

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991

AND appeals under clause 14 of the First Schedule of the Act

BETWEEN MERIDIAN ENERGY LIMITED
(ENV-2018-CHC-38)
Appellant

AND SOUTHLAND REGIONAL COUNCIL
Respondent

**MINUTE OF THE ENVIRONMENT COURT
Timetable directions – tranche 3
(27 October 2022)**

Introduction

[1] This Minute is released for the purpose of case management and responds to the Regional Council’s reporting memorandum dated 25 October 2022.

[2] Recapping, the tranche 3 hearing concerns an appeal by Meridian ENV-2018-CHC-38 in relation to the following provisions:

- (i) Policy 26 (Renewable energy);
- (ii) Rule 52A (Manapōuri Hydro-electric Generation Scheme); and
- (iii) Proposed new Rule 52B.



Hearing

[3] The hearing has been set down for the week of 14-18 November 2022, and the following Monday and Tuesday (21 and 22 November 2022).

Proposed directions***Opening submissions***

[4] I am not minded to limit the opening submissions to five pages. The presentation of a case is a matter for counsel in the first instance and I am reluctant to direct a page limit because insufficient time for the hearing may have been rostered.

[5] In addition to the key issues in contention and the position advanced in relation to the same, any party advancing a statutory or planning interpretation argument is to do so in full in their opening submissions. The argument is to be supported by application of Legislation Act 2019 s 10 (where relevant) and setting out the principles of interpretation that are relied upon.

[6] If more hearing time is required, the court will make the necessary directions. Parties are to advise the court if this is their current assessment.

Other matters

[7] The order of opening submissions set out at paragraph [5]; the general order of evidence at paragraph [6] and the order of closing submissions at paragraph [7] of the reporting memorandum are confirmed.

[8] The proposed timetable directions will be made.

[9] The Regional Council will file a draft Hearing Schedule which it will keep updated during the hearing. Parties are to confer over changes to the Hearing

Schedule and give the court **one working day's notice** of any change proposed. If agreement cannot be reached, counsel can seek the direction of the court.

[10] Parties are again reminded that the general case management directions given in the Record of Pre-Hearing Conference issued 22 October 2021 at paragraphs [25] and [26] apply.

Audio-Visual Link Testing

[11] All counsel and witnesses intending to participate in this hearing via AVL are **directed** to participate in a link test with the Registry. Testing will be carried out in the week prior to the hearing and may be repeated after the hearing commences.

[12] The Registry will refer to me for further direction any person who has not completed a successful test by **12 pm on Thursday 10 November 2022**.

Leave

[13] Leave is reserved for the parties to seek further (or other) directions.

Jane S.



J E Borthwick
Environment Judge

Issued: 27 October 2022

Timetable	
Parties are to advise the Regional Council as to the documents they intend to be included in the Common Bundle of Documents	27 October 2022
The Regional Council is to file a memorandum giving an estimate of hearing time needed	31 October 2022
Parties are to file and serve a copy of the version of provisions they intend to pursue	31 October 2022
The Regional Council is to file and serve a Common Bundle of Evidence and a Common Bundle of Documents	31 October 2022
The Regional Council is to file and serve a consolidated version of the plan showing the changes sought by the parties along with a hearing schedule	7 November 2022