BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2020-CHC-000051

I TE KŌTI O AOTEAROA
ŌTAUTAHI ROHE

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of an appeal under clause 14(1) of the First Schedule of the Act in relation to the Proposed Marlborough Environment Plan
BETWEEN	**THE NEW ZEALAND KING SALMON COMPANY LIMITED**
	Appellant
AND	**MARLBOROUGH DISTRICT COUNCIL**
	Respondent

NOTICE OF ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED'S WISH TO BECOME A PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 RESOURCE MANAGEMENT ACT 1991

Environmental Defence Society Inc
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TO: The Registrar
Environment Court
CHRISTCHURCH

1. The Environmental Defence Society Incorporated (**EDS**) wishes to be party to the appeal by New Zealand King Salmon Company Ltd (**Appellant**) on the Marlborough District Council's decisions on the Proposed Marlborough Environment Plan (**PMEP**).

2. EDS made a submission on the PMEP in respect of matters raised in the appeal.

3. EDS has an interest in the proceedings that is greater than that of the public generally. EDS is a not-for-profit national environmental advocacy group. It was established in 1971 with the objective of bringing together the disciplines of law, science and planning to advocate for better environmental outcomes in resource management matters. It has been active in assessing the effectiveness of the Resource Management Act 1991 (RMA) and statutory planning documents in addressing key environmental issues

4. EDS is not a trade competitor for the purposes of s308D of the RMA.

5. EDS is interested in the aspects of the appeal that relate to the below:

    a. Natural character

    b. Landscape

    c. Indigenous biodiversity marine mammals

    d. Consent duration

    e. Cumulative effects

    f. The inclusion of additional objectives and policies in Chapter 4 and 8

6. EDS also interested in any other consequential relief relating to biodiversity, freshwater quality and quantity, natural character and landscape protection.

7. EDS agrees to participate in mediation or other alternative dispute resolution.

Reasons

8. The Appellant seeks, inter alia, changes to:

a. Nature character: the relief sought relates to the extent and methodology of natural character, as well as the policy framework contained in Chapter 6. EDS supports in part and opposes in part the relief sought. In particular, EDS opposes the statement that marine farms do not compromise overall naturalness, and the deletion of Appendix 4. EDS also opposes the relief sought in relation to the seaward extent of natural character in the Cook Strait.

b. Landscape: the relief sought relates to the extent and methodology of natural character, as well as the policy framework contained in Chapter 7. EDS supports in part and opposes in part the relief sought. In particular, EDS opposes the statement that marine farms do not compromise landscape values. EDS also opposes the relief sought in relation to the seaward extent of the outstanding natural landscape overlay in the Cook Strait.

c. Indigenous biodiversity: the relief sought relates to determining ecological significance (Policy 8.1.1 and Appendix 3), ecologically significant marine sites (ESMS), in addition to amendments to other policies in Chapter 8. EDS supports in part and opposes in part the relief sought. In particular, it opposes the removal of buffers around ESMS when there is an overlap with marine farms and the recognition that marine farms do not adversely affect the ecological values of these sites. It also specifically opposes the relief sought by the Appellant that "the effects of aquaculture will be assessed in the aquaculture chapter" on the basis that this does not promote the integrated management of natural and physical resources.

d. Marine mammals: EDS supports in part the aspect of the Appellant's appeal that seeks to include marine mammal distribution maps as separate maps in Volume 4, and reference to these in a new method in Chapter 8.

e. Consent duration: EDS opposes the relief sought that Policy 13.2.3(b) should provide for a 20year minimum consent duration.

f. Cumulative effects: EDS opposes in part the aspects of the appeal that relate to cumulative effects, and recognition of existing modifications in Policies 6.2.6 and 7.2.12.

9. EDS is concerned that the relief sought will not be consistent with the protective environmental bottom lines contained in Part 2 RMA, and in other national policy documents.

DATED 8 June2020

Cordelia Woodhouse

Signed for and on behalf of the **ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED** by its duly authorised agent

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