

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

IN THE MATTER      of the Resource Management Act 1991  
AND                      of appeals under clause 14 of the First  
                                 Schedule of the Act  
BETWEEN              TRANSPOWER NEW ZEALAND LIMITED  
                                 (ENV-2018-CHC-26)  
                                 ... (continued on last page)  
                                 Appellants  
AND                      SOUTHLAND REGIONAL COUNCIL  
                                 Respondent

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**MINUTE OF THE ENVIRONMENT COURT  
(14 March 2019)**

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**Introduction**

[1] The purpose of this Minute is to put into place suitable arrangements for the conferencing of expert witnesses, if required.

[2] The remaining timetable for the exchange of evidence and the facilitation of conferencing is currently as follows:

- (a) evidence-in-chief for the parties opposed to the appellants is to be filed and served by **Friday 15 March 2019**;
- (b) expert witness conferencing is to take place between **15 to 29 March 2019**;
- (c) joint expert witness statement is to be filed by **Monday 1 April 2019**;
- (d) rebuttal evidence for the appellants to be filed and served by **Thursday 18 April 2019**;
- (e) rebuttal evidence for section 274 parties is to be filed and served by **Friday 26 April 2019**;
- (f) rebuttal evidence for the Council is to be filed and served by **Friday 3 May 2019**;



- (g) the Council is to file six (6) tabbed, indexed and paginated hard copies of all evidence (including exhibits) with the court by **Friday 10 May 2019**.

[3] As the parties will be aware, that timetable was put in place to enable a hearing to commence in May 2019. The time allowed for expert conferencing was tight, given that it was to immediately follow the exchange of evidence-in-chief. As the hearing is now set to commence two weeks later on **Tuesday 4 June 2019**, if the parties wish to engage in conferencing the timetable may be enlarged.

[4] I will direct the respondent confer with the other parties and report on the topics for expert conferencing; the proposed sequencing and the availability of the experts for conferencing on the dates indicated. Further directions will then follow.

[5] Environment Commissioners are available to conference in the weeks commencing **25 March** and **1 April 2019**.

[6] Parties are to bear in mind one potential advantage of conferencing is that the joint witness statement can, if comprehensive, stand-in for rebuttal evidence. This is in addition to reducing the matters in issue as between the experts thereby streamlining the hearing.

#### ***Delay in uploading evidence***

[7] I will extend the date by which the final evidence-in-chief is due (currently Friday 15 March 2019) to remove any prejudice to parties in respect of the late uploading of evidence as set out in the memorandum for Federated Farmers of NZ dated 13 March 2019.

[8] Taking this delay into account and second, the prospect of expert conferencing, I set out the enlarged timetable below.

#### **Extended timetable (draft)**

- (a) evidence-in-chief for the parties opposed to the appellants is to be filed and served by **Friday 22 March 2019**;



- (b) the agreed statement of facts is to be filed **five (5) working days** before the first conference and agendas are to be filed **five (5) working days** prior to the commencement of each conference;
- (c) expert witness conferencing is to take place between **25 March–12 April 2019**;
- (d) joint expert witness statements are to be filed by **Tuesday 30 April 2019**;
- (e) rebuttal evidence for the appellants to be filed and served by **Tuesday 30 April 2019**;
- (f) rebuttal evidence for section 274 parties is to be filed and served by **Friday 3 May 2019**;
- (g) rebuttal evidence for the Council is to be filed and served by **Friday 10 May 2019**;
- (h) the Council is to file six (6) tabbed, indexed and paginated hard copies of all evidence (including exhibits) with the court by **Friday 17 May 2019**.

[9] The respondent, having conferred with the other parties, reporting back on expert conferencing and the enlargement of the timetable by **Monday 18 March 2019**.

  
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**J E Borthwick**  
**Environment Judge**



The seal is circular with the text "THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND" around the perimeter. In the center is the coat of arms of New Zealand, featuring a shield with a cross, a four-pointed star, and a central emblem, topped with a crown and flanked by two figures holding a shield.

Issued: **14 MAR 2019**

### List of appellants

ENV-2018-CHC-27	Fonterra Co-Operative Group Ltd
ENV-2018-CHC-28	Horticulture New Zealand
ENV-2018-CHC-29	Aratiatia Livestock Limited
ENV-2018-CHC-30	Wilkins Farming Co
ENV-2018-CHC-31	Gore District Council, Southland District Council and Invercargill City Council
ENV-2018-CHC-32	DairyNZ Limited
ENV-2018-CHC-33	H W Richardson Group Limited
ENV-2018-CHC-34 & 35	Beef + Lamb New Zealand
ENV-2018-CHC-36	Director-General of Conservation
ENV-2018-CHC-37	Southland Fish & Game Council
ENV-2018-CHC-38	Meridian Energy Limited
ENV-2018-CHC-39	Alliance Group Limited
ENV-2018-CHC-40	Federated Farmers of New Zealand
ENV-2018-CHC-41	Heritage New Zealand Pouhere Taonga
ENV-2018-CHC-42	Stoney Creek Station Limited
ENV-2018-CHC-43	The Terraces Limited
ENV-2018-CHC-44	Campbell's Block Limited
ENV-2018-CHC-45	Robert Grant
ENV-2018-CHC-46	Southwood Export Limited, Southland Plantation Forest Company of NZ, Southwood Export Limited
ENV-2018-CHC-47	Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga o Awarua & Te Rūnanga o Oraka Aparima
ENV-2018-CHC-48	Peter Chartres
ENV-2018-CHC-49	Rayonier New Zealand Limited
ENV-2018-CHC-50	Royal Forest and Bird Protection Society of NZ Inc

