

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2020-CHC-000076

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

AND

IN THE MATTER of an appeal under Clause 14(1) of
Schedule 1 of the Act

BETWEEN Minister of Defence
Appellant

AND Marlborough District Council
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 of the Act


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TO: The Registrar
Environment Court
CHRISTCHURCH

1. **Trustpower Limited (Trustpower)** wishes to be a party to the following proceedings:
 - (a) ENV-2020-CHC-000076, *Minister of Defence v Marlborough District Council*, an appeal under Clause 14(1) of Schedule 1 of the Act on the Proposed Marlborough Environment Plan (the **Plan**).
2. Trustpower made a submission on the Plan about the subject matter of the proceedings.
3. Trustpower is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. Trustpower is interested part of the proceedings.
5. The parts of the proceedings Trustpower is interested in are the appellant's reasons for appeal and relief sought with respect to:
 - (a) New Policy 16.1.X and associated rules and standards; and
 - (b) Method 16.M.16;
 - (c) New Rule 2.X.1 and associated standards; and
 - (d) Any further or consequential amendments to give effect to the substance of the proceedings in relation to these matters.
6. Trustpower is interested in the following particular issues:

- (a) The parts of the decision appealed and the appellant's reasons for appeal and relief sought insofar as it relates to stormwater matters which may impact Trustpower's hydro-electric power schemes, and changing the Plan in a manner which is inconsistent with Trustpower's own appeal and submission.
7. Trustpower neither supports or opposes the relief sought but wishes to monitor the relief sought including for the following reasons:
- (a) The appellant seeks amendments to existing provisions and the implementation of new policies, rules and standards to the Plan relating to stormwater discharges to land.
 - (b) Trustpower owns and operates the Branch and Waihopai hydro-electric power schemes in the Marlborough Region, which can give rise to stormwater discharges. Trustpower's own appeal also seeks a new controlled activity rule for the discharge of contaminants to land, and it is unclear how this rule will work alongside the relief sought by the appellant.
 - (c) Trustpower therefore wishes to be a party to the appeal so that it may be involved in the development of any amendments that may affect Trustpower's interests and to ensure that any relief granted is appropriate and consistent with its submission and own appeal.
8. Trustpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signature:



Vanessa Hamm
Counsel for Trustpower Limited

Date: 8 June 2020

**Address for service of
Trustpower Limited:**

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Advice

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