

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

UNDER the Resource Management Act 1991

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)

WILKINS FARMING CO

(Continued next page)

**MEMORANDUM OF COUNSEL FOR SOUTHLAND REGIONAL COUNCIL
REGARDING THE AGENDA FOR EXPERT CONFERENCING ON 20-22
NOVEMBER
13 November 2019**

Judicial Officer: Judge Borthwick

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WYNNWILLIAMS

(ENV-2018-CHC-30)

**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT
COUNCIL & INVERCARGILL DISTRICT 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 OF NEW ZEALAND

(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 This Memorandum of Counsel is filed on behalf of the Southland Regional Council (**Council**) in respect of the appeals against the Council's decision on the proposed Southland Water and Land Plan.
- 2 In its Minute dated 13 September 2019, the Court directed that the final agenda for each expert conference must be filed within five working days of each conference commencing.¹
- 3 Further, in the Notice of Expert Witness Conference dated 4 November 2019, the Court directed that counsel are to liaise with conferencing experts to prepare a conference agenda addressing key issues identified and pre-circulate it in electronic form to all conference participants, including the facilitators, five working days prior to the conference.
- 4 The Council's conferencing experts prepared a draft agenda for the 20 to 22 November 2019 expert conference. Counsel for the Council circulated this draft agenda to the parties who have experts participating in the conferencing, in order to gain input from their experts.
- 5 The feedback received from the parties' experts was incorporated into a revised draft agenda, which was recirculated to the parties for any further comment. One comment was received suggesting that the rivers topic be the first topic addressed. Counsel for the Council has not made amendments to the agenda to reflect this as we consider that the experts should discuss this among themselves.
- 6 A copy of the final agenda is attached as **Appendix A**. Counsel notes that the time allowed for each topic is an estimate only and the experts may wish to spend different amounts of time on each topic depending on the discussion on the day.

DATED this 13th day of November 2019



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P A C Maw / A M Langford
Counsel for the Southland Regional Council

¹ Minute of the Environment Court dated 13 September 2019 at [17(b)].

Appendix A

Agenda

Expert Conference – Water Quality and Ecology (Rivers, Lakes and Estuaries)
Invercargill Wednesday 20 November- Friday 22 November 2019

Topic: Proposed Southland Water and Land Plan	Date of conference: 20 - 22 October 2019
Venue	Conference Room at Transport World, Invercargill (note: Coffee/drinks and food available at venue cafeteria)

Purpose

To enhance efficiency of the court hearing process by providing for the experts to confer and identify the issues on which they agree and on which they disagree, with reasons. Identify sites/system that are degraded in Southland.

Agenda

Date	Time	Topic	Item	Comment	
Wednesday 20 Nov 2019	10:00 – 10:30	Overview	Goals for conference	Reiterate task at hand	
	10:30 – 12:30	Estuaries	<ul style="list-style-type: none"> Finalise methods and metrics Finalise degraded assessment outputs 	Confirm analysis provided. Produce list/table of degraded sites and why?	
	12:30 – 13:30	Lunch			
	13:30 – 17:00	Estuaries Continued	<ul style="list-style-type: none"> See above 		
Thursday 21 Nov 2019	10:00 – 12:30	Lakes	<ul style="list-style-type: none"> Finalise methods and metrics Finalise degraded assessment outputs 	Confirm analysis provided. Produce list/table of degraded sites and why?	
	12:30 – 13:30	Lunch			
	13:30 – 15:30	Lakes Continued	<ul style="list-style-type: none"> See above 		
	15:30 – 17:00	Rivers	<ul style="list-style-type: none"> Finalise methods and metrics Finalise degraded assessment outputs 	Confirm analysis provided. Produce list/table of degraded sites and why?	

Date	Time	Topic	Item	Comment
Friday 22 Nov 2019	9:00 – 12:30	Rivers Continued	<ul style="list-style-type: none"> • See above 	
	12:30 – 13:30	Lunch		
	13:30 – 15:30	All	<ul style="list-style-type: none"> • Linkages between rivers and estuaries/lakes attributes • Linkages to cultural indicators and Ki Uta Ki Tai/Te Mana O te Wai 	
	15:30-17:00	All	<ul style="list-style-type: none"> • Documentation of outstanding points of difference. 	