

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

In the matter of the Resource Management Act and of appeals under clause 14 of the First Schedule of the Act

Between

**Transpower New Zealand Limited (ENV-2018-CHC-26)**

Appellants

And others

and

**Southland Regional Council**

Respondent

(Abbreviated list of parties)

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**Memorandum of counsel on behalf of Transpower New Zealand Limited seeking leave to withdraw its interests in Topic A of the Proposed Southland Water and Land Plan**

**8 March 2019**

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**BELL GULLY**

BARRISTERS AND SOLICITORS

A J L BEATSON / LM LINCOLN

COUNSEL FOR THE SECTION 274 PARTY

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**Full list of parties**

Between

**Transpower New Zealand Limited (ENV-2018-CHC-26)**

Appellants

and

**Fonterra Co-Operative Group Limited (ENV-2018-CHC-27)**

and

**Horticulture New Zealand (ENV-2018-CHC-28)**

and

**Aratiatia Livestock Limited (ENV-2018-CHC-29)**

and

**Wilkins Farming Co (ENV-2018-CHC-30)**

and

**Gore District Council, Southland District Council and  
Invercargill City Council (ENV-2018-CHC-31)**

and

**DairyNZ Limited (ENV-2018-CHC-32)**

and

**H W Richardson Group Limited (ENV-2018-CHC-33)**

and

**Beef & Lamb New Zealand (ENV-2018-CHC-34 & 35)**

and

**Director-General of Conservation (ENV-2018-CHC-36)**

and

**Southland Fish & Game Council (ENV-2018-CHC-37)**

and

**Meridian Energy Limited (ENV-2018-CHC-39)**

and

**Alliance Group Limited (ENV-2018-CHC-39)**

and

**Federated Farmers of New Zealand (ENV-2018-CHC-40)**

and

**Heritage New Zealand Pouhere Taonga (ENV-2018-CHC-41)**

and

**Stoney Creek Station Limited (ENV-2018-CHC-42)**

and

**The Terrace Limited (ENV-2018-CHC-43)**

and

**Campbell's Block Limited (ENV-2018-CHC-44)**

and

**Robert Grant (ENV-2018-CHC-45)**

and

**Southwood Export Limited, Southland Plantation Forest Company of NZ, Southwood Export Limited (ENV-2018-CHC-46)**

and

**Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga o Awarua & Te Rūnanga o Oraka Aparima (ENV-2018-CHC-47)**

and

**Peter Chartres (ENV-2018-CHC-48)**

and

**Rayonier New Zealand Limited (ENV-2018-CHC-49)**

and

**Royal Forest and Bird Protection Society of NZ Inc (ENV-2018-CHC-50)**

and

**Southland Regional Council**

Respondent

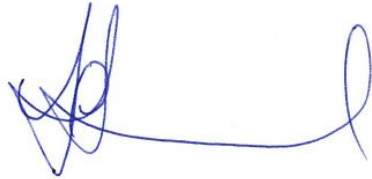
## MAY IT PLEASE THE COURT

1. Transpower filed an appeal against the Southland Regional Council's decision on the Proposed Southland Water and Land Plan (the **Proposed Plan**). Transpower is also a section 274 party to the following appeals:
  - (a) HW Richardson Group Limited (ENV-2018-CHC-33);
  - (b) Southland Fish and Game Council (ENV-2018-CHC-37);
  - (c) Alliance Group Limited (ENV-2018-CHC-39);
  - (d) Federated Farmers of New Zealand (ENV-2018-CHC-40);
  - (e) Heritage New Zealand Pouhere Taonga (ENV-2018-CHC-41);
  - (f) Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga o Awarua & Te Rūnanga o Oraka Aparima (ENV-2018-CHC-47); and
  - (g) Royal Forest and Bird Protection Society of New Zealand (ENV-2018-CHC-50).
2. Transpower's interests in Topic A of the Proposed Plan are limited. Transpower's appeal does not concern any of the provisions being considered in Topic A and Transpower was only interested, as a section 274 party, in appeals on Objectives 9B and 13A and 13B.<sup>1</sup>
3. Transpower has reviewed the evidence filed for Topic A and seeks leave to withdraw its interests in this Topic. Transpower remains interested in the remaining Topic B provisions identified in its appeal and s 274 notices.

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<sup>1</sup> Being appeals ENV-2018-CHC-40, ENV-2018-CHC-37, ENV-2018-CHC-47 and ENV-2018-CHC-50 on Objective 9B and ENV-2018-CHC-37, ENV-2018-CHC-39, ENV-2018-CHC-41, ENV-2018-CHC-47 and ENV-2018-CHC-50 on Objectives 13A and 13B.

4. Counsel submits that withdrawal of Transpower's interests in Topic A is unlikely to cause prejudice to any party.
5. Counsel have liaised with other parties to the appeals on the Proposed Plan as to whether they have any issues as to costs, noting that if no response was received from a party by 5pm Thursday 7 March 2019 Counsel would assume that that party had no issues. Southland Regional Council, Dairy Holdings Limited, Gore District Council, Southland District Council and Invercargill City Council, and Meridian Energy Limited confirmed they have no issues as to costs. No responses were received from other parties.



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AJL Beatson / LM Lincoln  
Counsel for Transpower New Zealand Limited

Dated 8 March 2019