## In the Environment Court of New Zealand Christchurch Registry

## I Te Kōti Taiao O Aotearoa Ōtautahi Rohe

ENV-2020-CHC-000049

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

Between Port Marlborough New Zealand Limited

Appellant

And Marlborough District Council

Respondent

Notice of the New Zealand Transport Agency's wish to be party to proceedings

Dated 8 June 2020

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To The Registrar
Environment Court
Christchurch

Waka Kotahi NZ Transport Agency ('Transport Agency') wishes to be a party to an appeal by Port Marlborough New Zealand Limited ('Appellant') against the decisions of the Marlborough District Council ('Respondent') on the proposed Marlborough Environment Plan ('MEP') (Court reference ENV-2020-CHC-49).

## 2 The Transport Agency:

- a Is a person who has an interest in the proceedings that is greater than the interest that the general public has. This is because the Transport Agency is responsible for managing state highways, and the Appellant's relief includes amendments to provisions relating to coastal natural character areas and the coastal environment, signs within the Port Zone and noise sensitive activities, which can directly impact the Transport Agency in performing its function; and
- b Made a submission and further submission about the subject matter of the proceedings.
- 3 The Transport Agency is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- The Transport Agency is interested in part of the proceedings, being those aspects of the appeal that are set out below at paragraph 5 of this notice.
- 5 The Transport Agency is interested in the following particular issues:
  - a Amendments sought to Policy 6.2.2;
  - b Amendments sought to Policy 8.3.1;
  - c Deletion of Policy 13.1.1;
  - d Amendments to Rule 13.6.8 and the definition of 'noise sensitive activity';
  - e Amendments sought to Standard 2.36.1.6
  - f Amendments sought to Standard 2.36.1.12; and
  - g Amendments sought to Standard 2.37.7.9.

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The Transport Agency neither supports nor opposes but is interested in the above provisions on the basis that:

a Works within the coastal environment and areas of natural character will be essential in state highway maintenance and upgrading. The Transport Agency wishes to ensure that the MEP would not prevent this from occurring;

b The Transport Agency wishes to ensure that the state highway network will not be inhibited by changes to the noise sensitive activity provisions; and

c Standards 2.36.16, 2.36.1.12, and 2.37.7.9 exempting signs within the Port Area from control under the MEP may impact the Transport Agency's ability to operate a safe state highway network.

7 The Transport Agency agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 8 June 2020

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## Nicola McIndoe

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