

**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 HEARING**

3 August 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 the appeals against the Council's decision on the proposed Southland Water and Land Plan.

Timetabling

- 2 On 8 – 9 August 2022 the Court is sitting for the presentation of and questions on the Third Farm Systems and Planning Joint Witness Statement. Mr McCallum-Clark is also being recalled to give evidence.
- 3 Since the timetable directions were issued on 15 July 2022, the Court directed further expert conferencing in respect of water quality matters and a Joint Witness Statement in respect of the same was filed with the Court earlier today.
- 4 Parties have been directed to advise the Court as to whether they have any questions on the Water Quality Joint Witness Statement by 4 August 2022. Counsel anticipates that any such questions should be able to be accommodated within the existing timetable on 8 – 9 August 2022.
- 5 In order to assist the Court and those counsel with availability constraints on 8 August 2022, counsel considers it would be beneficial to prepare and file a timetable for the hearing on 8 – 9 August.
- 6 Accordingly, counsel intends to file a timetable on Friday 5 August 2022, once it becomes clear which parties have questions for the various experts and planners.

Policy 16 and Appendix N

- 7 In its Minute dated 19 July 2022, the Court identified a number of questions that would inform its decisions on water quality and the plan(s) for inclusion in Schedule X.
- 8 The Court raised these matters early to seek the parties' assistance in relation to the same and lend efficiency to the hearing process. Mr McCallum-Clark wishes to address those questions orally when he is recalled to answer questions on the section 32AA report. Mr McCallum-Clark also wishes to briefly address the contents of the section 32AA report when he is recalled.

- 9 Accordingly, counsel respectfully seeks leave to lead Mr McCallum-Clark through the questions in the Minute and to provide him an opportunity to address the section 32AA report when he is recalled next week.

DATED this 3rd day of August 2022



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