

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

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

ENV-2020-CHC-000067

IN THE MATTER of an appeal pursuant to Clause 14 of Schedule 1 of the
Resource Management Act 1991

BETWEEN **ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED**

Appellant

AND **MARLBOROUGH DISTRICT COUNCIL**

Respondent

**NOTICE OF DELEGAT LIMITED'S WISH TO BE PARTY TO PROCEEDINGS
Dated this 8th day of June 2020**

**GASCOIGNE WICKS
LAWYERS
BLLENHEIM**

Solicitor: Quentin A M Davies and Joshua S
Marshall
(jmarshall@gwlaw.co.nz | qdavies@gwlaw.co.nz)

Delegat Limited's Solicitor
79 High Street
PO Box 2
BLLENHEIM 7240
Tel: 03 578 4229
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NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Christchurch

Name of Person who wishes to be Party

- 1 Delegat Limited ("Delegat") wishes to be a party to the following proceedings: ENV-2020-CHC-000067, an appeal by the Environmental Defence Society Incorporated against parts of the Marlborough District Council's decision on the proposed Marlborough Environment Plan.
- 2 Delegat says that:
 - (a) it is a person who made a submission about the subject matter of the proceedings; and
 - (b) by virtue of its viticulture interests, it has an interest in the proceedings greater than the public generally.

Trade competition

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

The Proceedings

- 4 Delegat is interested in part of the proceedings.
- 5 The part of the proceedings Delegat is interested in is those parts relating to:
 - (a) Chapter 5 of Volume 1.
 - (b) Chapter 8 of Volume 1.
 - (c) Chapter 15 of Volume 1.
 - (d) Indigenous vegetation clearance in various parts of Volume 2, such as 3.3.12

Particular Issues

- 6 Delegat is interested in the following particular issues:
- (a) All of the appellant’s submissions on chapter 5 (Allocation of freshwater resources).
 - (b) The Appellant’s submissions on chapter 8 (Indigenous Biodiversity) including: policies 8.1.3, 8.2.2, 8.2.9, 8.M.3, 8.3.6 and 8.3.7, but excluding coastal environment matters such as 8.3.5 and 8.3.8.
 - (c) All of the appellant’s submissions in chapter 15 (Resource Quality).
 - (d) New/amended vegetation clearance rules
 - (e) Issues relating to standards of rule 3.3.12 (vegetation clearance rules), the consequential addition of related discretionary/non-complying rules, and the corresponding standards in other zones.

Relief sought

- 7 Delegat opposes the relief sought because:
- (a) Delegat is concerned that the relief sought lacks clarity;
 - (b) The implications of the proposed relief are unclear;
 - (c) The relief sought does not accord with good resource management practice; and
 - (d) The relief sought is otherwise inconsistent with the Act.

Dispute resolution

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

Joshua Marshall

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Quentin A M Davies and Joshua S Marshall

Solicitor for Person wishing to be a Party

Date: 8 June 2020

Address for service of Person wishing to be a Party

Gascoigne Wicks

79 High Street, Blenheim 7201

PO Box 2

BLENHEIM 7240

Telephone: 03 578 4229

Fax: 03 578 4080

Contact person: Quentin A M Davies and Joshua S Marshall

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

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. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

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*).

Advice

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