

SUPREME COURT OF NOVA SCOTIA

Citation: *Rudderham v. Nova Scotia (Environment)*, 2018 NSSC 172

Date: 20180523

Docket: Hfx No. 471414

Registry: Halifax

Between:

Stacey Lee Rudderham, Dwight Ira Isenor, Shubenacadie Watershed
Environmental Protection Society, and Bill Horne

Appellants

v.

Nova Scotia (Minister of Environment) and Scotian Materials Limited

Respondents

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Judge: The Honourable Justice Suzanne Hood

Heard: May 22, 2018, in Halifax, Nova Scotia

Oral Decision: May 23, 2018

Written Release of Oral Decision: July 12, 2018

Subject: Judicial Review: additions to the Record; fresh evidence on
Judicial Review; amendment to Notice of Appeal

Summary: Applicants seek to have additional material added to the
Record on Judicial Review of the decision of the Minister of
Environment to grant approval for a quarry. They also seek an
amendment to their Notice of Appeal.

Issues:

- (1) Should additional material be added to the Record to include all the material reviewed by the Reviewer but not provided to the Minister?
- (2) Should additional material be added to the Record as fresh evidence?
- (3) Should the Notice of Appeal be amended to plead that

the Record is incomplete?

Result:

Reviewer's material not provided to the Minister not to be added to the Record. Material is not fresh evidence on judicial review. Notice of Appeal amended.

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QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***