

**BEFORE THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

ENV-2020-CHC-00058

**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** **FEDERATED FARMERS OF NEW  
ZEALAND**

**Appellant**

**AND**

**MARLBOROUGH DISTRICT COUNCIL**

**Respondent**

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

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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 Federated Farmers of New Zealand (**Appellant**) on the Marlborough District Council's decisions on the Proposed Marlborough Environment Plan (**PMEP**).
2. EDS made a submission on the PMEPE 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 relating to the following:
  - a. Definition of Vegetation Clearance
  - b. Chapter 4: Policy 4.1.2
  - c. Chapter 5: Policy 5.2.3 and Policy 5.3.1
  - d. Chapter 8: Objective 8.1 and Policy 8.2.6
  - e. Chapter 13: Policy 13.2.4 and Policy 13.2.5
  - f. Chapter 15: Objective 15.1b and 15.1c, Policy 15.1.1, Policy 15.1.28 and Policy 15.1.35
  - g. Rule 2.9.5 (construction or placement of a new structure in, on, under, or over the bed of an ephemeral river)

- h. Rule 2.10 (discretionary activities)
  - i. Permitted Activity Standards 2.9.9.3, 3.3.22 and 4.3.20.3 (livestock entering, or passing over, the bed of a river)
  - j. Rules 2.11.4 and 2.11.5, 3.7.3 and 3.7.4; and 4.7.4 and 4.7.5 (intensively farmed livestock entering the bed of a lake or river)
  - k. Rule 3.3.12 (indigenous vegetation clearance)
  - l. Permitted Activity Standards 3.3.22.1 and 4.3.20.1 (livestock entering onto, or passing across, the bed of a river)
  - m. Rules 3.3.26 and 3.3.27 (application of compost or solid agricultural waste into or onto land)
  - n. Rule 4.3.11 (non-indigenous vegetation clearance)
  - o. Rules 4.3.22, 4.3.24 and 4.3.25 (storage and application of fertiliser or lime into or onto land; application of agricultural waste)
  - p. Rule 4.7.1 (plantation forestry on land identified as Steep-Erosion Prone Land)
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. The relief sought by the Appellant does not reflect the protective environmental bottom lines in Part 2 RMA and those contained in various national policy instruments. In particular, the relief sought may not give effect to the National Policy Statement for Freshwater Management 2017.

**DATED** 8 June2020



**Cordelia Woodhouse**

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

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