

**In the Environment Court of New Zealand  
Christchurch Registry**

**I Te Kōti Taiao O Aotearoa  
Ōtautahi Rohe**

**ENV-2020-CHC-000076**

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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 Minister of Defence**  
Appellant

And **Marlborough District Council**  
Respondent

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

Dated 8 June 2020

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**大成 DENTONS KENSINGTON SWAN**

89 The Terrace  
PO Box 10246  
Wellington 6143

P +64 4 472 7877  
F +64 4 472 2291  
DX SP26517

Solicitor: N McIndoe / I Nicholson

E [nicky.mcindoe@dentons.com](mailto:nicky.mcindoe@dentons.com) / [Isaac.Nicholson@dentons.com](mailto:Isaac.Nicholson@dentons.com)

**To**                           The Registrar  
                                  Environment Court  
                                  Christchurch

1           Waka Kotahi NZ Transport Agency (**'Transport Agency'**) wishes to be a party to an appeal by the Minister of Defence (**'Appellant'**) against the decisions of the Marlborough District Council (**'Respondent'**) on the proposed Marlborough Environment Plan (**'MEP'**) (Court reference ENV-2020-CHC-76).

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 stormwater discharges to land which is relevant to the operation of the state highway network; and

b       Made a submission about the subject matter of the proceedings.

3           The Transport Agency is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

4           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       Proposed Policy 16.1.X seeking to enable the discharge of stormwater to land provided that the discharge will not result in the flooding of or damage to another person's property;

b       Proposed Permitted Activity Rule 2.X for the discharge of stormwater to land;

c       Proposed Permitted Activity Standards 2.X associated with the above proposed Rule 2.X; and

d       The proposed deletion of Method 16.M.16.

6           The Transport Agency supports the above provisions on the basis that:

a       The MEP as currently drafted does not include any policies or rules that provide for the discharge of stormwater to land. This will affect the Transport

Agency in its operation of the state highway network as discharges of stormwater from state highways may require resource consents.

- 7 The Transport Agency agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Dated 8 June 2020**



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**Nicola McIndoe**

Counsel for the New Zealand Transport Agency

Address for service of person wishing to be a party:

Dentons Kensington Swan

PO Box 10246

Wellington 6143

Telephone: 04 915 0818

Fax: 04 472 2291

Email: [nicky.mcindoe@dentons.com](mailto:nicky.mcindoe@dentons.com)

Contact person: Nicky McIndoe

Email: [Isaac.nicholson@dentons.com](mailto:Isaac.nicholson@dentons.com)

Contact person: Isaac Nicholson