

**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

12 October 2021



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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 made in the Court's Minute dated 4 October 2021 (**Minute**).
2. Ballance has s 274 interests in the proposed Southland Water and Land Plan appeals, including in Topic B5.
3. Counsel for Ballance confirms that:
 - (a) Ballance is in agreement with the evidence exchange timetable proposed by Southland Regional Council in its Memorandum dated 24 September 2021 (**Memorandum**).
 - (b) Ballance agrees with the issues of fact and opinion to be resolved and legal issues to be decided as set out in the Memorandum.
 - (c) Ballance proposes to call one witness, Sue Ruston (expertise – planning).
 - (d) Sue Ruston is available for expert conferencing between 22 November and 10 December 2021, and has no unavailability during that period.
4. Vanessa Hamm (counsel for Ballance) will represent Ballance at the pre-hearing conference scheduled for 19 October 2021, by AVL.

DATED this 12th day of October 2021



Megan Exton
Counsel for Ballance Agri-Nutrients Limited