

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

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

**ENV-2020-CHC-48**

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

**BETWEEN** **MCGUINNESS INSTITUTE**

**Appellant**

**AND** **MARLBOROUGH DISTRICT COUNCIL**

**Respondent**

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**NOTICE OF THE NEW ZEALAND KING SALMON CO. LIMITED TO BECOME A PARTY TO  
THE APPEAL  
Dated this 8th day of June 2020**

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**GASCOIGNE WICKS  
LAWYERS  
BLLENHEIM**

Solicitors: Quentin A M Davies and Amanda L  
Hills  
([qdavies@gwlaw.co.nz](mailto:qdavies@gwlaw.co.nz) | [ahills@gwlaw.co.nz](mailto:ahills@gwlaw.co.nz))

The New Zealand King Salmon Co.  
Limited's Solicitors  
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**To** The Registrar  
Environment Court  
Christchurch

**Name of Person who wishes to be Party**

- 1 The New Zealand King Salmon Co. Limited (“NZ King Salmon”) wishes to be a party to the following proceedings: ENV-2020-CHC-48, an appeal by McGuinness Institute against parts of the Marlborough District Council's decision on the proposed Marlborough Environment Plan (“proposed Plan”).
- 2 NZ King Salmon has an interest in the proceedings that is greater than the interest that the general public has (as a salmon farmer in the region). NZ King Salmon made a submission and further submissions about the subject matter of the proceedings.

**Trade competition**

- 3 NZ King Salmon is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (“the Act”).

**The Proceedings**

- 4 NZ King Salmon is interested in the entirety of the proceedings.

**Relief sought**

- 5 NZ King Salmon opposes the relief sought because it is inconsistent with:
  - (a) The submissions of McGuinness Institute on the Notified Version of the proposed Plan;
  - (b) The Act;
  - (c) Clause 14(2)(b) of Schedule 1 of the Act;
  - (d) The New Zealand Coastal Policy Statement 2010 (“NZCPS”)
  - (e) Regional coastal plans in other regions; and
  - (f) 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.
- 6 In addition:

- (a) The aquaculture provisions are beyond the scope of the Notified and Decisions Versions of the proposed Plan;
- (b) The Act does not enable a regional coastal plan to require “permit information” to be stated in Annual Financial Statements; and
- (c) The relief sought at paragraph 8.6 of the Notice of Appeal is vague.

**Dispute resolution**

7 NZ King Salmon agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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Quentin A M Davies and Amanda L Hills

Solicitors for NZ King Salmon

Date: 8<sup>th</sup> June 2020

**Address for service of NZ King Salmon**

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Contact persons: Q A M Davies and A L Hills, Solicitors / Sharyn Hammerson, Secretary

**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.