

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2020-CHC-000049

**I TE KŌTI O AOTEAROA
ŌTAUTAHI ROHE**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of the First Schedule
of the Act in relation to the Proposed Marlborough
Environment Plan

BETWEEN **PORT MARLBOROUGH NEW ZEALAND
LIMITED**

Appellant

AND

MARLBOROUGH DISTRICT COUNCIL

Respondent

**NOTICE OF ENVIRONMENTAL DEFENCE SOCIETY
INCORPORATED'S WISH TO BECOME A PARTY TO
PROCEEDINGS PURSUANT TO SECTION 274 RESOURCE
MANAGEMENT ACT 1991**

Environmental Defence Society Inc
PO Box 91736
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Solicitor acting: Cordelia Woodhouse
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Counsel: S Gepp

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TO: The Registrar
Environment Court
CHRISTCHURCH

1. The Environmental Defence Society Incorporated (**EDS**) wishes to be party to the appeal by Port Marlborough New Zealand Ltd (**Appellant**) on the Marlborough District Council's decisions on the Proposed Marlborough Environment Plan (**PMEP**).
2. EDS made a submission on the PMEP in respect of matters raised in the appeal.
3. EDS has an interest in the proceedings that is greater than that of the public generally. EDS is a not-for-profit national environmental advocacy group. It was established in 1971 with the objective of bringing together the disciplines of law, science and planning to advocate for better environmental outcomes in resource management matters. It has been active in assessing the effectiveness of the Resource Management Act 1991 (RMA) and statutory planning documents in addressing key environmental issues
4. EDS is not a trade competitor for the purposes of s308D of the RMA.
5. EDS is interested in the aspects of the appeal listed below:
 - a. Chapter 4: Issue 4C, Objective 4.3 and Policies 4.3.2 and 4.3.4
 - b. Chapter 6: Policy 6.2.2
 - c. Chapter 8: Objective 8.1, Policy 8.3.1 and Policy 8.3.4
 - d. Chapter 13: Policy 13.1.1 and Policy 13.18.4
 - e. Rules 13.1.4, 13.4.5 and 15.5.3
 - f. Standards 13.3.1, 13.3.20.3 and 19.9.3
 - g. New permitted activity rule under 14.1 and 15.1 (indigenous vegetation clearance)

- h. Relief relating to the Threatened Environments Overlay
6. EDS conditionally opposes the relief sought.
7. EDS also interested in any other consequential relief relating to biodiversity, freshwater quality and quantity, natural character and landscape protection.
8. EDS agrees to participate in mediation or other alternative dispute resolution.

Reasons

9. EDS considers that the relief sought by the Appellant does not reflect the protective environmental bottom lines set out in Part 2 RMA and does not give effect to national policy instruments.

DATED 8 June 2020



Cordelia Woodhouse

Signed for and on behalf of the
**ENVIRONMENTAL DEFENCE
SOCIETY INCORPORATED** by its
duly authorised agent

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