

In the Environment Court
At Christchurch

ENV-2024-CHC-00035

I te Kōti Taiao o Aotearoa
Ki Ōtautahi

Under the Resource Management Act 1991 (**Act**)

In the matter of an appeal under clause 14(1) of Schedule 1 of the Act

Between **TRANSPower NEW ZEALAND LIMITED**

Appellant

And **OTAGO REGIONAL COUNCIL**

Respondent

MEMORANDUM OF COUNSEL FOR TRANSPower NEW ZEALAND LIMITED

Group 5 mediation: Land, freshwater and soil

Dated: 28 November 2024



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To: The Commissioner
Environment Court
Christchurch

1. Transpower New Zealand Limited (**Transpower**) has one appeal point, and a small number of section 274 interests allocated to the Group 5: Land, freshwater and soil mediation set down for Tuesday 3rd to Friday 6th December 2024.
2. The Cain Whānau appeal points that it is interested in, were addressed at this week's Mana Whenua mediation. There may be further provisions from the Land, freshwater and soil sections of the pRPS that the Cain Whānau seeks to amend through its second alternative relief on MW-P4, but we will not know that until Monday afternoon.
3. Otherwise, Transpower is only interested in **LF-FW-P12** and **LW-FW-P13**.
4. Based on the agenda, it is anticipated that these two policies will be addressed in the first half of the mediation (ie. most likely on Tuesday or Wednesday). In that respect, three people will be attending for Transpower: Sarah Scott, Joanne Mooar and Ainsley McLeod (as opposed to two indicated in our notice of attendance).
5. It looks to be highly likely that Transpower will have no interest in the second half of the mediation. Assuming that is what transpires, Transpower respectfully requests that it be given leave to depart the mediation after the limited provisions it has an interest in, have been mediated.
6. This request is made on the basis that counsel will ensure that she is available to join the mediation remotely, at short notice if that is needed, and will ensure she is

available to join the mediation remotely at the end, to attend to approval of the mediation agreement, and to ensure it is signed for Transpower.

DATED this 28th day of 2024



S J Scott
Counsel for Transpower New Zealand Limited