

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

**I MUA I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**ENV-2018-CHC-0040**

**UNDER**

the Resource Management Act 1991

**AND**

**IN THE MATTER OF**

on an appeal under clause 14 of  
Schedule 1 of the RMA in relation to  
Decisions on the Proposed  
Southland Water and Land Plan

**BETWEEN**

ROYAL FOREST AND BIRD  
PROTECTION SOCIETY OF  
NEW ZEALAND INC

**Appellant**

**AND**

SOUTHLAND REGIONAL  
COUNCIL

**Respondent**

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**MEMORANDUM OF COUNSEL ON BEHALF OF THE ROYAL FOREST  
AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INC REGARDING  
WITHDRAWAL OF APPEAL POINTS**

**Dated this 28<sup>th</sup> day of June 2021**

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Counsel for Southland Fish and Game  
Council:  
Sally Gepp  
Level 1, 189 Hardy Street, Nelson 7010  
Email: sally@sallygepp.co.nz  
Telephone: 021 558 241

**MAY IT PLEASE THE COURT:**

1. This memorandum is filed on behalf of the Royal Forest and Bird Protection Society of New Zealand Inc (**Forest & Bird**).
2. Forest & Bird is an appellant regarding provisions on the Proposed Southland Water and Land Plan (**pSWLP**). Forest & Bird has attended all Environment Court facilitated mediation on matters within Topic B. Because of discussions between parties and Southland Regional Council, Forest & Bird seeks to withdraw its appeal on the following provisions:
  - a. Policy 13 – Topic B2 – Issue 2 regarding the inclusion of the word ‘sustainable’ in Policy 13.
  - b. Rule 52 – Topic B6 (Infrastructure) – Issue 13 – regarding the non-complying status or not in Rule 52.
3. Forest & Bird respectfully seeks leave to withdraw its interests on the pSWLP as set out above in paragraph 2.
4. Forest & Bird understands that no party has any issues with the withdrawal of the above appeal points, including as to costs.

Dated this 28<sup>th</sup> day of June 2021.



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Sally Gepp  
Counsel for the Royal Forest and Bird Protection Society of New Zealand Inc