

**Before the Environment Court
At Christchurch
I Mua I te Kōti Taiao
Ōtautahi Rohe**

Under the Resource Management Act 1991 (the Act)

In the matter of appeals under Clause 14 of the First Schedule of the Act

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

Fonterra Co-operative Group
(ENV-2018-CHC-27)

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

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

(Continued on next page)

**Notice of withdrawal of part of Federated Farmers Southland
Incorporated's appeal**

Date: 22 September 2023



Solicitor on the Record
Counsel Acting

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

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

DairyNZ Limited
(ENV-2018-CHC-32)

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

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

Director-General Of Conservation
(ENV-2018-CHC-36)

Southland Fish And Game Council
(ENV-2018-CHC-37)

Meridian Energy Limited
(ENV-2018-CHC-38)

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

Federated Farmers (Southland) Incorporated
(ENV-2018-CHC-40)

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

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

The Terraces Limited
(ENV-2018-CHC-43)

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

Robert Grant
(ENV-2018-CHC-45)

**Southwood Export Limited, Kodansha Treefarm
New Zealand Limited, Southland Plantation Forest
Company of New Zealand**
(ENV-2018-CHC-46)

**Te Runanga O Ngai Tahu, Hokonui Runaka,
Waihopai Runaka, Te Runanga O Awarua & Te
Runanga O Oraka Aparima**
(ENV-2018-CHC-47)

Peter Chartres
(ENV-2018-CHC-48)

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

**Royal Forest and Bird Protection Society Of New
Zealand**
(ENV-2018-CHC-50)

Appellants

And

Southland Regional Council

Respondent

MAY IT PLEASE THE COURT:

1 On 17 May 2018, Federated Farmers Southland Incorporated (**Federated Farmers**) appealed Southland Regional Council's (**SRC**) decision on submissions on the proposed Southland Water and Land Plan (**pSWLP**), which included an appeal on SRC's decision on Rule 49.¹

2 The purpose of this memorandum is to withdraw the remaining aspect of Federated Farmers' appeal on Rule 49.

3 On 19 August 2023, the Court issued its Ninth Interim Decision in respect of pSWLP appeals that records that, with the exception of provisions subject to appeals to the High Court and some remaining provisions allocated to Topic B1 Tranche 2, "the decisions on the plan appeals are now final".² Federated Farmers appeal on Rule 49 is allocated to Topic B1 Tranche 2.

4 Federated Farmers appeal on Rule 49 sought to:

4.1 delete Rule 49(a)(vi); and

4.2 amend Rule 49(a)(vii) to require water meter verification no more frequently than 5-yearly.

5 Federated Farmers' appeal relating to Rule 49(a)(vi) has been resolved by consent order.³ That leaves Federated Farmers' appeal in respect of Rule 49(a)(vii).

6 This memorandum gives notice that Federated Farmers withdraws its appeal in respect of Rule 49(a)(vii). This resolves

¹ ENV-2018-CHC-40.

² *Aratiatia Livestock Limited v Southland Regional Council* [2023] NZEnvC 204 at [2].

³ [2022] NZEnvC 266.

Federated Farmers' appeal points allocated to Topic B1 Tranche
2.

Date: 22 September 2023



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Bronwyn Carruthers KC / Mike
Campbell
Counsel for Federated Farmers
Southland Incorporated