

5 December 2022

**CHRISTMAS GREETINGS** from the Partners and Staff  
Our offices will close 4.00 pm Friday 23 December 2022 and re-open 8.30 am Thursday 12 January 2023



Morgan Slyfield  
Miriam Radich  
Clare Pinder  
Julian Ironside  
Friends of Nelson Haven

### **The New Zealand King Salmon Co. Limited v MBC - ENV-2021-CHC-105**

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1. On 7 September 2021, Commissioner McGarry, under delegated authority from Marlborough District Council, issued a decision refusing NZ King Salmon's applications to amend the conditions on resource consents U140294 and U140296. On 1 October 2021, NZ King Salmon appealed that decision to the Environment Court.
2. On 22 June 2021, NZ King Salmon lodged an application to the Environment Court for a declaration as to the correct interpretation of the existing consent conditions. On 29 November 2021, the Court issued a minute which effectively put the appeal on hold until the declaration proceeding had been determined. On 7 September 2022, the Court granted NZ King Salmon's declaration application. This was not appealed.
3. The Environment Court declaration issued earlier this year resolves the matters which NZ King Salmon sought to address with the variation applications. On that basis NZ King Salmon proposes to withdraw this appeal.
4. As with the declaration application, NZ King Salmon does not propose to seek costs and presumes that no other party will be seeking costs. Can you each please reply confirming your agreement.
5. Given the withdrawal of the appeal, a mediation is not required.

Yours faithfully  
**GASCOIGNE WICKS**



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