

Kate McKinlay

From: Kelly, Karina <Karina.Kelly@justice.govt.nz>

Sent: Friday, 3 December 2021 4:50 PM

To: Chris Thompson <cthomsen@fvm.co.nz>; Alyssa Langford <Alyssa.Langford@wynnwilliams.co.nz>; Brownlee, Maddy <Maddy.Brownlee@justice.govt.nz>; Amelia Ching <aching@doc.govt.nz>; 'Ben Farrell' <ben@jea.co.nz>; ben.williams@chapmantripp.com; Bronwyn Carruthers <bcarruthers@shortlandchambers.co.nz>; Camilla Owen <COwen@heritage.org.nz>; carmen@planzconsultants.co.nz; 'Chris Fowler' <Chris.Fowler@adderleyhead.co.nz>; Dave Harrison <Dave.Harrison@beeflambnz.com>; dean <dean@environmentalbarrister.co.nz>; 'Douglas Allan' <dallan@ellisgould.co.nz>; engliston@gmail.com; Humphrey Tapper <Humphrey.Tapper@MeridianEnergy.co.nz>; 'Jacob Smyth' <jacob.smyth@southlandfishgame.co.nz>; James Winchester <james.winchester@simpsongrierson.com>; jason.sandford@fonterra.com; 'Jessica Ottawa' <jessica.ottowa@duncancotterill.com>; Jordandclair20 <Jordandclair20@gmail.com>; Karen Wilson <Karen.Wilson@hobec.co.nz>; katherine.forward@duncancotterill.com; Kristy Rusher <Kristy.Rusher@awslegal.co.nz>; Laura Murphy <Laura.Neale@hobec.co.nz>; Linda Kirk <lkirk@doc.govt.nz>; 'Logan & Nicole Evans' <logancole@yrless.co.nz>; Mark Christensen <mark@naturalresourceslaw.co.nz>; matheson@richmondchambers.co.nz; Meg Buddle <Meg.Buddle@adderleyhead.co.nz>; Megan Exton <Megan.Exton@hobec.co.nz>; michael.garbett@al.nz; 'Michael Morris' <Michael.Morris@icc.govt.nz>; Murray Willans <murray.tarn@xtra.co.nz>; natasha.garvan@bellgully.com; 'Owen Buckingham' <obuck@xtra.co.nz>; pwilliams@doc.govt.nz; p.anderson@forestandbird.org.nz; Peter Wilson <pwilson@fedfarm.org.nz>; Philip Maw <philip.maw@wynnwilliams.co.nz>; rex.chapman@cplaw.co.nz; 'Richard Gardner' <rgardner@fedfarm.org.nz>; R Zwaan <r.zwaan@forestandbird.org.nz>; riki.donnely@prlaw.co.nz; 'Rob Enright' <rob@publiclaw9.com>; 'Robert Kempthorne' <rob.anna@farmside.co.nz>; Sal Lennon <Sal.Lennon@simpsongrierson.com>; Sally Gepp <sally@sallygepp.co.nz>; 'Stephen Christensen' <stephen@projectbarrister.nz>; Sue Ruston <sue@ppmconsulting.co.nz>; Tayla.crawford@bellgully.com; Tim Ensor <TEnsor@tonkintaylor.co.nz>; Treena Davidson <treenadavidson@aecltd.co.nz>; 'Twin Farm Ltd' <snowwelsh@hotmail.com>; Vanessa Hamm <Vanessa.Hamm@hobec.co.nz>; 'Waiau Rivercare Group' <waiiau.rivercare.group@gmail.com>; Zane Moss <zane.moss@southlandfishgame.co.nz>

Subject: RE: pSWLP - Reconvened Farm Systems Conferencing

Good afternoon all,

I have referred the below correspondence to Commissioner Leijnen, who directs:

Beef and Lamb NZ Limited's experts are excused from conferencing as sought.

A C E Leijnen
Environment Commissioner
3 December 2021

Kind Regards, Karina



Karina Kelly
Mediations Case Manager
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From: Chris Thomsen <CThomsen@fvm.co.nz>

Sent: Friday, 3 December 2021 3:59 pm

To: Kelly, Karina <Karina.Kelly@justice.govt.nz>; Alyssa Langford <Alyssa.Langford@wynnwilliams.co.nz>; Brownlee, Maddy <Maddy.Brownlee@justice.govt.nz>; Amelia Ching <aching@doc.govt.nz>; 'Ben Farrell' <ben@jea.co.nz>; ben.williams@chapmantripp.com; Bronwyn Carruthers <bcarruthers@shortlandchambers.co.nz>; Camilla Owen <COwen@heritage.org.nz>; carmen@planzconsultants.co.nz; 'Chris Fowler' <Chris.Fowler@adderleyhead.co.nz>; Dave Harrison <Dave.Harrison@beeflambnz.com>; 'David Pullar' <dpullar@xtra.co.nz>; dean <dean@environmentalbarrister.co.nz>; 'Douglas Allan' <dallan@ellisgould.co.nz>; engliston@gmail.com; 'Georgia Woodward' <Georgia.Woodward@PRLaw.co.nz>; 'Grant & Rachel Cockburn' <grant.rachel@xtra.co.nz>; Humphrey Tapper <Humphrey.Tapper@MeridianEnergy.co.nz>; 'Jacob Smyth' <jacob.smyth@southlandfishgame.co.nz>; James Winchester <james.winchester@simpsongrierson.com>; jason.sandford@fonterra.com; jeff@wmlaw.co.nz; 'Jessica Ottawa' <jessica.ottowa@duncancotterill.com>; Jordanclaire20 <Jordanclaire20@gmail.com>; Karen Wilson <Karen.Wilson@hobec.co.nz>; katherine.forward@duncancotterill.com; Kristy Rusher <Kristy.Rusher@awslegal.co.nz>; Laura Murphy <Laura.Neale@hobec.co.nz>; Linda Kirk <lkirk@doc.govt.nz>; 'Logan & Nicole Evans' <logancole@yrless.co.nz>; Mark Christensen <mark@naturalresourceslaw.co.nz>; matheson@richmondchambers.co.nz; Meg Buddle <Meg.Buddle@adderleyhead.co.nz>; Megan Exton <Megan.Exton@hobec.co.nz>; michael.garbett@al.nz; 'Michael Morris' <Michael.Morris@icc.govt.nz>; Murray Willans <murray.tarn@xtra.co.nz>; natasha.garvan@bellgully.com; 'Owen Buckingham' <obuck@xtra.co.nz>; pwilliams@doc.govt.nz; p.anderson@forestandbird.org.nz; Peter Wilson <pwilson@fedfarm.org.nz>; Philip Maw <philip.maw@wynnwilliams.co.nz>; rex.chapman@cplaw.co.nz; 'Richard Gardner' <rgardner@fedfarm.org.nz>; R Zwaan <r.zwaan@forestandbird.org.nz>; riki.donnely@prlaw.co.nz; 'Rob Enright' <rob@publiclaw9.com>; 'Robert Kempthorne' <rob.anna@farmside.co.nz>; Sal Lennon <Sal.Lennon@simpsongrierson.com>; Sally Gepp <sally@sallygepp.co.nz>; 'Stephen Christensen' <stephen@projectbarrister.nz>; Sue Ruston <sue@ppmconsulting.co.nz>; Tayla.crawford@bellgully.com; Tim Ensor <TEnsor@tonkintaylor.co.nz>; Treena Davidson <treenadavidson@aecltd.co.nz>; 'Twin Farm Ltd' <snowwelsh@hotmail.com>; Vanessa Hamm <Vanessa.Hamm@hobec.co.nz>; 'Waiiau Rivercare Group' <waiiau.rivercare.group@gmail.com>; Zane Moss <zane.moss@southlandfishgame.co.nz>

Cc: McKee, Christine <Christine.McKee@justice.govt.nz>

Subject: RE: pSWLP - Reconvened Farm Systems Conferencing

Dear Karina

Would you please bring the note below to the attention of Commissioner Leinjen? Thanks and regards

Dear Commissioner

I act for Beef+Lamb NZ Ltd, an appellant on the stock exclusion provisions (policy 18 and rule 70). It is not a s 274 party to any other appeals.

This email addresses the attendance of the B+LNZ experts Drs Stevens and Corner-Thomas and Mr Orchiston at Monday's reconvened farm systems conferencing, along with Ms Foster's observation of the same.

Firstly, counsel apologises for the informality of this communication. However it relates to the email from this afternoon from Mr McCallum-Clark on farm systems expert conferencing; other commitments have meant a memorandum is unable to be prepared.

B+LNZ's experts were only briefed to address the provisions B+LNZ appealed, as reflected in their will say statements. They have not considered the wider plan provisions, except as relate directly to the matters appealed.

Counsel is advised the reconvened conferencing topics are:

1. Clarification of the answers to questions, 1,3, 4 and 7. The only questions B+LNZ had an interest in were questions 15 and 16.

2. The participants in the Science conferencing have referred questions to the farm system experts, none of which directly relate to stock exclusion provisions appealed by B+LNZ.

Accordingly, given the matters to be considered at the reconvened farm systems conferencing do not relate to matters B+LNZ has an interest in, B+LNZ respectfully seeks that its experts be excused from attending further conferencing.

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