

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA**

**IN THE MATTER** of the Resource Management Act 1991  
**AND**  
**IN THE MATTER** of an appeal pursuant to Clause 14 of the First  
Schedule of the Resource Management Act  
1991 (**RMA**)  
**BETWEEN** **ENVIRONMENTAL DEFENCE SOCIETY  
INCORPORATED**  
**Appellant**  
  
**AND** **MARLBOROUGH DISTRICT COUNCIL**  
**Respondent**

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**SECTION 274 NOTICE BY THE NEW ZEALAND SPORT FISHING COUNCIL  
INCORPORATED JOINING APPEAL BY ENVIRONMENTAL DEFENCE SOCIETY  
INCORPORATED**

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**BROOKFIELDS  
LAWYERS**  
R H Ashton  
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P O Box 240  
DX CP24134  
**AUCKLAND**

**TO:** The Registrar  
Environment Court  
Christchurch

**AND TO:** Environmental Defence Society Incorporated (the **Appellant**)

1. The New Zealand Sport Fishing Council Incorporated (**NZSFC**) wishes to be a party pursuant to section 274 of the RMA to the following proceedings:

*Environmental Defence Society Incorporated v Marlborough District Council*

**Nature of interest**

2. NZSFC is a person who has an interest in the proceedings which is greater than the interest that the general public has because:
  - a. NZSFC a representative body for recreational fishing interests in New Zealand. NZSFC has 55 affiliated clubs with 36,200 members nationwide.
  - b. NZSFC takes an active role in fisheries management and research. NZSFC has made extensive submissions to MPI and Mfish concerning fisheries management and policy.
  - c. The issues raised in the proceeding affect the interests of recreational fishing in Marlborough and engage with issues concerning fisheries management and policy.
3. NZSFC is not a trade competitor for the purposes of section 308C of the RMA.

**Extent of Interest**

4. NZSFC is interested in the parts of the proceeding that relate to Chapter 8 Indigenous Biodiversity and may result in additional regulation of fishing activities, including in particular:
  - a. that part of the appeal seeking a new policy and rule for habitat-specific bottom lines for Marlborough's seabed habitat; and

- b. that part of the appeal concerning the approach to identification and protection of significant biodiversity in Policy 8.1.3, Policy 8.2.2, Policy 8.2.8 (now 9), 8.M.3.

### **Relief Sought**

5. NZSFC partially opposes the relief sought in the Appeal because, to the extent that the relief would impose controls on low impact fishing methods, the relief:
  - a. is inconsistent with Part 2 of the RMA;
  - b. does not enable social, economic and cultural wellbeing;
  - c. is not necessary or appropriate to maintain and enhance indigenous biodiversity, including in terms of section 32 of the RMA.
6. NZSFC seeks that any relief sought in the Appeal which would regulate low impact fishing methods be declined.
7. NZSFC partially supports the relief sought because, to the extent that the relief would impose controls on high impact fishing methods, the relief
  - a. is consistent with Part 2 of the RMA;
  - b. enables social, economic and cultural wellbeing;
  - c. is appropriate to maintain and enhance indigenous biodiversity in terms of section 32 of the RMA.
8. NZSFC seeks that any relief sought in the Appeal which would regulate high impact fishing methods be upheld.

### **Mediation**

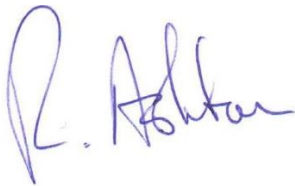
9. NZSFC agrees to participate in mediation or other dispute resolution of the proceedings.

### **Service**

10. A copy of this notice has been served on the Respondent and Appellant.

**DATED** the 5<sup>th</sup> day of June 2020

**NEW ZEALAND SPORT FISHING COUNCIL**  
**INCORPORATED** by its lawyers and duly  
authorised agents **BROOKFIELDS**



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**R H Ashton**  
Counsel for the New Zealand Sport Fishing Council

**THIS SECTION 274** is filed by **ROWAN HARRY ASHTON**, solicitor for NZSFC. The address for service of NZSFC is at the offices of Brookfields Lawyers, Tower 1, 9th Floor, 205 Queen Street, Auckland.

Documents for service on the appellant may be left at the address for service or may be:

1. Posted to the solicitors at PO Box 240, Auckland 1140.
2. Left for the solicitors at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitors by facimile to 09 379 3224.
4. Emailed to the solicitors at [ashton@brookfields.co.nz](mailto:ashton@brookfields.co.nz)