

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

UNDER the Resource Management Act
1991

IN THE MATTER of appeals under clause 14 of the
First Schedule of the Act

BETWEEN **ARATIATIA LIVESTOCK
LIMITED**
(ENV-2018-CHC-29)

MERIDIAN ENERGY LIMITED
(ENV-2018-CHC-38)

**FEDERATED FARMERS OF
NEW ZEALAND**
(ENV-2018-CHC-40)

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**MEMORANDUM OF COUNSEL FOR WAI AU
RIVERCARE GROUP INCORPORATED
REQUESTING ADJOURNMENT
25 November 2022**

Judicial Officer: Judge Borthwick

Solicitor:
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RWD-170461-1-1874-V1

**TE RUNANGA O NGAI TAHU,
HOKONUI RUNAKA, WAIHOPAI
RUNAKA, TE RUNANGA O
AWARUA & TE RUNANGA O
ORAKA APARIMA**
(ENV-2018-CHC-47)

**ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NZ**
(ENV-2018-CHC-50)

Appellants

AND

**SOUTHLAND
COUNCIL**

REGIONAL

Respondent

MAY IT PLEASE THE COURT:

1. As advised, counsel has a jury trial set to commence on 12 December 2022. The matter is of a sexual nature, with a young complainant, and counsel has been the assigned prosecutor from the time the Crown assumed responsibility for the matter.
2. As identified in opening, the activity status contained in rule 52A is one of the key concerns for the Waiau Rivercare Group. Whilst the Regional Council has confirmed that it intends to reconsider the planning framework, including the activity status within rule 52A, during plan change tuatahi, counsel understands Meridian is continuing to seek restricted discretionary activity status as hypothesised by Ms Whyte. Counsel has taken instructions on this basis, and wishes to have the opportunity to question the planning witnesses.
3. Counsel is available on the further hearing dates provided, 24 – 26 January 2023, and accordingly requests that the hearing continue on those dates rather than the current December 2022 dates.

DATED at Invercargill this 25th day of November 2022



R W Donnelly
Counsel for Waiau Rivercare Group Incorporated