

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2024-AKL-000173

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal pursuant to clause 14(1) of the First
Schedule of the Act

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND**

Appellant

AND **TAUPO DISTRICT COUNCIL**

Respondent

AND **VARIOUS**

Section 274 parties

**MEMORANDUM OF COUNSEL WITHDRAWING APPEAL
20 September 2024**

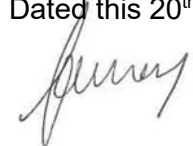


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MAY IT PLEASE THE COURT

1. On 29 July 2024, Federated Farmers of New Zealand (Inc) (**Federated Farmers**) lodged an appeal against certain decisions by Taupo District Council (**Respondent**) on Plan Change 38 (**PC38**) and Plan Change 42 (**PC42**) to the Taupo District Plan.
2. The following parties filed notices of intention to join Federated Farmers' appeal as s 274 parties:
 - a. Transpower New Zealand Limited (in opposition).
 - b. Contact Energy Limited (in opposition).
 - c. E.F. Deadman Limited (in support).
3. After lodging its appeal, Federated Farmers has had further discussions with the Respondent and the parties, has reviewed the decisions on PC38 and PC42, and has made the decision to withdraw its notice of appeal in its entirety. Federated Farmers wanted to inform the Court and parties of this decision at the earliest opportunity.
4. Federated Farmers is not participating in any other appeals on PC38 or PC42 as a s 274 party.
5. Prior to filing this memorandum, Federated Farmers has discussed its intention to withdraw with counsel for the various parties. Counsel for all parties (except E.F. Deadman Limited) have been able to confirm that they have no issues as to costs. As at the time of filing this memorandum, counsel for E.F. Deadman has not been able to reach her client to confirm instructions.
6. Given that the appeals are in the very early stages, Federated Farmers does not consider that any issues as to costs are likely to arise. However, if any issues were raised Federated Farmers would seek to be heard.

Dated this 20th day of September 2024



F Casey, Counsel for Federated Farmers