

**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
REGARDING TRANCHE 1 HEARING SCHEDULE**

23 May 2022

Judicial Officer: Judge Borthwick

Respondent's Solicitor
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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 respect of Tranche 1 of the appeals against the Council's decision on the proposed Southland Water and Land Plan.
- 2 This Memorandum addresses the evidence filed on 20 May 2022 and the hearing schedule for Tranche 1.

Evidence filed on 20 May 2022

- 3 On Friday 20 May 2022, in accordance with the directions in the Minute dated 2 May 2022,¹ Counsel filed two statements of evidence.² The Court's Minute directed that this evidence be limited to five pages.
- 4 Despite best efforts to comply with the page limit, Mr Hodson was unable to set out the information he considered relevant to the issue and of assistance to the Court within the five-page limit. The body of Mr Hodson's evidence totals 8 pages (with the 8th page simply including Mr Hodson's signature).
- 5 Counsel for the Council respectfully seeks leave for this exceedance of the page limit directed.

Tranche 1 hearing schedule

- 6 In its 2 May 2022 Minute, the Court directed the Council to advise the Court of any changes to the schedule by filing an amended schedule by Monday 23 May 2022.³
- 7 The Council has received one request for a change to the schedule.
- 8 According to the current schedule, Mr English is due to appear late on Monday 30 May 2022. However, Counsel for Mr English is unavailable on that day. Counsel for the Council and Mr English consider that the simplest resolution to this issue is to switch the order of Mr Wilkins and Mr English in the schedule. Counsel for Mr Wilkins agrees to this change.

¹ At paragraph [14](a).

² The Statement of Evidence on Reply of Roger Hodson, and the Supplementary Statement of Evidence of Matthew McCallum-Clark.

³ At paragraphs [12] and [15].

- 9 On the basis of the time requested/allowed for the witnesses appearing before Mr English (including Mr Wilkins), Counsel considers it unlikely that Mr English would be called on Monday. If that is the case, no further changes to the schedule are required.
- 10 If the hearing proceeds faster than expected, Counsel for the Council will address the Court on Monday afternoon to seek that Mr English is bypassed and instead called on Tuesday.
- 11 An updated copy of the schedule including the change to the order of appearance of Mr Wilkins and Mr English is attached as **Appendix A**.

DATED this 23rd day of May 2022



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