

In the Environment Court of New Zealand
at Christchurch

under: the Resource Management Act 1991

in the matter of: an appeal under clause 14(1) of Schedule 1 to the Act

and: the Proposed Southland Water and Land Plan

between: **Fonterra Co-Operative Group Limited**
(ENV-2018-CHC-000027)

... (continued on last page)

Appellants

and: **Southland Regional Council**
Respondent

Memorandum of counsel for Dairy Holdings Limited seeking leave
from Topic A closing

Dated: 31 May 2019

REFERENCE: Ben Williams (ben.williams@chapmantripp.com)

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**MEMORANDUM OF COUNSEL FOR DAIRY HOLDINGS LIMITED
SEEKING LEAVE FROM TOPIC A CLOSING**

May it please the Court:

- 1 This memorandum of counsel is prepared on behalf of Dairy Holdings Limited (*DHL*).
- 2 It follows:
 - 2.1 the memorandum of counsel for DHL dated 31 May 2019 (in relation to which counsel was granted leave from attending the Topic A hearing); and
 - 2.2 the memorandum of counsel for the Southland Regional Counsel dated (which at paragraph 13 foreshadowed that DHL would be making an application for leave in relation to closing submissions).
- 3 As set out in its 31 May 2019 memorandum, DHL has had a very limited interest in Topic A matters or has otherwise been happy to abide by the decision of the Court. Its main interest will be in the Topic B rules which will be part of a future hearing process.
- 4 Having reviewed relevant parts of the transcript and submissions/ evidence produced as part of the Topic A hearing process, DHL is comfortable that the position as set out in its 31 May 2019 remains correct. In terms of any closing it is also satisfied that it would have 'nothing to add' over those other parties that are similarly aligned with DHL's interests.
- 5 On that basis, directions are respectfully sought that counsel be excused from attending and providing a 'Topic A' closing.

Date: 31 May 2019



Ben Williams
Counsel for Dairy Holdings Limited

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 Ltd
ENV-2018-CHC-30	Wilkins Farming Co
ENV-2018-CHC-31	Gore and Southland District Councils, Invercargill City Council
ENV-2018-CHC-32	DairyNZ Ltd
ENV-2018-CHC-33	H W Richardson Group Ltd
ENV-2018-CHC-34 AND 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 Ltd
ENV-2018-CHC-39	Alliance Group Ltd
ENV-2018-CHC-40	Federated Farmers of New Zealand
ENV-2018-CHC-41	Heritage New Zealand Pohere Taonga
ENV-2018-CHC-42	Stoney Creek Station Ltd
ENV-2018-CHC-43	The Terraces Ltd
ENV-2018-CHC-44	Campbell's Block Ltd
ENV-2018-CHC-45	Robert Grant
ENV-2018-CHC-46	Southwood Export Ltd, Southland Plantation Forest Company of NZ
ENV-2018-CHC-47	Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihōpai Rūnaka, Te Rūnanga o Awarua and Te Rūnanga o Ōraka Aparima
ENV-2018-CHC-48	Peter Chartres

ENV-2018-CHC-49

Rayonier New Zealand Ltd

ENV-2018-CHC-50

Royal Forest and Bird Protection
Society of NZ Inc