNE WICKS
LAWYERS
BLLENHEIM**

Solicitor: Quentin A M Davies | Amanda L Hills
(qdavies@gwlaw.co.nz | ahills@gwlaw.co.nz)

Appellant's Solicitor
79 High Street
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BLLENHEIM 7240
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AND

MARLBOROUGH DISTRICT COUNCIL

Respondent

Notice of Appeal to Environment Court against decision on a proposed Plan

Clause 14(1) of Schedule 1, Resource Management Act 1991 (the Act)

To: The Registrar
Environment Court
Christchurch

Name of Appellant and Decision Maker

- 1 HARO Partnership (“HARO”) appeals against part of the decision of the Marlborough District Council (“MDC”) on the proposed Marlborough Environment Plan (“proposed Plan”).
- 2 HARO made a submission on the proposed Plan.

Trade Competition

- 3 HARO is not a trade competitor for the purposes of s 308D of the Act.

Date of Decision appealed against

- 4 The reasons for the decision were released from 21 February 2020, with the tracked changes decision version of the Plan being released on 3 March 2020.

Date on which Notice of Decision was received by Appellant

- 5 HARO received notice of the decision on 21 February and 3 March 2020.

The Decision

- 6 The parts of the decision that HARO is appealing are:
 - (a) Rule 16.6.6 of Volume Two of the proposed Plan.
 - (b) Rule 16.7.7 of Volume Two of the proposed Plan.
 - (c) Appendix 27 in Volume 3 of the proposed Plan, to the extent that the buffer overlaps with marine farm 8200.
 - (d) The existence of the buffer around Ecologically Significant Marine Site 3.8 that overlaps with marine farm 8200, on Ecologically Significant Marine Site Maps 4 and 8.

Reasons for the Appeal

- 7 While HARO is generally supportive of the proposed Plan provisions, HARO considers that some change is required to ensure that the proposed Plan:

- (a) Promotes the purpose of the Act, being the sustainable management of resources (section 5);
- (b) Is not contrary to Part 2 and other provisions of the Act;
- (c) Is not contrary to the New Zealand Coastal Policy Statement 2010;
- (d) Is not contrary to other relevant planning documents; and
- (e) Will meet the reasonably foreseeable needs of future generations.

8 In particular, and without limiting the generality of the above paragraph:

- (a) Rules 16.6.6 and 16.7.7 refer to “deposition”, though the underlying reason for imposing these rules refers to deposition from dredged materials¹. The rules should reflect the decision, and therefore should refer specifically to deposition of dredged materials.
- (b) Marine farm 8200 acts as a buffer to Ecologically Significant Marine Site 3.8, protecting the site from other activities by the farm’s presence.

Relief Sought

9 The Appellant seeks the following relief:

- (a) Amendments to the relevant rules and map as set out in **Schedule A** to this notice; and
- (b) Any necessary consequential amendments; or
- (c) Other equivalent relief.

10 The Appellant agrees to participate in mediations or other alternative dispute resolution of the proceeding.

Attached Documents

11 The following documents are **attached** to this notice:

- (a) **Schedule A** as referred to above;
- (b) A copy of HARO’s submission and further submission (**Schedule B**);
- (c) A copy of the relevant parts of the decision (**Schedule C**); and
- (d) A copy persons to be served with this notice (**Schedule D**).

¹ Decision on Topic 6 Indigenous Biodiversity, at [177], [179] and [198].

- 12 A copy of this notice will be lodged electronically with the Environment Court and the Marlborough District Council in accordance with the updated and amended directions in the Court's Minute of 15 April 2020. The Appellant notes that the requirements to serve a copy of this notice on other parties and provide a list of names to the Registrar have been waived.



Amanda L Hills
Solicitor for the Appellant

Address for service of the Appellant

Gascoigne Wicks, 79 High Street, Blenheim 7201.

Telephone: 021 045 8608 or 03 578 4229

E-mail: ahills@gwlaw.co.nz | edeason@gwlaw.co.nz | shammerson@gwlaw.co.nz

Contact persons: A L Hills, Solicitor; E Deason, Solicitor; Sharyn Hammerson, Secretary

Advice to recipients of copy of notice of appeal*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must, —

- (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

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

Note to appellant

You may appeal only if—

you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and

in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B), may consider only the question of law raised.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

SCHEDULE A – Relief Sought

- Base text is the Decisions Version, with Hearing Panel’s recommendations accepted to remove tracking.
- Where the Appellant seeks additional text, this is shown in underline.
- Where the Appellant seeks to delete text, this is shown in ~~striketrough~~.
- Relief sought is indicative. Relief sought includes alternative wording or approach which achieves similar goals.

Provision	Relevant part of provision	Relief sought
Rule 16.6.6	Text of rule	Amend rule to read: Any dredging, bottom trawling, or deposition <u>of dredged material</u> within the buffer for any Ecologically Significant Marine Site specified in Appendix 27.
Rule 16.7.7	Text of rule	Amend rule to read: Dredging, bottom trawling, deposition <u>of dredged material</u> and reclamation within any Category B Ecologically Significant Marine Site listed within Appendix 27.
Appendix 27, Volume 3	Text of appendix	Make consequential amendments from removal of buffer which overlays marine farm 8200.
Ecologically Significant Marine Site Map 4, Volume 4	Blue overlay denoting buffer around site 3.8	Remove buffer where it overlaps with marine farm 8200.
Ecologically Significant Marine Site Map 8, Volume 4	Blue overlay denoting buffer around site 3.8	Remove buffer where it overlaps with marine farm 8200.

Schedule B: Submissions of HARO

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION**

Clause 6 of First Schedule, Resource Management Act 1991

To MARLBOROUGH DISTRICT COUNCIL

Name of submitter: HARO PARTNERSHIP

HARO Partnership is a partnership between Beryl Evelyn Archer and John Roderick Heberd on the one part, and Phillip James Robson, Sandra Kaye Robson and Trevor Nelson Cameron as trustees of the P and S Robson Family Trust, on the other part.

HARO owns marine farming assets in the Marlborough Sounds, in particular at Camel Point, Central Pelorus West.

HARO engages approximately twelve contractors on a regular basis to harvest, seed and manage the farm. Additional staff are employed in the factories where the mussels are processed. Our contractors adhere to the Mussel Industry Environmental Code of Practice and support the regular Beach Clean-ups run by the Marine Farming Association.

Partners are involved in volunteer/committee roles in the Marlborough Sounds community, such as the Tennyson Inlet Boat Club, Penzance Tuna Bay Property Owners Association, The Tennyson Inlet Islands Trust, and the Matai Bay Hut Trust Inc.

1. This is a submission on the following proposed plan (the **proposal**):
 - (a) Proposed Marlborough Environment Plan.
2. HARO Partnership could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that our submission relates to are	Our submission is	We seek the following decision from the local authority
Those set out in the Marine Farming Association Incorporated (MFA) submission	Support the MFA submission in its entirety.	As set out in the MFA submission.
Specific points set out in the MFA submission.	In particular HARO supports the following submissions made by the MFA: <ul style="list-style-type: none"> • Add new guiding principle 	As set out in the MFA submission.

The specific provisions of the proposal that our submission relates to are	Our submission is	We seek the following decision from the local authority
	<p>to promote economic development (Chp 1);</p> <ul style="list-style-type: none"> • Support Issue 4B, and proposed amendment to Policy 4.2.1 (Elaine Bay infrastructure); • Add new Issue 4D – Recognise that limiting development has a trade-off; • Add new Objective 4.3A – Qualities and values of the Sounds (recognise cultural and social use); • Add new Policy 4.1.1A – Existing Use; • Add new Policy 4.1.2A – Experimentation and Innovation; • Add new Policy 4.1.2B – Net Improvement; • Add new Policies 6.2.1 – 6.2.3 (avoidance policies – natural character); • Add new Policies 7.2.5 – 7.2.5B (avoidance policies – landscape); • Add new Policies 8.3.1 – 8.3.2C (avoidance policies – indigenous biodiversity); • Add new Policy 8.3.8 – Biodiversity offsets; • Add new Adaptive Management policy to chapter 8; • Amend Policy 13.2.3(b) – Term of consent; • Amend Monitoring Equipment Standards 13.3.10, 14.3.5.1, 15.3.9, and 16.3.9; and • Support the submissions in respect of the Appendices (Vol 3) and Maps (Vol 4). 	

The specific provisions of the proposal that our submission relates to are	Our submission is	We seek the following decision from the local authority
Vol 3, Appendix 1	Social and cultural uses, including existing marine farms, are part of the qualities and values of the Marlborough Sounds. This should be expressly recognised in the landscape values assessment at Appendix 1.	For each area where there is an existing marine farm, include an express statement to the following effect (following the approach in the proposed Auckland Unitary Plan at Chapter L, Schedule 7): <i>“Some bays contain existing marine farms, but this does not compromise [relevant area’s name] current natural values.”</i>
Vol 3, Appendix 2	Social and cultural uses, including existing marine farms, are part of the qualities and values of the Marlborough Sounds. This should be expressly recognised in the natural character values assessment at Appendix 2.	For each area where there is an existing marine farm, include an express statement to the following effect (following the approach in the proposed Auckland Unitary Plan at Chapter L, Schedule 8): <i>“Although marine farms occupy part of the [area], they do not compromise the overall ‘naturalness’ of the coastal environment.”</i>
Vol 4, Overlays, Coastal Natural Character Map 1 AND Vol 3, Appendix 2	Camel Point is not included in Coastal Natural Character Map 1, as per the Natural Character index. Based on the overlay maps on the Marlborough District Council website: <ul style="list-style-type: none"> • Oppose the extent of the high natural character overlay at Camel Point; and • Oppose the extent of the outstanding natural character overlay at the northern extreme of the Tennyson Inlet. 	Remove natural character overlay from: <ul style="list-style-type: none"> • The Camel Point headland and its vicinity; and • The northern extreme of the Tennyson Inlet. OR The MEP should expressly recognise that marine farms do not adversely impact the values that lead to that classification, by amending the values at Vol 3, Appendix 2, as per separate submission.
Vol 4, Overlays,	Support the absence of an outstanding natural landscape	Retain the ONL mapping as

The specific provisions of the proposal that our submission relates to are	Our submission is	We seek the following decision from the local authority
Landscape Map 4 AND Vol 3, Appendix 1	(ONL) overlay at Camel Point; AND Oppose the extent of the ONL overlay in Tennyson Inlet.	proposed at Camel Point; AND Remove the ONL overlay from the northern extreme of Tennyson Inlet; OR The MEP should expressly recognise that marine farms do not adversely impact the values that lead to that classification, by amending the values at Vol 3, Appendix 1, as per separate submission.
Vol 4, Overlays, Ecologically Significant Marine Sites, Maps 3, 4 and 8 (significant site 3.8)	It is unclear from the mapping whether these sites are intended to be regionally or nationally significant sites. Support the mapping of sensitive area 3.8, but oppose the planning approach implemented in respect of this area in the MEP provisions. The potential adverse effects of marine farms on elephant fish spawning areas are minor, and adverse effects can be adequately mitigated using adaptive management if necessary (<i>Clearwater Mussels Ltd v Marlborough District Council</i> [2016] NZEnvC 21 at [151] – [157].)	Changes to Vol 1, Chapter 8 provisions and the Significance Criteria in Vol 3, Appendix 3, as per the MFA submission, in particular in terms of providing for adaptive management where appropriate.

Where changes are proposed, further consequential amendments may be required.
 Alternative relief securing the same outcomes could be granted.

3. HARO Partnership wishes to be heard in support of its submission.

4. If others make a similar submission, HARO Partnership will consider presenting a joint case with them at a hearing.



.....
QAM Davies and A L Hills

Solicitors for Submitter

Date: 31 August 2016

Address for service of Submitter:

Gascoigne Wicks

79 High Street, Blenheim 7201

PO Box 2

BLÉNHEIM 7240

Telephone: 03 578 4229

Fax: 03 578 4080

Contact person/s: Quentin Alexander Davies and Amanda Leigh Hills

Note to person making submission

If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Form 6

Further submission in support of, or in opposition to, submissions on the publicly notified proposed
Marlborough Environment Plan

Clause 8 of Schedule 1, Resource Management Act 1991

To: The Marlborough District Council

Name of person making further submission: HARO PARTNERSHIP

This is a further submission in opposition to or support of submissions on the proposed Marlborough Environment Plan (being a combined Regional Policy Statement, Regional Plan and District Plan).

HARO Partnership is a partnership between Beryl Evelyn Archer and John Roderick Hebbard on the one part, and Phillip James Robson, Sandra Kaye Robson and Trevor Nelson Cameron as trustees of the P and S Robson Family Trust, on the other part.

We have an interest in the proposal that is greater than the interest of the general public, because we own a marine farm in an area directly relevant to the submission below. There will be consequences not only for us, but also for the people who service our farms and process our mussels.

We set out in the **attached** schedule each of the submission points we support or oppose (or in some cases a combination of the two). In addition to the reasons listed for supporting or opposing a provision (as the case may be):

- a. We support the identified submissions, because what is proposed in accordance with:
 - i. The Resource Management Act 1991;
 - ii. A section 32 analysis; and
 - iii. Other relevant plan provisions and policy statements.
- b. We oppose the identified submissions, because what is proposed is not in accordance with:
 - i. The Resource Management Act 1991;
 - ii. A section 32 analysis; and
 - iii. Other relevant plan provisions and policy statements.

In addition, we **attach** a map depicting the Ecologically Significant Marine Sites overlay in the maps in Volume 4 of the proposed Plan, along with the extensions to those areas as proposed by various submitters.

This map is based on our best interpretation of the written descriptions of proposed extensions, as set out in various submissions. Maps identifying specific proposed demarcations were not provided by submitters. Our further submissions in relation to these points are set out in detail in the **attached** schedule.

We wish to be heard in support of our further submission.

If others make a similar submission, we would consider presenting a joint case with them at a hearing.



Quentin A M Davies / Amanda L Hills

For and on behalf of:
HARO Partnership

23 June 2017

Address for Service: Gascoigne Wicks, PO Box 2, Blenheim 7240, 79 High Street, Blenheim 7201.
Telephone: (03) 578-4229
Fax: (03) 578-4080
E-mail: gdavies@gwlaw.co.nz / ahills@gwlaw.co.nz
Contact person: Quentin Davies / Amanda L Hills

Note to person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on local authority.

If you are making a submission to the Environment Protection Authority, you should use Form 16C.

SCHEDULE

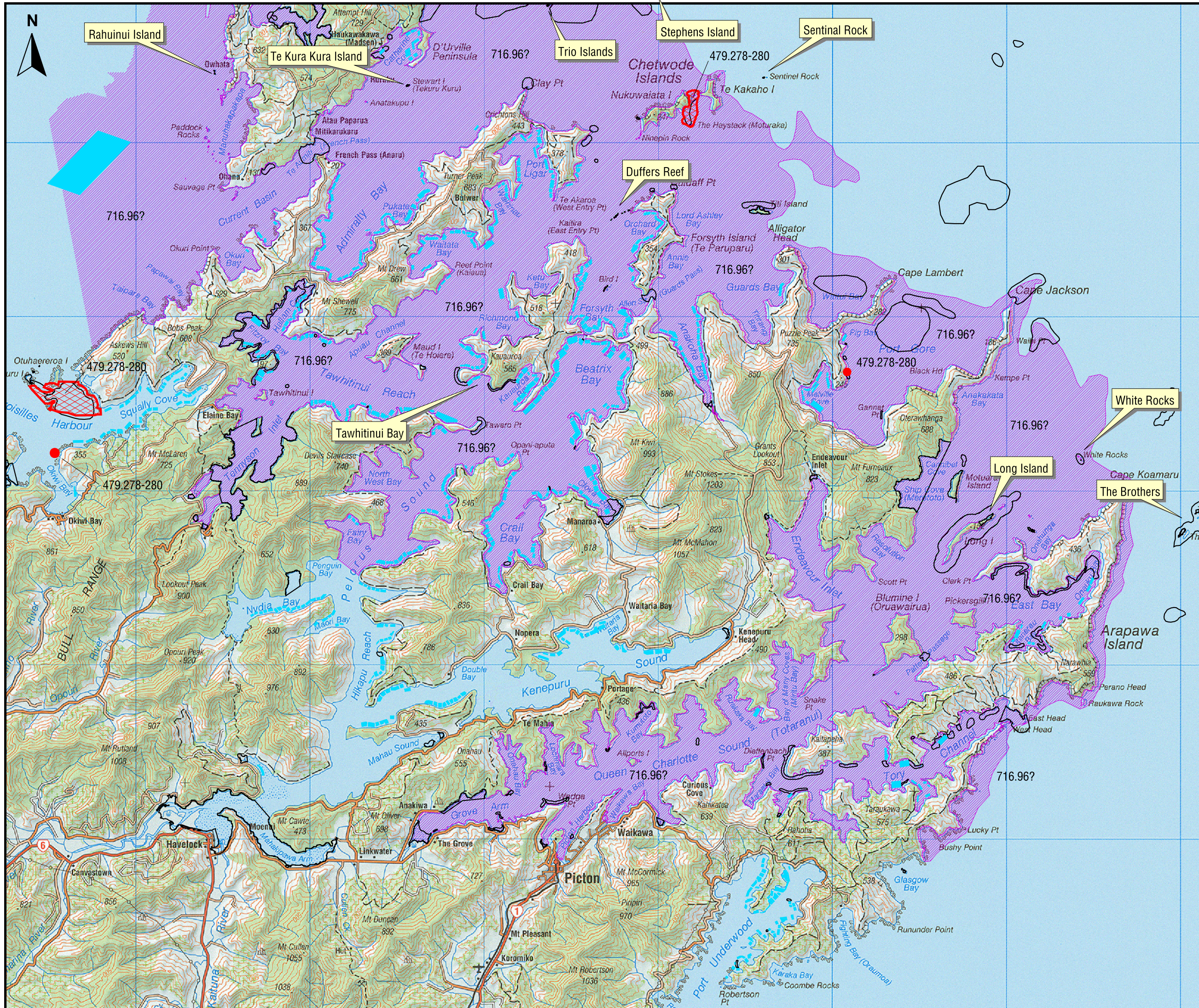
Further Sub No.	Further Submission
1	<p>We support the detailed further submissions of the Marine Farming Association Incorporated and Aquaculture New Zealand in their entirety.</p>
2	<p>We oppose the submission of:</p> <p>The Royal Forest & Bird Protection Society of New Zealand Incorporated, PO Box 2516, Christchurch 8140 (715).</p> <p>The particular part of the submission we oppose is:</p> <p>Paragraph 32 of the submission (which may not have been summarised), which seeks to identify in the Plan important bird areas contained in the Forest & Bird publication New Zealand Seabirds [2014].</p> <p>The reason for our opposition is:</p> <ol style="list-style-type: none"> 1. That that publication (and others like it) do not identify areas with sufficient specificity to enable the identification of locations where it is appropriate to impose additional regulations. <p>We seek that the submissions identified above be disallowed.</p>
3	<p>We oppose the submission of:</p> <p>The Royal Forest and Bird Protection Society of New Zealand Incorporated, PO Box 266, Nelson 6140 (715).</p> <p>The particular part of the submission we oppose is:</p> <p>Submission point 96, which seeks to amend policy 8.1.1 to refer to the ecological significance criteria in Appendix 3 and then amend Appendix 3 to recognise important bird feeding areas as a criteria for determining ecological significance.</p> <p>The reasons for this opposition are:</p> <ol style="list-style-type: none"> 1. Set out in the Marine Farming Association Incorporated's original submission on policy 8.1.1. 2. In addition, the amendment to Appendix 3 is not warranted. The significance criteria has been used to identify discreet areas which warrant a high level of protection. A different form of protection may be warranted for broader areas. <p>We seek that the whole of submission point 96 be disallowed.</p>
4	<p>We oppose the submission of:</p> <p>The Friends of Nelson Haven and Tasman Bay Incorporated, PO Box 98, Rai Valley 7145 (716).</p>

	<p>The particular part of the submission we oppose is:</p> <p>Submission point 93 in relation to Issue 8A, page 8-3: Marine Environments. If the submission can be interpreted as seeking to include “feeding areas of seabirds including the threatened king shag in the Sounds... [as] ecologically significant marine sites” (which we deny) then we oppose that part of the submission.</p> <p>The reasons for our opposition are:</p> <ol style="list-style-type: none"> 1. The submitter’s own publications suggest that the conservation management priorities for the king shag are: <ol style="list-style-type: none"> a. Protecting breeding grounds and ensuring that boats do not approach those colonies closer than 100 metres during the breeding season; b. Minimising seabird bycatch; c. Introducing pest quarantine measures to protect king shag breeding colonies; and d. Establishing king shags at new colony sites. 2. The proposed area has not been assessed through the protocol used to identify the ecologically significant marine sites in Marlborough. 3. Feeding areas are diffuse. The present state of knowledge does not lend itself to use of broad areas as a decision-making tool. <p>If submission point 93 has been validly made, we seek that it be disallowed.</p>
5	<p>We oppose the submission of:</p> <p>The Friends of Nelson Haven and Tasman Bay Incorporated, P O Box 98, Rai Valley 7145 (716).</p> <p>The particular part of the submission we oppose is:</p> <p>Point 212, where they seek to insert into the biodiversity criteria for significance at Appendix 3, Volume 3, “the site is an important feeding area for indigenous species.”</p> <p>The reason for our opposition is:</p> <ol style="list-style-type: none"> 1. Such an addition to the criteria changes the focus from discreet benthic communities of importance to broad areas in which effects do not need to be as tightly constrained. <p>We seek that the whole of submission point 212 be disallowed.</p>
6	<p>We oppose the submission of:</p> <p>Friends of Nelson Haven and Tasman Bay Incorporated, PO Box 98, Rai Valley 7145 (716)</p> <p>The particular part of the submission we oppose is:</p>

	<p>Submission point 194 which suggests that there should not be a general permitted noise standard, as in Policy 16.2.3, and that noise is undesirable around bird colonies, dolphins and feeding areas.</p> <p>The reasons for our opposition are:</p> <ol style="list-style-type: none"> 1. It is unclear what is proposed in the alternative. 2. There are more practical and effective ways to manage the effects of noise from activities on wildlife. <p>We seek that the whole of submission point 194 be disallowed.</p>
7	<p>We oppose the submission of:</p> <p>Port Underwood Association, PO Box 59, Blenheim 7240 (1042).</p> <p>The particular part of the submission we oppose is:</p> <p>Point 2, where they submit that policy 4.12 should be altered so that consents for more than 20 years should not be granted in the public space.</p> <p>The reasons for our opposition are:</p> <ol style="list-style-type: none"> 1. 20 years is the statutory minimum under the RMA. 2. Prescribing the statutory minimum as a maximum in the Plan creates inefficiencies, by increasing the cost (both public and private) of consenting. 3. Consent for more than 20 provides greater certainty for businesses operating in the public space and ensures a financial return on investments. 4. Consents for more than 20 years are often justifiable, such as where the effects are well understood or able to be managed through adaptive management. <p>We seek that Point 2 of the submission be disallowed.</p>
8	<p>We oppose the submission of:</p> <p>The Kenepuru and Central Sounds Residents Association Incorporated, 2725 Kenepuru Road, RD2, Picton 7282 (868).</p> <p>The particular part of the submission we oppose is:</p> <p>Point 13, which seeks to amend policy 7.2.4 to require, at a resource consent level, an assessment of cumulative effects of all similar activities in the locality.</p> <p>The reasons for our opposition are:</p>

	<ol style="list-style-type: none"> 1. Effectively, this change would require every consent holder to justify the activity of every other consent holder undertaking the same activity or similar activities. It is inefficient to do that in a resource consent context. 2. The proposed amendment would make the cost of obtaining consent for a mooring or jetty significantly more expensive. <p>We seek that the whole of submission point 13 be disallowed.</p>
9	<p>We oppose the submission of:</p> <p>The Kenepuru and Central Sounds Residents Association Incorporated, 2725 Kenepuru Road, RD 2, Picton 7282 (869).</p> <p>The particular part of the submission we oppose is:</p> <p>Submission point 12, which seeks to insert into policy 13.1.1 after the words “in areas with” the phrase “, or in proximity to,”.</p> <p>The reason for our opposition is:</p> <ol style="list-style-type: none"> 1. The introduction of the concept of proximity makes it impossible to judge with certainty whether an activity is or is not in accordance with the policies. <p>We seek that the whole of submission point 12 be disallowed.</p>
10	<p>We oppose the submission of:</p> <p>The Bay of Many Coves Residents Association and Ratepayers Association Incorporated, 72 Ferry Road, Spring Creek 7202 (1190).</p> <p>The particular part of the submission we oppose is:</p> <p>Point 34 as it applies to preventing anchoring within a buffer zone around an ecologically significant marine site.</p> <p>The reason for our opposition is:</p> <ol style="list-style-type: none"> 1. Anchoring may not be appropriate within an ecologically significant marine site, but ought to be permitted in the buffer zone. <p>We seek that point 34 of the submission be disallowed.</p>
11	<p>The particular parts of the submissions we oppose are:</p> <p>Pinder submission point 49; Guardian submission point 49; Sea Shepherd submission point 49; and The Marlborough Environment Centre submission point 43, which seek to prohibit dredging and anchoring in a buffer zone around ecologically significant sites.</p> <p>The reasons for our opposition are:</p> <ol style="list-style-type: none"> 1. The creation of a buffer zone should be undertaken on a case by case basis, recognising that marine farming structures regularly create a defacto buffer zone of their own.

	<p>2. Anchoring will be appropriate in the buffer zone.</p> <p>We seek that the part of the submission points identified above which refers to the area in the buffer zone be disallowed.</p>
12	<p>We support the submission of:</p> <p>Port Marlborough New Zealand Limited, c/o Mitchell Partnership, PO Box 489. Dunedin 9054 (433).</p> <p>The particular parts of the submission we support are:</p> <p>Submission points 145, 146, 147, 148, and 151.</p> <p>The reason for our support is:</p> <p>1. These are appropriate changes to the rules in the Port Landing Area zone.</p> <p>We seek that the whole of the submission points listed above be allowed.</p>



Marlborough Sounds Marine Farms and Proposed Marlborough Environment Plan

MEP Ecologically Significant Marine Sites and Submissions

- KEY**
- Granted Marine Farm
 - MEP - Ecologically Significant Marine Sites
 - Ecologically Significant Marine Sites New/Amended (DoC/MDC)
 - Proposed Important Bird Areas at Sea - Forest & Bird (2014)
 - Site Name
 - Proposed Important Bird Areas on Land - Forest & Bird (2015)

MEP data supplied by Marlborough District Council. Marine Farm data sourced from MDC Open Data (July 2016). Topo Map data from LINZ Data.

Produced by Draughting Plus Ltd from Marine Farm Data supplied by Marlborough District Council. The accompanying material has been released by Council from its information repositories as they exist as at June 2016. Council does not accept any responsibility for the initial and ongoing accuracy of the material. It is the responsibility of the recipient to make such checks as the recipient considers appropriate to ensure accuracy.

Scales (at A3)
Main Map 1:200,000

Schedule C

Decision of the MEP Hearings Panel: <https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/proposed-marlborough-environment-plan/decisions-on-the-pmep/full-decision-on-the-pmep>

Track Changes of the MEP: <https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/proposed-marlborough-environment-plan/decisions-on-the-pmep/pmep-tracked-changes-version>

Schedule D: Persons to Be Served With a Copy of this Notice

Name / Organisation	Contact	Address for Service
Marlborough District Council	Kaye Mcllveney	Kaye.Mcllveney@marlborough.govt.nz