

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA  
ŌTAUTAHI ROHE**

**ENV-2020-CHC-78**

**IN THE MATTER** of an appeal pursuant to Clause 14 of Schedule 1 of the  
Resource Management Act 1991

**BETWEEN** **EAST BAY CONSERVATION SOCIETY INCORPORATED**

**Appellants**

**AND** **MARLBOROUGH DISTRICT COUNCIL**

**Respondent**

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**NOTICE BY**

**KEVIN CHARLES DAVID OLDHAM** and **LYNETTE RAYWIN ANNE OLDHAM** as trustees in  
**RED SKY TRUST** a family trust at 42 Robley Crescent, Glendowie, Auckland, New  
Zealand, and

**FRANK THOMAS BURNS, KIRSTEN MARGARET BURNS, ABIGAIL JENNIFER JEAN  
BURNS** and **OLIVIA MEGAN ROSE BURNS** of 200 Oakwood Lane, Blenheim, and

**COLIN RONALD NORTON** of 237 Westdale Road, Richmond, and **TOM RONALD  
NORTON** of 11 Dunbeath Street, Blenheim, and

**RICHARD ALLAN HALL** and **RITA SANDRA HALL** of 42 Sussex Street, Picton

**TO BECOME PARTY TO THE APPEAL  
Dated this 8th day of June 2020**

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**To** The Registrar  
Environment Court  
Christchurch

**Name of Person who wishes to be Party**

- 1 The following parties:
  - (a) Kevin Charles David Oldham and Lynette Raywin Anne Oldham as trustees In Red Sky Trust (“RST”), of Auckland, and
  - (b) Frank Thomas Burns, Kirsten Margaret Burns, Abigail Jennifer Jean Burns and Olivia Megan Rose Burns of Blenheim, and
  - (c) Colin Ronald Norton and Tom Ronald Norton, of Nelson and Blenheim respectively, and
  - (d) Richard Allan Hall and Rita Sandra Hall, of Picton,  
 (“Arapaoa Marine Farmers”), wish to be a party to the following proceedings: ENV-2020-CHC-78, an appeal by the East Bay Conservation Society Incorporated against parts of the Marlborough District Council's decision on the proposed Marlborough Environment Plan.
- 2 The Arapaoa Marine Farmers individually and collectively have an interest in the proceedings that is greater than the interest that the general public has (through historical relationships and present-day usage of the lands and waters of Arapaoa Island) and made a submission and further submissions about the subject matter of the proceedings.

**Trade competition**

- 3 The Arapaoa Marine Farmers are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991 (the Act).

**The Proceedings**

- 4 The Arapaoa Marine Farmers are interested in the following particular issues in relation to the land and waters of Onaku Bay, Arapaoa Island:
  - (a) Volume 4. Overlay Maps. Landscapes 5
  - (b) Volume 3 Appendix 2 Coastal Natural Character Schedule of Values.
  - (c) Volume 4. Overlay Maps. Coastal Natural Character 4

**Relief sought**

- 5 The Arapaoa Marine Farmers oppose the relief sought because it is inconsistent with the Act, the New Zealand Coastal Policy Statement 2010 (NZCPS), and regional coastal plans in other regions. Further, the relief sought is inconsistent with the requirement to provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, and other taonga as a matter of national importance in section 6(e) of the Act, with the requirement to take into account the principles of the Treaty of Waitangi in section 8 of the Act and in NZCPS policy 2, with the requirement to plan strategically in NZCPS policy 7, and with the requirement to provide for aquaculture in appropriate places in terms of NZCPS policy 8.

**Dispute resolution**

- 6 The Arapaoa Marine Farmers agree to participate in mediation or other alternative dispute resolution of the proceedings.



.....  
Kevin Charles David Oldham

(authorised signatory)

Date: 8<sup>th</sup> June 2020

**Address for service of Person wishing to be a Party**

Red Sky Trust  
42 Robley Crescent  
Glendowie  
Auckland 1071  
kevin.oldham@gmail.com

**Note to person wishing to be a party**

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see form 38*).

*Advice*

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