

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

IN THE MATTER of the Resource Management Act 1991

AND

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 LIMITED
(ENV-2018-CHC-27)

Respondent

HORTICULTURE NEW ZEALAND
(ENV-2018-CHC-28)

ARATIATIA LIVESTOCK LIMITED
(ENV-2018-CHC-29)

WILKINS FARMING COMPANY LIMITED
(ENV-2018-CHC-30)

Continued overleaf

MEMORANDUM OF COUNSEL FOR MOUNT LINTON (AN INTERESTED PARTY) FOR PRE-HEARING CONFERENCE ON 12 SEPTEMBER 2018

10 SEPTEMBER 2018

AWS LEGAL
SOLICITORS
INVERCARGILL

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**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT
COUNCIL & INVERCARGILL CITY COUNCIL**
(ENV-2018-CHC-31)

DAIRYNZ LIMITED
(ENV-2018-CHC-32)

H W RICHARDSON GROUP LIMITED
(ENV-2018-CHC-33)

BEEF + LAMB NEW ZEALAND
(ENV-2018-CHC-34 & 35)

DIRECTOR-GENERAL OF CONSERVATION
(ENV-2018-CHC-36)

SOUTHLAND FISH & GAME COUNCIL
(ENV-2018-CHC-37)

MERIDIAN ENERGY LIMITED
(ENV-2018-CHC-38)

ALLIANCE GROUP LIMITED
(ENV-2018-CHC-39)

FEDERATED FARMERS OF NEW ZEALAND
(ENV-2018-CHC-40)

HERITAGE NEW ZEALAND POHERE 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, SOUTHLAND
PLANTATION FOREST COMPANY OF NZ,
SOUTHWOOD EXPORT LIMITED**
(ENV-2018-CHC-46)

**TE RŪNANGA O NGĀI TAHU, HOKONUI RŪNAKA,
WAIHOPAI RŪNAKA, TE RŪNANGA O AWARUA & TE
RŪNANGA 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 INC**
(ENV-2018-CHC-50)

Appellants

AND

SOUTHLAND REGIONAL COUNCIL

Respondent

May it please the Court Counsel respectfully submits:

- 1 Mt Linton Station Limited ("Mt Linton") is an interested party having filed and served s. 274 Notices on the appellants listed in Schedule 1 attached.

- 2 In terms of the Notice of Pre-Hearing Conference, Mt Linton advise the following, in terms of the matters to be considered as set out in the Notice:
 - (a) Mt Linton wish to be heard in the appeals they have filed s.274 Notices in. It is anticipated that Counsel will be Andrew Hitchcock of AWS Legal, possibly assisted by Kate Scott of Landpro;

 - (b) Issues. Attached as Schedule 2 is a summary of the issues relating to each appeal in which a s.274 Notice has been filed. Mt Linton will most likely call one witness, being a Farm Consultant with planning experience;

 - (c) Legal Questions. Mt Linton seeks to raise a preliminary issue with respect to the Respondent's interpretation of the term "Landholding" as it relates to Rule 20 in the pSWLP in light of an Advice Notice of the Respondent dated 2 August 2018.

 - (d) Joint representation. Mt Linton is content to comply with any orders suggested by the Appellants or Respondent and made by the Court

 - (e) Directions as to sharing information. Mt Linton is content to comply with any orders suggested by the Appellants or Respondent and made by the Court;

 - (f) Witness summons. It is unlikely that Mt Linton will require to issue any witness summons;

- (g) Directions as to exhibit production and agreed bundle of documents. Mt Linton is content to comply with any orders suggested by the Appellants or Respondent and made by the Court;
- (h) Court to call own witnesses. Mt Linton is content to comply with any orders suggested by the Appellants or Respondent and made by the Court;
- (i) Timetabling for exchange of documents or evidence. Mt Linton is content to comply with any orders suggested by the Appellants, Respondent or the Court;
- (j) Time and place of hearing. Mt Linton, subject to sufficient notice, can accommodate a date or dates for hearing suitable to the majority of the parties. It has no objection to any suggested appropriate place of hearing,
- (k) Other matters. None.

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Dated this 10 day of September 2018


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GL Wilkin

Counsel for Mt Linton

Schedule 1

List of Appeals in which Mt Linton has filed a s.274 Notice

1. Fonterra Co-Operative Group
ENV-2018-CHC-27
2. Aratiatia Livestock Limited
ENV-2018-CHC-29
3. Wilkins Farming Co
ENV-2018-CHC-30
4. Beef + Lamb New Zealand
ENV-2018-CHC-34 & 35
5. Southland Fish & Game Council
ENV-2018-CHC37
6. Federated Farmers of New Zealand
ENV-2018-CHC-40
7. Stoney Creek Station Limited
ENV-2018-CHC-42
8. Campbell's Block Limited
ENV-2018-CHC-44
9. Robert Grant
ENV-2018-CHC-45
10. Te Rūnanga O Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga O Awarua &
Te Rūnanga O Oraka Aparima
ENV-2018-CHC-47
11. Peter Chartres
ENV-2018-CHC-48
12. Royal Forest and Bird Protection Society of NZ Inc
ENV-2018-CHC-50

Schedule 2

Summary of Issues with respect to each Appeal in which Mt Linton has filed a s.274 Notice

Party	Court Nō	Supports / Opposes Appeal	Issues
Fonterra Co-Operative Group	ENV-2018-CHC-27	Supports	Issues relate to Policy 16 and Rule 20 - Farming
Aratiatia Livestock Limited	ENV-2018-CHC-29	Supports	Issue relates to Rule 20 - Farming
Wilkins Farming Co	ENV-2018-CHC-30	Supports	Issue relates to Rule 20 - Farming
Beef + Lamb New Zealand	ENV-2018-CHC-34 & 35	Supports	Issue relates to Rule 20 - Farming
Southland Fish & Game Council	ENV-2018-CHC-37	OpposeS	Issues relates Policies 16 and 18 and to Rules 20 and 25
Federated Farmers of New Zealand	ENV-2018-CHC-40	Supports	Issues relates to Policy 18 and Rules 20 and 25 - Farming
Stoney Creek Station Limited	ENV-2018-CHC-42	Supports	Issue relates to Rules 20 and 25 - Farming
Campbell's Block Limited	ENV-2018-CHC-44	Supports	Issue relates to Rules 20 and 25 - Farming
Robert Grant	ENV-2018-CHC-45	Supports	Issue relates to Rules 20 and 25 - Farming
Te Rūnanga O Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga O Awarua & Te Rūnanga O Oraka Aparima	ENV-2018-CHC-47	Opposes	Issue relates to Rule 20
Peter Chartres	ENV-2018-CHC-48	Supports	Issue relates to Rule 20 – Farming

Royal Forest and Bird Protection Society of NZ Inc	ENV-2018-CHC-50	Opposes	Issue relates to Rule 20(a), 20(d) and Rule 25
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