

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

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

ENV-2020-CHC-33

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

BETWEEN **FRIENDS OF NELSON HAVEN AND TASMAN BAY Inc.**

Appellants

AND **MARLBOROUGH DISTRICT COUNCIL**

Respondent

NOTICE BY

KEVIN CHARLES DAVID OLDHAM and **LYNETTE RAYWIN ANNE OLDHAM** as trustees in
RED SKY TRUST a family trust at 42 Robley Crescent, Glendowie, Auckland, New
Zealand, and

**FRANK THOMAS BURNS, KIRSTEN MARGARET BURNS, ABIGAIL JENNIFER JEAN
BURNS** and **OLIVIA MEGAN ROSE BURNS** of 200 Oakwood Lane, Blenheim, and

COLIN RONALD NORTON of 237 Westdale Road, Richmond, and **TOM RONALD
NORTON** of 11 Dunbeath Street, Blenheim, and

RICHARD ALLAN HALL and **RITA SANDRA HALL** of 42 Sussex Street, Picton

**TO BECOME PARTY TO THE APPEAL
Dated this 8th day of June 2020**

To The Registrar
Environment Court
Christchurch

Name of Person who wishes to be Party

- 1 The following parties:
 - (a) Kevin Charles David Oldham and Lynette Raywin Anne Oldham as trustees In Red Sky Trust (“RST”), of Auckland, and
 - (b) Frank Thomas Burns, Kirsten Margaret Burns, Abigail Jennifer Jean Burns and Olivia Megan Rose Burns of Blenheim, and
 - (c) Colin Ronald Norton and Tom Ronald Norton, of Nelson and Blenheim respectively, and
 - (d) Richard Allan Hall and Rita Sandra Hall, of Picton,
 (“Arapaoa Marine Farmers”), wish to be a party to the following proceedings: ENV-2020-CHC-33, an appeal by Friends of Nelson Haven and Tasman Bay Inc. against parts of the Marlborough District Council's decision on the proposed Marlborough Environment Plan.
- 2 The Arapaoa Marine Farmers individually and collectively have an interest in the proceedings that is greater than the interest that the general public has (through historical relationships and present-day usage of the lands and waters of Arapaoa Island) and made a submission and further submissions about the subject matter of the proceedings.

Trade competition

- 3 The Arapaoa Marine Farmers are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (the Act).

The Proceedings

- 4 The Arapaoa Marine Farmers are interested in the proceedings in relation to Topics 5: Natural character and landscape, and Topic 6: Indigenous biodiversity relating to the land and waters of Onauku Bay, Arapaoa Island.

Relief sought

- 5 The Arapaoa Marine Farmers oppose the relief sought because it is inconsistent with the Act and the New Zealand Coastal Policy Statement 2010

(NZCPS). Further, the relief sought is inconsistent with the requirement to provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, and other taonga as a matter of national importance in section 6(e) of the Act, and with the requirement to take into account the principles of the Treaty of Waitangi in section 8 of the Act and in NZCPS policy 2, with the requirement to plan strategically in NZCPS policy 7, and with the requirement to provide for aquaculture in appropriate places in terms of NZCPS policy 8.

Dispute resolution

- 6 The Arapaoa Marine Farmers agree to participate in mediation or other alternative dispute resolution of the proceedings.



.....
Kevin Charles David Oldham

(authorised signatory)

Date: 8th June 2020

Address for service of Person wishing to be a Party

42 Robley Crescent
Glendowie
Auckland 1071
kevin.oldham@gmail.com

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.