

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

UNDER the Resource Management Act
1991

IN THE MATTER of appeals pursuant to clause 14
of the First Schedule to the Act

BETWEEN **Southland Fish and Game Council**
(ENV-2018-CHC-37)

**Royal Forest and Bird Protection
Society of New Zealand Inc**
(ENV-2018-CHC-50)

**Federated Farmers of New
Zealand**
(ENV-2018-CHC-40)

AND **Southland Regional Council**

MEMORANDUM OF COUNSEL FOR BALLANCE AGRI-NUTRIENTS LIMITED

1 APRIL 2022


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MAY IT PLEASE THE COURT

1. This Memorandum of Counsel is filed on behalf of Ballance Agri-Nutrients Limited (**Ballance**) in response to the directions:
 - (a) Set out at [13] in the Court Minute dated 25 March 2022 regarding timetable directions, requiring parties intending to file supplementary evidence to identify the relevant witness(es) by discipline; and
 - (b) Set out at [6] in the Court Minute dated 28 March 2022, requiring parties to say whether they oppose the proposal for Mr McCallum-Clark to be led through the agreed amendments.
2. Counsel confirms that Susan Ruston will be filing supplementary planning evidence on Policies 15A, 15B and 16A.
3. The Court has raised concerns about the provisions agreed in expert conferencing being unsupported by evidence, and would be assisted by Mr McCallum-Clark being led through the agreed amendments.
4. Ballance does not oppose Mr McCallum-Clark being led through the agreed amendments in the manner suggested, but would request leave to lead Ms Ruston through the same matters if required (such as if Mr McCallum-Clark diverts from the agreed amendments on the stand, as observed during the all of parties hearing).

DATED this 1st day of April 2022



Megan Exton

Counsel for Ballance Agri-Nutrients Limited