In the Environment Court of New Zealand Christchurch Registry

I Te Kōti Taiao O Aotearoa Ōtautahi Rohe

ENV-2020-CHC-000064

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

Between The Royal Forest and Bird Protection Society of New

Zealand Incorporated

Appellants

And Marlborough District Council

Respondent

Notice of the New Zealand Transport Agency's wish to be party to proceedings

Dated 8 June 2020

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To The Registrar
Environment Court
Christchurch

Waka Kotahi NZ Transport Agency ('Transport Agency') wishes to be a party to an appeal by The Royal Forest and Bird Protection Society of New Zealand Incorporated ('Appellant') against the decisions of the Marlborough District Council ('Respondent') on the proposed Marlborough Environment Plan ('MEP') (Court reference ENV-2020-CHC-64).

2 The Transport Agency:

- a Is a person who has an interest in the proceedings that is greater than the interest that the general public has. This is because the Transport Agency is responsible for managing state highways, and the Appellant's relief includes amendments to provisions relating to regionally significant infrastructure and activities within outstanding natural landscapes and significant natural areas. The Appellant's relief also relates to the management of freshwater bodies, wetlands, and clearance of indigenous vegetation, which will affect the Transport Agency in maintaining and upgrading the state highway network in the District; and
- b Made a further submission about the subject matter of the proceedings.
- The Transport Agency is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- The Transport Agency is interested in part of the proceedings, being those aspects of the appeal that are set out below at paragraph 5 of this notice.
- 5 The Transport Agency is interested in the following particular issues:
 - a Amendments sought to Policy 6.2.2, and a related definition of 'freshwater bodies':
 - b Amendments sought to Policy 7.2.5;
 - c Redrafting of Policy 7.2.6;
 - d Amendments sought to Objective 8.1;
 - e Amendments sought to Policy 8.2.2;
 - f Amendments sought to Policy 8.2.10;

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g Amendments sought to Policy 8.3.6; and

h Amendments sought to Standards 3.3.12, 4.3.10, 7.3.7, 17.3.2, 18.3.3, and

19.3.3.

6 The Transport Agency neither supports nor opposes but is interested in the

above provisions on the basis that:

a The Transport Agency's function in maintaining and upgrading the state

highway network means works within areas of outstanding natural

landscapes will be essential. The Transport Agency wishes to ensure that

the MEP would not prevent this from occurring;

b Works involved in maintaining and upgrading the state highway network will

necessarily impact upon areas of indigenous vegetation and biodiversity,

wetlands, and freshwater bodies; and

As regionally significant infrastructure, the redrafting of Policy 7.2.6 will apply

to the state highway network.

7 The Transport Agency agrees to participate in mediation or other alternative

dispute resolution of the proceedings.

Dated 8 June 2020

Nicola McIndoe

Counsel for the New Zealand Transport Agency

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