

**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

**MINUTE OF THE ENVIRONMENT COURT RE: SPECIAL ADVISOR
(17 May 2019)**

[1] This Minute is released for the purpose of advising the parties that former Environment Commissioner Russell Howie has been appointed pursuant to s 259 of the Resource Management Act 1991 as a special advisor to assist the court in these proceedings.

[2] Pursuant to s 259 RMA, the Principal Environment Judge may appoint as a special advisor a person who is able to assist the Environment Court in a proceeding before it. A special advisor is not a member of the court but may sit with the court and assist it in any way the court determines.

Procedural matters

[3] As parties will be aware, Mr Howie is a professional civil engineer and a Fellow of Engineering NZ with considerable experience in the use, development and protection of water resources.

[4] Mr Howie will be provided with the notices of appeal and s 274 notices; a copy of the Regional Plan; the s 32AA report; the Regional Council's decision and the evidence.




[5] His primary assistance will be to report to the court, as requested, on matters of evidence after the court reserves its decision and secondly, to ask questions of clarification from any witness during the course of the hearing. While he will sit with the bench, Mr Howie is no longer a member of the court (since his retirement, Mr Howie no longer holds an Environment Commissioner's warrant) and will not deliberate on the appeals.

[6] Bearing in mind the court's broad powers under s 259 RMA, I will provide the parties with the opportunity to advise of any issues they have with the proposed scope of the assistance.

Outcome

[7] By **Friday 24 May 2019**, I direct the parties are to file a joint memorandum raising any issues with the proposed scope of Mr Howie's assistance. Further directions will then issue (if required).



J E Borthwick
Environment Judge



Issued:

17 MAY 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

