

See address list attached

6 January 2009

**ENV-2007-CHC-266 Christchurch City Council v Canterbury Regional Council
(topic: ENV-2008-308-013 Proposed Canterbury Natural Resources Regional
Plan Chapters 1 to 3- Air Quality: Intensive Farming & Odour)**

Dear Sir/Madam,

The Court has received a notice of Christchurch City Council's partial withdrawal of its appeal and section 274 interest in relation to the above topic (see attached).

If any party has costs issues associated with the withdrawal of the topic please advise the Court by Monday 19 January 2009.

Yours faithfully

Chris Jordan
Case Manager
ENVIRONMENT COURT

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LIST OF ACTIVE CASE PARTIES

CASE NUMBER: ENV-2008-308-000013

CASE TITLE: Proposed Canterbury Natural Resources Regional Plan Chapters 1 to 3- Air Quality: Intensive Farming & Odour

Party Details:

Address for Service Details:

Canterbury Meat Packers Limited
Canterbury Regional Council
Christchurch City Council
Christchurch International Airport Limited
Christchurch International Airport Limited
Director-General of Conservation (Canterbury Conservancy)
Federated Farmers of New Zealand (Incorporated)
Horticulture New Zealand

Lyttelton Port Company Limited
Meridian Energy Limited
Meridian Energy Limited
New Zealand Pork Industry Board
New Zealand Transport Agency
Orion New Zealand Limited
Orion New Zealand Limited
Rangitata Diversion Race Management Limited
Sadler, J
Sadler, T
Tegel Foods Limited

D Caldwell, Lane Neave, P O Box 13 149, Christchurch
Margo Perpich, Wynn Williams & Co, P O Box 4341, Christchurch
Matthew Conway, Simpson Grierson, PO Box 2402, DX SX 11174, Wellington
Jo Appleyard, Chapman Tripp Sheffield Young - Christchurch, PO Box 2510, Christchurch

Joanne Appleyard, Chapman Tripp, PO Box 2510, CHRISTCHURCH

Director-General of Conservation (Canterbury Conservancy), Private Bag 4715, Christchurch, David Newey
Federated Farmers of New Zealand (Incorporated), PO Box 1992, Christchurch, Sonia Voldseth

Horticulture New Zealand, PO Box 10-232, Wellington, Chris Keenan, Manager - Resource Management and Environment
Amanda Dewar, Lane Neave, P O Box 13 149, Christchurch
Jo Appleyard, Chapman Tripp Sheffield Young - Christchurch, PO Box 2510, Christchurch
Joanne Appleyard, Chapman Tripp, PO Box 2510, CHRISTCHURCH
Pru Steven, Goodman Steven Tavendale & Reid, P O Box 442, Christchurch
Philip James, Saunders & Co, P O BOX 18, CHRISTCHURCH 8015
Jo Appleyard, Chapman Tripp Sheffield Young - Christchurch, PO Box 2510, Christchurch
Joanne Appleyard, Chapman Tripp, PO Box 2510, CHRISTCHURCH
Michelle Paddison, Holland Beckett, DX HP40014, Private Bag 12011, TAURANGA

J Sadler, Courtenay, No 1 RD, Christchurch
T Sadler, Courtenay, No 1 RD, Christchurch
Rebecca Macky, Rebecca Macky Environmental Consultants, PO Box 37622, Parnell, Auckland

Tegel Foods Limited
Transform Minerals Limited
TrustPower Limited
TrustPower Limited
Waimakariri District Council
Waimakariri District Council

Rebecca Mary Macky, Environmental Counsel, PO Box 37622, Parnell, Auckland
D Caldwell, Lane Neave, P O Box 13 149, Christchurch
Michelle Paddison, Holland Beckett, DX HP40014, Private Bag 12011, TAURANGA
TrustPower Limited, Private Bag 12023, Tauranga, Gavin Kemble
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Simpson
Grierson

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CHRISTCHURCH

19 December 2008

Partner Reference
P J Milne - Wellington

The Registrar
Environment Court
PO Box 2069
CHRISTCHURCH 8140

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For: Chris Jordan

NRRP Chapter 3 appeals - ENV-2007-CHC-266, 276, 279, 280, 281, 282, 284, 293

We enclose for filing a notice of Christchurch City Council's partial withdrawal of its appeal and section 274 interest in relation to Appendix AQL5 (Criteria for assessing offensive and objectionable odour) of the Canterbury Natural Resources Regional Plan.

A copy of the notice has been sent, by way of service, to the parties to these proceedings.

Yours faithfully
SIMPSON GRIERSON

Philip Milne/Matt Conway
Partner/Associate

cc:

Canterbury Regional Council
c/- Wynn Williams & Co
PO Box 4341
CHRISTCHURCH 8140

Christchurch International Airport Limited
c/- Chapman Tripp Sheffield Young
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For: Margo Perpick/Michelle Mehlhopt

For: Jo Appleyard

Lyttelton Port Company Limited
c/- Lane Neave
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Meridian Energy Limited
c/- Chapman Tripp Sheffield Young
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For: Amanda Dewar

For: Jo Appleyard

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BARRISTERS AND SOLICITORS

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For: Jo Appleyard

Canterbury Meat Packers Limited
c/- Lane Neave
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For: D Caldwell

Federated Farmers of New Zealand
(Incorporated)
P O Box 1992
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For: Sonia Voldseth

TrustPower Limited
c/- Holland Beckett
Private Bag 12011
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For: Michelle Paddison

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For: Gavin Kemble

Transform Minerals Limited
c/- Lane Neave
P O Box 13 149
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For: D Caldwell

Horticulture New Zealand
P O Box 10 232
WELLINGTON 6143

For: Chris Keenan – Resource
Management and Environment

BEFORE THE ENVIRONMENT COURT

**ENV-2007-CHC-266, 276, 279, 280, 281,
282, 284, 293**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of eight appeals pursuant to clause 14 of
Schedule 1 of the Act

BETWEEN

CHRISTCHURCH CITY COUNCIL

MERIDIAN ENERGY LIMITED

**CHRISTCHURCH INTERNATIONAL
AIRPORT LIMITED**

ORION NEW ZEALAND LIMITED

**CANTERBURY MEAT PACKERS
LIMITED**

LYTTELTON PORT COMPANY LIMITED

TRUSTPOWER LIMITED

**FEDERATED FARMERS OF NEW
ZEALAND INC**

Appellants

AND

CANTERBURY REGIONAL COUNCIL

Respondent

NOTICE OF PARTIAL WITHDRAWAL OF APPEAL AND SECTION 274 NOTICES

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SOLICITORS
WELLINGTON

MAY IT PLEASE THE COURT


1. On 9 November 2007 the Christchurch City Council (**City Council**) lodged an appeal against the Canterbury Regional Council's decision in relation to Chapter 3 of the Canterbury Natural Resources Regional Plan (**Plan**). The appeal related to matters including Rule AQL15, Rule AQL16 and Appendix AQL5 of the Plan. The appeal has been assigned the Court reference ENV-2007-CHC-000266.
2. On 19 December 2007 the City Council lodged notices under section 274 of the Act to become a party to seven appeals relating to Chapter 3 of the Plan.
3. The City Council gives notice that it hereby withdraws the parts of its appeal and section 274 notices that relate to Appendix AQL5 of the Plan, which sets out criteria for assessing offensive or objectionable odour, namely:
 - (a) Paragraphs 5(c), 6(d) and 7(e) of the City Council's 9 November 2008 notice of appeal (ENV-2007-CHC-000266);
 - (b) Paragraph 4(d) and part of paragraph 3 of the City Council's 19 December 2007 section 274 notice in respect of the appeal by Canterbury Meat Packers Limited (ENV-2007-CHC-000281). The part of paragraph 3 that is withdrawn is the reference to paragraphs 8-10 and 14-16 of Canterbury Meat Packers Limited's notice of appeal; and
 - (c) Paragraph 4(d) of the City Council's 19 December 2007 section 274 notices in respect of the appeals by:
 - (i) Meridian Energy Limited (ENV-2007-CHC-000276);
 - (ii) Christchurch International Airport Limited (ENV-2007-CHC-000279);
 - (iii) Orion New Zealand Limited (ENV-2007-CHC-000280);
 - (iv) Lyttelton Port Company (ENV-2007-CHC-000282);

(v) TrustPower Limited (ENV-2007-CHC-000284); and ^x

(vi) Federated Farmers of New Zealand (Inc) (ENV-2007-CHC-000293).

4. For the avoidance of doubt, this notice of partial withdrawal does not relate to the City Council's points of appeal and section 274 interest in relation to biofuel and the use of standby electricity generators.

DATED this 19th day of December 2008



P J Milne / M G Conway
Counsel for Christchurch City Council