

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

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

ENV-2020-CHC-66

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

AND

IN THE MATTER of an appeal under Clause 14, Schedule 1 of the RMA

BETWEEN **BRENTWOOD VINEYARDS LIMITED AND OTHERS**

Appellant

(Continued next page)

**MEMORANDUM OF APPELLANT IN RESPONSE TO COUNCIL'S MEMORANDUM OF 31
JULY 2020
Dated this 6th day of August 2020**

Next Event Date: 28 August 2020 @ 10 am (pre-hearing conference)
Judicial Officer: Judge Hassan

**GASCOIGNE WICKS
LAWYERS
BLENHEIM**

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AND

MARLBOROUGH DISTRICT COUNCIL

Respondent

AND

**NELSON-MARLBOROUGH FISH AND GAME COUNCIL and SAVE
THE WAIRAU RIVER INCORPORATED**

Section 274 Parties

MAY IT PLEASE THE COURT –

- 1 This memorandum is filed in response to the Council’s memorandum of 31 July 2020 and in accordance with the Court’s minute dated 16 June 2020.
- 2 This appeal will likely be affected by the incoming National Environmental Standards for Freshwater and National Policy Statement for Freshwater Management. The Ministry for the Environment has published statements that these national direction documents are likely to be gazetted towards the end of this year.
- 3 The appellants agree in principle that this appeal should be put on temporary hiatus until these documents are gazetted.¹
- 4 The appellants under this appeal are currently in the final stages of incorporating a society. The name of the society will be Spring Water Users Group Incorporated. Once incorporation is complete, the incorporated society will be a successor to the appellants under ss 2A and 273 of the RMA.² A notice of change of name will be filed accordingly.

Dated this 6th day of August 2020



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Quentin A M Davies and Joshua S Marshall
Counsel for Appellant

¹ See paras 74 to 77 of the Council’s memorandum.

² See *Arthur’s Point Protection Society Inc v Queenstown Lakes District Council* (2009) 15 ELRNZ 245 (EnvC) at [6].