

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under Clause 14 of the First Schedule of the Act

BETWEEN

TRANSPOWER NEW ZEALAND LIMITED
(ENV-2018-CHC-26)

FONTERRA CO-OPERATIVE GROUP
(ENV-2018-CHC-27)

HORTICULTURE NEW ZEALAND
(ENV-2018-CHC-28)

ARATIATIA LIVESTOCK LIMITED
(ENV-2018-CHC-29)

(Continued next page)

**MEMORANDUM OF COUNSEL FOR THE SOUTHLAND REGIONAL
COUNCIL**

19 May 2023

Judicial Officer: Judge Borthwick

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WILKINS FARMING CO
(ENV-2018-CHC-30)

**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT
COUNCIL & INVERCARGILL CITY COUNCIL**
(ENV-2018-CHC-31)

DAIRYNZ LIMITED
(ENV-2018-CHC-32)

H W RICHARDSON GROUP
(ENV-2018-CHC-33)

BEEF + LAMB NEW ZEALAND
(ENV-2018-CHC-34 & 35)

DIRECTOR-GENERAL OF CONSERVATION
(ENV-2018-CHC-36)

SOUTHLAND FISH AND GAME COUNCIL
(ENV-2018-CHC-37)

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

ALLIANCE GROUP LIMITED
(ENV-2018-CHC-39)

FEDERATED FARMERS OF NEW ZEALAND
(ENV-2018-CHC-40)

HERITAGE NEW ZEALAND POUHERE TAONGA
(ENV-2018-CHC-41)

STONEY CREEK STATION LIMITED
(ENV-2018-CHC-42)

THE TERRACES LIMITED
(ENV-2018-CHC-43)

CAMPBELL'S BLOCK LIMITED
(ENV-2018-CHC-44)

ROBERT GRANT
(ENV-2018-CHC-45)

**SOUTHWOOD EXPORT LIMITED, KODANSHA
TREEFARM NEW ZEALAND LIMITED, SOUTHLAND
PLANTATION FOREST COMPANY OF NEW ZEALAND**
(ENV-2018-CHC-46)

**TE RUNANGA O NGAI TAHU, HOKONUI RUNAKA,
WAIHOPAI RUNAKA, TE RUNANGA O AWARUA & TE
RUNANGA O ORAKA APARIMA**
(ENV-2018-CHC-47)

PETER CHARTRES
(ENV-2018-CHC-48)

RAYONIER NEW ZEALAND LIMITED
(ENV-2018-CHC-49)

**ROYAL FOREST AND BIRD PROTECTION SOCIETY
OF NEW ZEALAND**
(ENV-2018-CHC-50)

Appellants

AND

SOUTHLAND REGIONAL COUNCIL

Respondent

MAY IT PLEASE THE COURT

- 1 This Memorandum of Counsel is filed on behalf of the Southland Regional Council (**Council**) and seeks amendments to the existing timetabling directions issued by the Court on 14 April 2023.
- 2 As signalled in the Council's Memorandum filed with the Court yesterday, Mr McCallum-Clark was unable to participate in the conferencing between the planners on 18 May 2023 due to a family bereavement.
- 3 Counsel received correspondence from Mr Ben Farrell on behalf of those planners who participated in yesterday's conferencing advising that the planners (excluding Mr McCallum-Clark) considered further exploration of the most appropriate drafting for Rule 78 was required, with the assistance of Mr McCallum-Clark, when he is available. Accordingly, Mr Farrell asked whether the planners could have more time to provide a joint witness statement.
- 4 Counsel understands that the planners, including Mr McCallum-Clark, are available to reconvene on Tuesday, 23 May 2023. On this basis, counsel respectfully seek the following amendments to the existing timetable:

Policy 30 and Rule 78

- (a) The joint witness statement is to be filed in court by ~~19 May 2023~~ **10am on 24 May 2023** and referred the **same day** to the witnesses participating in relation to the sense check of Appendix N. The participants in the sense check are to consider any recommendations made in relation to Appendix N: FEMP on the same terms as previously directed. A written response prior to the commencement of the hearing is not anticipated, instead their views will be elicited by counsel.
- (b) By ~~23 May 2023~~ **25 May 2023**, the parties will file a memorandum setting out their position on drafting of Policy 30 and Rule 78 in the Planning and Ecology joint witness statement.

Hearing Schedule

- (a) The Regional Council is to file the Hearing Schedule **by 12pm on 26 May 2023** ~~on 24 May 2023~~.

5 Counsel have consulted the parties regarding the extension sought.

DATED this 19th day of May 2023



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P A C Maw / I F Edwards
Counsel for the Southland Regional Council