

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

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

UNDER the Resource Management Act
1991

IN THE MATTER of appeals pursuant to clause 14
of the First Schedule to the Act

BETWEEN **Southland Fish and Game Council**
(ENV-2018-CHC-37)

**Royal Forest and Bird Protection
Society of New Zealand Inc**
(ENV-2018-CHC-50)

**Federated Farmers of New
Zealand**
(ENV-2018-CHC-40)

AND **Southland Regional Council**

MEMORANDUM OF COUNSEL FOR BALLANCE AGRI-NUTRIENTS LIMITED

18 MAY 2023



525 Cameron Road
DX HP40014
Private Bag 12011
Tauranga 3143
Telephone: (07) 578 2199
Facsimile: (07) 578 8055

Counsel: Vanessa Hamm

Email: vanessa.hamm@hobec.co.nz

MAY IT PLEASE THE COURT

1. This Memorandum of Counsel is filed on behalf of Ballance Agri-Nutrients Limited (**Ballance**).
2. Ballance seeks leave from the Court to be excused from the upcoming Tranche 1 hearing commencing 29 May 2023, and will abide by the Court's decisions in relation to that hearing if leave is granted.
3. Ballance understands that this hearing is to cover Policy 30 and Rule 78 (which it is not involved in), along with matters arising from the Appendix N: FEMP sense check for which it will abide by the decisions of the Court.
4. For the avoidance of doubt, Ballance wishes to retain its involvement in the other outstanding matters, including in relation to Rule 24 for which it is a party to the High Court appeals and for which an application for stay of proceedings has been granted.

DATED this 18th day of May 2023



Vanessa Hamm / Megan Exton

Counsel for Ballance Agri-Nutrients Limited