

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KŌTI TAIAO O AOTEAROA**

**AT CHRISTCHURCH  
KI ŌTAUTAHI**

**IN THE MATTER** of the Resource Management Act 1991

**AND** of appeals under clause 14 of the First Schedule of  
the Act

**BETWEEN** **TRANSPower NEW ZEALAND LTD**  
**(ENV-2016-CHC-26)**  
Appellant

**FONterra CO-OPERATIVE GROUP LTD**  
**(ENV-2018-CHC-27)**  
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**AND** **SOUTHLAND REGIONAL COUNCIL**  
Respondent

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**Memorandum of Counsel for the Director-General of Conservation**

**Tumuaki Ahurei**

4 March 2022

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**Department of Conservation**  
Planning, Permissions and Land  
RMA Shared Services  
Private Bag 4715  
Christchurch 8140  
Phone Waea: 027 408 3324  
Solicitor Rōia: Pene Williams

**BETWEEN**

**ARATIATIA LIVESTOCK LTD**

(ENV-2018-CHC-29)

**WILKINS FARMING CO**

(ENV-2018-CHC-30)

**GORE AND SOUTHLAND DISTRICT COUNCILS,  
INVERCARGILL CITY COUNCIL**

(ENV-2018-CHC-31)

**DAIRYNZ LTD**

(ENV-2018-CHC-32)

**H W RICHARDSON GROUP LTD**

(ENV-2018-CHC-33)

**BEEF + LAMB NEW ZEALAND**

(ENV-2018-CHC-34 AND 35)

**DIRECTOR-GENERAL OF CONSERVATION**

(ENV-2018-CHC-36)

**SOUTHLAND FISH & GAME COUNCIL**

(ENV-2018-CHC-37)

**MERIDIAN ENERGY LTD**

(ENV-2018-CHC-38)

**FEDERATED FARMERS OF NEW ZEALAND**

(ENV-2018-CHC-40)

**SOUTHWOOD EXPORT LTD, SOUTHLAND PLANTATION  
FOREST COMPANY OF NZ**

(ENV-2018-CHC-46)

**TE RUNANGA O NGAI TAHU, HOKONUI RUNAKA,  
WAIHOPAI RUNAKA, TE RUNANGA O AWARUA AND TE  
RUNANGA O ORAKA APARIMA**

(ENV-2018-CHC-47)

**RAYONIER NEW ZEALAND LTD**

(ENV-2018-CHC-49)

**ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NZ  
INC**

(ENV-2018-CHC-50)

Appellants

**May it please the Court,**

The following matters are respectfully put forward on behalf of the Director-General of Conservation Tumuaki Ahurei (the Director-General):

1. I seek leave for counsel to be excused from the Environment Court 'all of parties' hearing for the proposed Southland Water and Land Plan appeals on 21 March 2022 only.
2. I understand the 'all of parties' hearing commencing on 14 March 2022 may continue into the week of 21 March 2022.
3. I will be attending the 'all of parties' hearing by AVL. I have not sought to cross-examine witnesses or present legal submissions for the Director-General during this hearing.
4. The Director-General is also party to the Environment Court hearing (called in) on proposed Plan Change 8 to the Regional Plan: Water for Otago (PC8). Another division of the Court has scheduled its hearing on the urban provisions of PC8 to start on 21 March 2022.
5. I had indicated previously to the Court that I would arrange to have another lawyer represent the Director-General for the PC8 hearing. Unfortunately, with changes due to the Covid-19 Protection Framework, the other lawyer is no longer available, and I have been unable to arrange a replacement.
6. Should the 'all of parties' hearing continue into 22 March 2022, I will be back in attendance for the Director-General, as I do not expect I will be required to attend the PC8 hearing for longer than a day.



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P D Williams  
Counsel for the Director-General