

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

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 LIMITED
(ENV-2018-CHC-26)
... (continued on last page)
Appellants
AND SOUTHLAND REGIONAL COUNCIL
Respondent

**MINUTE OF THE ENVIRONMENT COURT
(23 September 2019)**

Introduction

[1] In the present absence of Judge Borthwick on leave, I have been referred the memorandum of counsel on behalf of the Southland Regional Council ("SRC") dated 20 September 2019 and have conferred with Commissioner Hodges in consideration of it.

[2] Counsel for SRC (having conferred with the other parties) responded to the court's request for details regarding the upcoming expert conferences and has sought leave for Mr Rodway to be excused from attending the conference set down on 14 – 16 October 2019.

[3] It was previously directed¹ that Mr Rodway and Ms Cain are to attend the expert conferences. However, counsel advises that Mr Rodway is unavailable on the above dates but will be available to assist in any matters relating to groundwater in advance of and after the expert conference. Given that the programme of work is not to conclude until 29 November 2019, and there is sufficient opportunity for Mr Rodway to be involved

¹ Minute of the Environment Court dated 13 September 2019 at [12].



in the development of indicators, I grant Mr Rodway leave to be excused from attending the October conference.

[4] I note that, while Ms Cain is unavailable on 14 October 2019, it is important she attend the conference on 15 and 16 October.

[5] Counsel for SRC report that, at the time of filing, the Waiau Rivercare Group had yet to instruct counsel and therefore would be filing a separate memorandum once receiving instructions. While I can indicate in principle that there should be no difficulty in adding relevant expert(s) from the Group to the list of attendees, it is important that Counsel file a memorandum to inform the court, in a timely way, of the Group's position. A direction is made to do so by Friday 27 September 2019.

[6] The court would like to thank counsel and the experts for agreeing to conference in Christchurch in October and confirms it has no issues as to holding the November conference in Invercargill.

Directions

[7] Accordingly, it is directed that

- (a) Mr Rodway is excused from attending the expert conference set down on Monday 14 October 2019 – Wednesday 16 October 2019;
- (b) Waiau River Group must, by memorandum of counsel to be filed by Friday 27 September 2019, inform the court and parties of those expert(s) to be attending the scheduled conferencing.

[8] Leave is reserved for parties to apply for further directions.



J J M Hassan
Environment Judge

Issued: **23 SEP 2019**



List of appellants

ENV-2018-CHC-27	Fonterra Co-Operative Group Ltd
ENV-2018-CHC-28	Horticulture New Zealand
ENV-2018-CHC-29	Aratiatia Livestock Limited
ENV-2018-CHC-30	Wilkins Farming Co
ENV-2018-CHC-31	Gore District Council, Southland District Council and Invercargill City Council
ENV-2018-CHC-32	DairyNZ Limited
ENV-2018-CHC-33	H W Richardson Group Limited
ENV-2018-CHC-34 & 35	Beef + Lamb New Zealand
ENV-2018-CHC-36	Director-General of Conservation
ENV-2018-CHC-37	Southland Fish & Game Council
ENV-2018-CHC-38	Meridian Energy Limited
ENV-2018-CHC-39	Alliance Group Limited
ENV-2018-CHC-40	Federated Farmers of New Zealand
ENV-2018-CHC-41	Heritage New Zealand Pouhere Taonga
ENV-2018-CHC-42	Stoney Creek Station Limited
ENV-2018-CHC-43	The Terraces Limited
ENV-2018-CHC-44	Campbell's Block Limited
ENV-2018-CHC-45	Robert Grant
ENV-2018-CHC-46	Southwood Export Limited, Southland Plantation Forest Company of NZ, Southwood Export Limited
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-48	Peter Chartres
ENV-2018-CHC-49	Rayonier New Zealand Limited
ENV-2018-CHC-50	Royal Forest and Bird Protection Society of NZ Inc

