

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN ARATIATIA LIVESTOCK
LIMITED

(ENV-2018-CHC-29)

(and all other appellants listed in
the Schedule attached)

Appellants

AND SOUTHLAND REGIONAL
COUNCIL

Respondent

**MINUTE OF THE ENVIRONMENT COURT
Resumed hearing
(11 July 2023)**

Introduction

[1] The purpose of this Minute is to address the supplementary evidence of Dr T Snelder and secondly, the Freshwater Farm Plan Regulations.

Supplementary evidence

[2] Being opposed by Dairy Interests, the court is unable to admit pursuant to s 9 of the Evidence Act 2006, Dr Snelder's supplementary brief of evidence dated



19 June 2023.

[3] For Dr Snelder's evidence to be produced there appear to be two courses. First, the hearing could resume and Dr Snelder, having been sworn and his draft brief confirmed, will be made available for examination. Alternatively, if he is not required for examination by the parties,¹ his evidence could be produced by way of affidavit.

Resource Management (Freshwater Farm Plans) Regulations 2023

[4] The Regional Council requested that the court not make final directions to amend the proposed plan.

[5] The court wishes to know the Regional Council's position in relation to final directions being given.

Resumed hearing

[6] Assuming Mr Anderson is instructed to act for Forest & Bird/Fish & Game while Ms Gepp is on sabbatical, the hearing will resume on 9 August 2023. If he is not instructed, then the hearing will be set down for 22 August 2023.

Directions

[7] I direct that by **Friday 14 July 2023**:

- (a) Forest & Bird/Fish & Game will confirm whether Mr Anderson is instructed and can appear on 9 August 2023;
- (b) any party requiring Dr Snelder for cross-examination is to advise the court;
- (c) if no party requires Dr Snelder for cross-examination, then any party

¹ The court can say now that we do not require him.

opposing the production of his evidence by way of affidavit is to advise the court.

[8] Further directions will then issue and the hearing date will be confirmed.

Jane S.



J E Borthwick
Environment Judge

Issued: 11 July 2023

Schedule – List of appellants

ENV-2018-CHC-26	Transpower New Zealand Limited
ENV-2018-CHC-27	Fonterra Co-operative Group Limited
ENV-2018-CHC-29	Aratiatia Livestock Limited
ENV-2018-CHC-30	Wilkins Farming Co Limited
ENV-2018-CHC-31	Gore District Council & others
ENV-2018-CHC-32	DairyNZ Limited
ENV-2018-CHC-33	H W Richardson Group Limited
ENV-2018-CHC-34	Beef + Lamb New Zealand
ENV-2018-CHC-36	Director-General of Conservation
ENV-2018-CHC-37	Southland Fish and Game Council
ENV-2018-CHC-38	Meridian Energy Limited
ENV-2018-CHC-40	Federated Farmers of New Zealand (Southland Province) Inc
ENV-2018-CHC-41	Heritage New Zealand Pouhere Taonga
ENV-2018-CHC-44	Wilkins Farming Co Limited (previously Campbell's Block Limited)
ENV-2018-CHC-45	Wilkins Farming Co Limited (previously Robert Grant)
ENV-2018-CHC-46	Southwood Export Limited & Others
ENV-2018-CHC-47	Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga o Awarua & Te Rūnanga o Oraka Aparima
ENV-2018-CHC-49	Rayonier New Zealand Limited
ENV-2018-CHC-50	Royal Forest and Bird Protection Society of New Zealand Incorporated