

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

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

EnvC-2020-CHC-

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of waivers and directions under s 281 of the RMA

BETWEEN **MARINE FARMING ASSOCIATION INCORPORATED** a duly incorporated society having its registered office at 2 Alfred Street, Blenheim, 7201, New Zealand and **AQUACULTURE NEW ZEALAND LIMITED** a duly incorporated company having its registered office at 6 Savoy Road, Orewa, Orewa, 0931 , New Zealand

Intended Appellants

(Continued next page)

MEMORANDUM OF COUNSEL FOR INTENDED APPELLANTS

Dated this day of April 2020

**GASCOIGNE WICKS
LAWYERS
BLENHEIM**

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AND

MARLBOROUGH DISTRICT COUNCIL

Consent Authority

MAY IT PLEASE THE COURT:

1 I refer to the Court's Minute of 26 February 2020.

2 I wish to clarify on whom service of a Notice of Appeal needs to be effected.
My understanding of the Court's Directions is:

(a) Where the appellant is an (original) submitter pursuant to Schedule 1, Clause 6, the Notice of Appeal needs to be served on all people who made further submissions (Schedule 1, Clause 8) on that original submission on the provision under appeal;

(b) Where the appellant is a further submitter, the appellant must serve the person who made the corresponding submission under Clause 6.

But:

(c) Service is not required on other people who made a submission on the provision or matter to which the appeal relates;

(d) Where the appellant is a further submitter, the appellant need not serve other further submitters on that original submission.

3 This appears to be the consequence of the Directions in paragraph [7(2)] as well as the consequence of the order in *Re Auckland Council* [2016] NZEnvC 153 at [17(a)].



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Quentin A M Davies

Solicitor for Intended Appellants

Date: 7 April 2020