

BEFORE THE ENVIRONMENT COURT

**ENV-2020-CHC-000045,
60, 62, 63, 73, 77**

AT CHRISTCHURCH

I MUA I TE KOOTI TAIAO

IN THE MATTER

of an appeal under clause 14
of Schedule 1 of the Resource
Management Act 1991

BETWEEN

**Aroma (N.Z.) Limited and
Aroma Aquaculture
Limited**

**AJ King Family Trust and
SA King Family Trust**

(continued next page)

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE
MINISTER OF CONSERVATION**

Dated: 5 June 2020

Department of Conservation

Solicitor/Counsel acting: M Pemberton/D van Mierlo

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Oldham and Others

**Apex Marine Farm
Limited**

**Just Mussels Ltd,
Tawhitinui Greenshell
Ltd and Waimana Marine
Ltd**

Sanford Limited

Appellants

AND

**Marlborough District
Council**

Respondent

Notice of person's wish to be a party to proceedings

Section 274 Resource Management Act 1991

To: The Registrar
Environment Court
CHRISTCHURCH

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
 - 1.1. Aroma (N.Z.) Limited and Aroma Aquaculture Limited v Marlborough District Council
 - 1.2. AJ King Family Trust and SA King Family Trust v Marlborough District Council
 - 1.3. Oldham and Others v Marlborough District Council
 - 1.4. Apex Marine Farm Limited v Marlborough District Council
 - 1.5. Just Mussels Ltd, Tawhitinui Greenshell Ltd and Waimana Marine Ltd v Marlborough District Council
 - 1.6. Sanford Limited v Marlborough District Council
2. The Minister made submissions and appeared at the Council hearing on the proposed Marlborough Environment Plan (the Plan)
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
5. The Minister is interested in all of the proceedings, but has a particular interest in parts of the appeal relating to:
 - 5.1. Chapter 6, Natural Character and Chapter 7, Landscape; and
 - 5.2. Ecologically Significant Marine Sites.

6. The Minister **opposes** the relief sought.

Relief opposed

7. The Minister opposes the appeal and relief sought in relation to:

7.1. the provisions of Chapters 6 and 7 in Volume 1;

7.2. the mapping of the extent of landscapes and natural features, and natural character of the coastal environment and the methodology behind the mapping; and

7.3. the related schedules in Appendix 1 and Appendix 2 in Volume 3.

8. The reasons for opposition are that the Minister supports the Plan as decided by the Council in respect of the matters listed in paras 7.1 to 7.3. The Plan in respect of these matters is based on robust assessments using sound methodology and is consistent with the NZCPS.

9. The Minister opposes the appeals on the provisions relating to the identification and mapping of Ecologically Significant Marine Sites including the buffers around Category A and B sites. It is not considered appropriate for aquaculture activities to be exempted from the provisions that are designed to protect these identified sites, particularly Rules 16.6.6 and 16.7.7, and such an approach would not be consistent with NZCPS.

10. The Minister agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Matt Pemberton/Dean van Mierlo
Solicitor/Counsel for the Minister of Conservation

5 June 2020

Address for service of person wishing to be a party:

Minister of Conservation

Planning Shared Services

Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

Contact persons

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And

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Advice

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