

**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 SOUTHLAND REGIONAL COUNCIL
RESPONDING TO MINUTE DATED 16 JUNE 2022**

20 June 2022

Judicial Officer: Judge Borthwick

Respondent's Solicitor
PO Box 4341 CHRISTCHURCH 8140
DX WX11179
Tel +64 3 379 7622
Fax +64 379 2467

WYNNWILLIAMS

Solicitor: P A C Maw
(philip.maw@wynnwilliams.co.nz)

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 respect of the appeals against the Council's decision on the proposed Southland Water and Land Plan.
- 2 By Minute dated 16 June 2022, the Court set out a series of questions it has for the planners and farm systems experts. The Council was directed to liaise with the Parties and report to the Court on whether those questions are to be answered by way of expert conferencing or further evidence exchanged.¹
- 3 The Council has liaised with the Parties as directed. With the exception of the Dairy Interest Parties (whose position is set out below), the Council and Parties propose that a single joint expert conferencing session be held (with both planners and farms systems experts attending).
- 4 The Dairy Interests do not consider that meaningful progress will be made at expert conferencing. The Dairy Interests would prefer supplementary evidence to be prepared by Dr Monaghan and Mr McCallum-Clark, and for that to be made available prior to the hearing re-convening on 6 July 2022. The Dairy Interest parties consider that this will ensure that those parties who are still to present evidence have an opportunity to comment.

Proposed date for expert conferencing

- 5 Due to limited availability of experts, the proposed expert conferencing session must take place on either Wednesday 22 or Thursday 23 June. Counsel is liaising with the Parties to confirm arrangements.

Clarification sought

- 6 To ensure that the outcome of conferencing addresses all of the Court's questions appropriately, Counsel seeks clarification of two questions asked of the planners in the Minute dated 16 June 2022:
 - (a) At paragraph 16, should the second sentence say "policy" rather than "rule"?

¹ Minute dated 16 June 2022 at [33].

- (b) The purpose of the question at paragraph 19 is not clear as there appears to be some words missing.

DATED this 20th day of June 2022



.....
P A C Maw / A M Langford
Counsel for the Southland Regional Council