

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991
AND of appeals under clause 14 of the First
Schedule of the Act
BETWEEN DOMINION SALT
(ENV-2020-CHC-21)
and all other appellants concerning the
proposed Marlborough Environment Plan
(as set out in the Schedule attached)
Appellants
AND MARLBOROUGH DISTRICT COUNCIL
Respondent

MINUTE (16 June 2020)

Introduction

[1] These proceedings concern a number of appeals against the Marlborough District Council's proposed Marlborough Environment Plan. As the parties will be aware, the period for joining the appeals under s274 has now ended and a list of parties has been distributed for review.

[2] The court is proposing to set down a pre-hearing conference ('PHC') in Blenheim to hear from all parties as to how these proceedings could usefully be managed. As a preliminary step, I will ask the Council to review the appeals (and s274 notices) and file a case management memorandum before the PHC is convened. In particular, the Council is to review and identify:

- (a) the relevant topics;
- (b) whether further particulars are required;



- (c) whether certain parts of the MEP are subject to appeal or are beyond challenge;
- (d) whether there are any jurisdictional issues;
- (e) whether (in the Council's opinion) it is appropriate to hear certain appeals separately or group appeals together by topics for mediations and/or hearings;
- (f) whether any particular sequencing of appeals (or groups of appeals) is considered appropriate (and if so, a proposed order for any mediations and/or hearings); and
- (g) any other matters or issues the Council wishes to raise.

Directions

[3] Accordingly, it is directed:

- (a) the Council is to lodge and serve a case management memorandum which must (at least) report on the matters raised in [2](a)-(g) above by **Friday 31 July 2020**;
- (b) any party who wishes to raise any issues or respond to the Council's memorandum should lodge and serve a memorandum by **Friday 14 August 2020**; and
- (c) a pre-hearing conference will be set down in Blenheim on **Friday 28 August 2020**.

[4] Leave is reserved for any party to apply for further (or other) directions.

[5] The court envisages further directions as to argument on preliminary points of law, mediation, expert conferencing and general case management being issued at (or following) the pre-hearing conference.

J J M Hassan
Environment Judge

Issued: 16 June 2020



Schedule – List of Appellants

ENV-2020-CHC-21 Dominion Salt
ENV-2020-CHC-30 Timberlink
ENV-2020-CHC-31 G J Gardner
ENV-2020-CHC-32 Talley's Group Limited
ENV-2020-CHC-33 Friends of Nelson
ENV-2020-CHC-34 Omaka Valley
ENV-2020-CHC-35 Fish & Game
ENV-2020-CHC-36 Heritage
ENV-2020-CHC-37 Chorus/Spark
ENV-2020-CHC-38 Okiwi Bay Ratepayers
ENV-2020-CHC-39 Te Rūnanga a Rangitāne o Wairau
ENV-2020-CHC-40 Haro Partnership
ENV-2020-CHC-41 KPF Investments Limited & United Fisheries Limited
ENV-2020-CHC-42 Minister of Conservation
ENV-2020-CHC-43 Te Atiawa o Te Waka-a-Maui Trust
ENV-2020-CHC-44 Beleve Ltd, RJ Davidson Family Trust & Treble Tree Holdings Ltd
ENV-2020-CHC-45 Aroma (N.Z.) Limited and Aroma Aquaculture Limited
ENV-2020-CHC-46 Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu
ENV-2020-CHC-47 Goulding Trustees Limited and Shellfish Marine Farms Limited
ENV-2020-CHC-48 McGuinness Institute
ENV-2020-CHC-49 Port Marlborough NZ
ENV-2020-CHC-50 Trustpower Limited
ENV-2020-CHC-51 The New Zealand King Salmon Co. Limited
ENV-2020-CHC-52 Matthew Burroughs Broughan
ENV-2020-CHC-53 Cochran
ENV-2020-CHC-54 OneFortyOne
ENV-2020-CHC-55 Clearwater Mussels Limited and Talley's Group Limited
ENV-2020-CHC-56 New Zealand Transport Agency
ENV-2020-CHC-57 KiwiRail Holdings Limited
ENV-2020-CHC-58 Federated Farmers of New Zealand
ENV-2020-CHC-59 Colonial Vineyard Limited
ENV-2020-CHC-60 Sanford Ltd
ENV-2020-CHC-61 Villa Maria Estate Limited



ENV-2020-CHC-62 Oldham & Others
ENV-2020-CHC-63 Apex Marine Farm Limited
ENV-2020-CHC-64 Forest & Bird
ENV-2020-CHC-65 Levide Capital Ltd
ENV-2020-CHC-66 Brentwood Vineyards Ltd
ENV-2020-CHC-67 Environmental Defence Society
ENV-2020-CHC-68 Transpower New Zealand Limited
ENV-2020-CHC-69 Jeffrey Val Meachen
ENV-2020-CHC-70 Te Runanga o Ngati Kuia Trust
ENV-2020-CHC-71 Horticulture New Zealand
ENV-2020-CHC-72 Oil Companies
ENV-2020-CHC-73 AJ King Family Trust and SA King Family Trust
ENV-2020-CHC-74 Marine Farming Association Inc and Aquaculture New Zealand
ENV-2020-CHC-75 Delegat Limited
ENV-2020-CHC-76 Minister of Defence
ENV-2020-CHC-77 Just Mussels Ltd, Tawhitinui Greenshell Ltd & Waimana Marine Ltd
ENV-2020-CHC-78 East Bay Conservation
ENV-2020-CHC-79 Rebecca Light

