

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

ENV-2018-CHC-26 to 50

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of appeals under clause
14 of Schedule 1 to the
Act relating to the
proposed Southland
Water and Land Plan

BETWEEN **WAIHOPAI RŪNAKA,
HOKONUI RŪNAKA,
TE RŪNANGA O
AWARUA, TE
RŪNANGA O ORAKA
APARIMA, and TE
RŪNANGA O NGĀI
TAHU (collectively
NGĀ RŪNANGA)**

**Appellants in ENV-
2018-CHC-47**

AND **SOUTHLAND
REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL FOR NGĀ RŪNANGA REGARDING AVAILABILITY
FOR APRIL 2023 HEARING DATES**

8 December 2022

Solicitor acting

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MAY IT PLEASE THE COURT

1. This memorandum of counsel is filed on behalf of Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima, and Te Rūnanga o Ngāi Tahu (collectively **Ngā Rūnanga**), in response to the following direction of the Environment Court (dated 6 December 2022):

Given the parties' unavailability for the March 2023 dates, the court may resume the hearing on **18-21 April 2023**. Any party who is not available for these dates is to file a memorandum by **Friday 9 December 2022** giving reasons.

2. Counsel for Ngā Rūnanga are available for the proposed April 2023 dates.
3. However, as the Court and parties are aware, many mana whenua (including Dr Kitson and Ms Cain) exercise their customary rights and embark for the Tītī Islands in April, not returning until mid to late May.
4. It is not yet apparent whether the Court will require Ms Cain or Dr Kitson to be recalled to give further evidence. However, counsel respectfully wish to indicate that, should it be necessary to recall Ms Cain or Dr Kitson, their ability to appear and give evidence may not be possible during the proposed April 2023 dates.

DATED this 8th day of December 2022



J G A Winchester / S K Lennon
Counsel for Ngā Rūnanga