

**BEFORE THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991  
AND of appeals under clause 14 of the First  
Schedule of the Act  
BETWEEN ARATIATIA LIVESTOCK LIMITED  
(ENV-2018-CHC-29)  
... (continued on last page)  
Appellants  
AND SOUTHLAND REGIONAL COUNCIL  
Respondent

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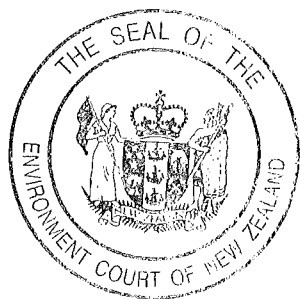
**MINUTE OF THE ENVIRONMENT COURT  
(17 August 2020)**

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**Introduction**

- [1] This Minute is released for the purpose of case management.
- [2] On 4 August 2020 the parties filed a joint memorandum requesting court facilitated expert conferencing be vacated on the basis that they have agreed to settle the wording of certain objectives and policies.
- [3] The court's response is delayed because I have been on annual leave.
- [4] Insofar as some of the amendments are in tension with the decisions of the court, I will direct the Regional Council to file an affidavit explaining the changes sought. Responding to the court's first Interim Decision, the affidavit will explain the changes proposed to the following objectives and policies:

- (a) Objectives 13, 13A and 13B;
- (b) Objective 17; and



- (c) Objective 18 (identifying the source of the court's jurisdiction to delete the objective and secondly, describing the impact on linkages within the plan because of the deletion of the objective).<sup>1</sup>

[5] Secondly, the deponent will offer an interpretation of "impractical" in the physiographic zone policies. This may be addressed separately or as part of a report pursuant to s 32AA (see below).

[6] Thirdly, the deponent is to respond to the first Interim Decision as further particularised in the directions given in the court's Minute dated 29 June 2020 and provide the further evidence sought at paragraphs [5], [7]-[10], [13], [14], [15], [16] and [18].

[7] Finally, the deponent will review the relevant objectives and policies (including those amended by the court) pursuant to s 32AA RMA.

#### Directions

[8] I direct:

- (a) the Regional Council, having conferred with the other parties, is to file an affidavit by **Monday 24 August 2020** in response to the matters raised by the court in the first Interim Decision dated 20 December 2019 and again in its Minute dated 29 June 2020 and secondly, a further report pursuant to s 32AA RMA on the Topic A provisions; and
- (b) any party who wishes to do so, may file an affidavit in reply by **Monday 31 August 2020**.

  
 J E Borthwick  
 Environment Judge



Issued: **18 AUG 2020**

<sup>1</sup> The updated s 32 report identifies this objective as being implemented by all policies and rules.

**List of appellants**

ENV-2018-CHC-26	Transpower New Zealand Limited
ENV-2018-CHC-30	Wilkins Farming Co
ENV-2018-CHC-36	Director-General of Conservation
ENV-2018-CHC-37	Southland Fish and 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-47	Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima and Te Rūnanga o Ngāi Tahu
ENV-2018-CHC-50	Royal Forest and Bird Protection Society of New Zealand Incorporated

