

**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)

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

**26 May 2023**

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Judicial Officer: Judge Borthwick

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Respondent's Solicitor  
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**WYNN WILLIAMS**

Solicitor: P A C Maw  
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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**) in response to the direction of the Court dated 19 May 2023 that the Council, having conferred with the other parties, is to file a hearing schedule on Friday 26 May 2023.
- 2 Pursuant to the direction dated 19 May 2023, Counsel for the Council has conferred with the parties and prepared a hearing schedule for the resumed Tranche 1 hearing.
- 3 The responses received have been collated into the hearing schedule attached at **Appendix A**.

**DATED** this 26<sup>th</sup> day of May 2023



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

**Appendix A - Hearing Schedule for Tranche 1 (resumed hearing)**

Hearing Dates	Party	Witness		Party/Counsel	Time Allowed
Day 1 10:00am Monday 29 May 2023	<b>Preliminary issues</b>				1 hour
	<b>Joint Panel of participants involved in Appendix N – Sense Check</b>	Hemi Bedggood (SRC) Arron Hutton (Ravensdown) Cain Duncan (Fonterra and DairyNZ) Bernadette Hunt (Federated Farmers) Sean Wilkins (Wilkins Farming)	Led by Philip Maw	Southland Regional Council	1 hour
			Cross-examination	Ravensdown (Mark Christensen)	5 minutes
				Wilkins (Bronwyn Carruthers)	30 minutes
				Placeholder for cross-examination by other parties	
			Questions from the Court		
			<b>Southland Regional Council</b>	Dr Ross Monaghan (SRC)	Led by Philip Maw
	Cross-Examination	Placeholder for cross-examination by other parties			
	Questions from the Court				

Hearing Dates	Party	Witness		Party/Counsel	Time Allowed
<b>Adjourn Day 1</b>					
<b>Day 2 11:00am Tuesday 30 May 2023</b>	<b>Ngā Rūnanga</b>	Treena Davidson (Ngā Rūnanga)	Led by James Winchester		
			Cross-Examination	Ravensdown (Mark Christensen)	5 minutes
				Placeholder for cross- examination by other parties	
			Questions from the Court		
	<b>Southland Regional Council</b>	Matthew McCallum- Clark (SRC)	Led by Philip Maw		
			Cross-Examination	Ravensdown (Mark Christensen)	5 minutes
				Ngā Rūnanga (James Winchester)	10 minutes
			Placeholder for cross- examination by other parties		
			Questions from the Court		

Hearing Dates	Party	Witness		Party/Counsel	Time Allowed
	<b>Joint panel of participants to Joint Witness Statement (excluding Kate McArthur) – Ecology and Cultural Values – Rule 78</b>	Dr Greg Burrell (SRC) Ailsa Cain (Ngā Rūnanga) Dr Jane Kitson (Ngā Rūnanga)	Led by Philip Maw	Southland Regional Council	20 minutes
			Cross-examination	Forest & Bird and Fish & Game (Sally Gepp)	30 minutes
				Placeholder for cross-examination by other parties	
			Questions from the Court		
<b>Adjourn Day 2</b>					
<b>Day 3 10:00am Wednesday 31 May 2023</b>	<b>Joint panel of participants to Joint Witness Statement – Planning – Rule 78</b>	Matthew McCallum-Clark (SRC) Treena Davidson (Ngā Rūnanga) Sue Ruston (Federated Farmers)	Led by Philip Maw	Southland Regional Council	1 hour
			Cross-examination	Forest & Bird and Fish & Game (Sally Gepp)	30 minutes
				Director-General of Conservation (Pene Williams)	15 minutes

Hearing Dates	Party	Witness		Party/Counsel	Time Allowed
		Ben Farrell (Forest and Bird / Southland Fish and Game)		Placeholder for cross-examination by other parties	
		Linda Kirk (Director-General of Conservation)	Questions from the Court		
<b>Adjourn Day 3</b>					
<b>Day 4</b> <b>10:00am Thursday 1 June 2023</b>	<b>Closing Legal Submissions</b>				
	Placeholder for closing legal submissions of other parties				
	<b>Southland Regional Council</b>			Philip Maw	
<b>Adjourn Day 4</b>					
<b>Day 5</b> <b>10:00am Friday 2 June 2023</b>	Placeholder day for runover				
<b>Adjourn Day 5 - 3:30pm</b>					