

**Te Rūnanga o Awarua, Department of Conservation and Environment Southland,
Resource consent applications for the periodic opening of the Waituna Lagoon,
Kapuka South, Southland. (APP-20242456)
Minute #4**

1. The Panel received today, a memorandum (see **Appendix 1**) from counsel for the submitter, Federated Farmers of New Zealand, Ms Cook-Munro, advising that their expert witness, we assume a planner, was not available for the requested expert conferencing in the lead up to preparing their evidence. Ms Cook-Munro believes that their witness would be available in the week before the hearing commences, 23 July 2025 to 28 July 2025.
2. In Minute #1 (dated 25 June 2025), paragraph 10, the Panel requested expert conferencing and understands that this may not be possible in the lead up to the preparation of expert evidence. Nonetheless, the Panel would encourage expert conferencing, if it was possible to arrange in the week leading up to the hearing. To that end, if the parties engaging expert witnesses could liaise amongst themselves to arrange conferencing and any resulting Joint Witness Statement/s in the week before the hearing, the Panel would be grateful.
3. Any correspondence to the Commissioners should be directed through Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC.



Mark St.Clair
Chair and on behalf of the Panel

11 July 2025

Appendix 1

BEFORE

the Hearings Panel delegated
by Environment Southland

UNDER

the Resource Management Act
1991

IN THE MATTER

of the hearing of a notified
resource consent applications
from Te Rūnanga o Awarua,
Department of Conservation
and Environment Southland for
the periodic opening of the
Waituna Lagoon, Kapuka South,
Southland (APP-20242456)

**MEMORANDUM OF COUNSEL FOR FEDERATED FARMERS OF
NEW ZEALAND (INCORPORATED) RELATING TO HEARINGS
PANEL MINUTE 1**

11 July 2025



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MAY IT PLEASE THE PANEL

1. In its Minute 1 dated 25 June 2025, the Hearings Panel at paragraph 10 requested that:

“... all parties (the SRC section 42A of the RMA reporting officer/s, Te Rūnanga o Awarua, Department of Conservation and Environment Southland as the Applicant and any submitters) calling expert witnesses to facilitate conferencing among their respective experts on matters relevant to their specific areas of expertise prior to the preparation of their reports or evidence (including any applicable conditions of consent) and through to the commencement of the hearing.”

2. The Hearings Panel noted that the aim of the conferencing should be to identify areas of agreement and disagreement which can then be noted in the reports and evidence.
3. Federated Farmers of New Zealand (Incorporated) (**Federated Farmers**) lodged a submission dated 3 September 2024 to the notified resource consent applications from Te Rūnanga o Awarua, the Department of Conservation and Environment Southland for the periodic opening of the Waituna Lagoon, Kapuka South, Southland (APP-20242456) (**the applications**).
4. Federated Farmers, like other parties, is in the process of developing its position in respect of the application and drafting its evidence for the hearings which are due to commence at 9.00am on Tuesday, 29 July 2025.
5. As per the Hearing Notice received by email on Tuesday 10 June 2025, submitters' expert evidence is due with the Hearings Panel by noon, Tuesday 22 July 2025.
6. Federated Farmers is not in a position to participate in expert conferencing prior to the submission of its expert witness evidence on 22 July 2025. The applications have raised complex and complicated issues which our expert witness has been required to address. Our expert witness has indicated that they need all the available time prior to the deadline to formulate their position, as well as drafting their evidence.

7. In addition, our expert witness will need time to review the applicant's evidence which is to be lodged today, Friday 11 July 2025. Federated Farmers is also waiting on information to be sent from one of the applicants which has taken longer than expected to be received.
8. Federated Farmers believes that its expert witness would be able to attend expert conferencing the week before the hearing commences being 23-28 July 2025.



Jo-Anne Cook-Munro
Counsel for Federated Farmers of New Zealand (Incorporated)

Date: 11 July 2025