

BEFORE THE ENVIRONMENT COURT

ENV-2020-CHC-000056

AT CHRISTCHURCH

I MUA I TE KOOTI TAIAO

IN THE MATTER

of an appeal under clause 14
of Schedule 1 of the Resource
Management Act 1991

BETWEEN

**New Zealand Transport
Agency**

Appellant

AND

**Marlborough District
Council**

Respondent

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE
MINISTER OF CONSERVATION**

Dated: 8 June 2020

Department of Conservation

Solicitor/Counsel acting: M Pemberton/D van Mierlo

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Notice of person's wish to be a party to proceedings

Section 274 Resource Management Act 1991

To: The Registrar
Environment Court
CHRISTCHURCH

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
 - 1.1. The New Zealand Transport Agency v Marlborough District Council
2. The Minister made submissions and appeared at the Council hearing on the proposed Marlborough Environment Plan (the Plan).
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
5. The Minister is interested in all of the proceedings, but has a particular interest in parts of the appeal relating to:
 - 5.1.1. Policy 5.2.3
 - 5.1.2. Policy 8.3.8
 - 5.1.3. Rule 2.7.1
6. The Minister **supports or opposes** the relief sought.

Relief supported

7. The Minister supports the relief sought in relation to the following as:
 - 7.1. Policy 8.3.8: the relief proposed is supported as being a useful clarification of the policy that is improved from the added reference of sites included in Appendix 27; and
 - 7.2. Rule 2.7.1: the proposed addition of diversion and dewatering to the rule is supported as it removes a gap in the Plan in relation to these activities.

Relief opposed

8. The Minister opposes the relief sought in relation to the following as:
 - 8.1. Policy 5.2.3: the relief sought in principle is supported as providing the policy direction for the associated Rule 2.6.4(b), but the wording of this relief needs to be amended so as to provide specifically for the taking, damming or diversion of water associated with works in the bed of a river, not to provide for the works itself.
9. The Minister agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Matt Pemberton/Dean van Mierlo
Solicitor/Counsel for the Minister of Conservation

8 June 2020

Address for service of person wishing to be a party:

Minister of Conservation
Planning Shared Services
Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

Contact persons

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And

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Advice

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