

**BEFORE THE ENVIRONMENT COURT**  
**I MUA I TE KOTHI 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 FEDERATED FARMERS OF NEW ZEALAND (SOUTHLAND)

(ENV-2018-CHC-40)

FONTERRA CO-OPERATIVE GROUP LIMITED

(ENV-2018-CHC-27)

ARATIATIA LIVESTOCK LIMITED

(ENV-2018-CHC-29)

GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT COUNCIL & INVERCARGILL CITY COUNCIL

(ENV-2018-CHC-31)

DAIRYNZ LIMITED

(ENV-2018-CHC-32)

---

**INTERLOCUTORY APPLICATION SEEKING LEAVE FOR COUNSEL TO GIVE  
CLOSING SUBMISSIONS AT THE END OF THE HEARING  
(29 MAY 2019)**

---

Judicial Officers: Judge Borthwick

Solicitor for Appellant:  
Richard Gardner  
Federated Farmers  
P B 92-066  
Auckland  
Tel: 09 3790057  
[rgarnder@fedfarm.org.nz](mailto:rgarnder@fedfarm.org.nz)

Counsel for Appellant:  
Clare Lenihan  
Barrister  
102 Jed Street  
Invercargill 9810  
Tel: 03 2141674  
[clare.lenihan@environmentallawyer.co.nz](mailto:clare.lenihan@environmentallawyer.co.nz)

DIRECTOR-GENERAL OF CONSERVATION

(ENV-2018-CHC-36)

SOUTHLAND FISH & GAME COUNCIL 2

(ENV-2018-CHC-37)

MERIDIAN ENERGY LIMITED

(ENV-2018-CHC-38)

ALLIANCE GROUP LIMITED

(ENV-2018-CHC-39)

HERITAGE NEW ZEALAND POHERE TAONGA

(ENV-2018-CHC-41)

TE RUNANGA O NGAI TAHU, HOKONUI  
RUNAKA, WAIHOPAI RUNAKA, TE RUNANGA O  
AWARUA & TE RUNANGA O ORAKA APARIMA

(ENV-2018-CHC-47)

ROYAL FOREST AND BIRD PROTECTION  
SOCIETY OF NZ

(ENV-2018-CHC-50)

Appellants

AND

SOUTHLAND REGIONAL COUNCIL

Respondent

**May it Please the Court:**

1. The Court's minute of 30 April 2019 directed that all parties may give a closing submission at the end of evidence called in support of their appeal, or, with leave of the court, at the end of the hearing, [12].
2. The purpose of this application is to seek leave for Federated Farmers to deliver its closing address at the end of the hearing.
3. The hearing is presently scheduled in such a way that Federated Farmers is due to give its closing address before it has complete cross-examination of all nominated witnesses:
  - a. Federated Farmers case closes on or about Friday 7 June;
  - b. There are a further five witnesses remaining to be cross-examined by Federated Farmers after Friday 7 June, the last being for Meridian Energy Limited on Thursday 13 June.
4. Given the above, Federated Farmers seeks leave of the Court to deliver its closing address at the end of the hearing.



.....

**Clare Lenihan**  
Counsel for the Appellant