

**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** **TRANSPower NEW ZEALAND LIMITED**

(ENV-2018-CHC-26)

**FONterra CO-OPERATIVE GROUP LIMITED**

(ENV-2018-CHC-27)

**HORTICULTURE NEW ZEALAND**

(ENV-2018-CHC-28)

**ARATIATIA LIVESTOCK LIMITED**

(ENV-2018-CHC-29)

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**MEMORANDUM OF COUNSEL FOR THE DAIRY INTERESTS  
REGARDING SUPPLEMENTARY EVIDENCE OF DR DEPREE**

**20 MAY 2022**

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**Counsel:**

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**WILKINS FARMING CO**

(ENV-2018-CHC-30)

**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT COUNCIL  
& INVERCARGILL DISTRICT COUNCIL**

(ENV-2018-CHC-31)

**DAIRYNZ LIMITED**

(ENV-2018-CHC-32)

**H W RICHARDSON GROUP**

(ENV-2018-CHC-33)

**BEEF + LAMB NEW ZEALAND**

(ENV-2018-CHC-34 & 35)

**DIRECTOR-GENERAL OF CONSERVATION**

(ENV-2018-CHC-36)

**SOUTHLAND FISH AND GAME COUNCIL**

(ENV-2018-CHC-37)

**MERIDIAN ENERGY LIMITED**

(ENV-2018-CHC-38)

**ALLIANCE GROUP LIMITED**

(ENV-2018-CHC-39)

**FEDERATED FARMERS OF NEW ZEALAND**

(ENV-2018-CHC-40)

**HERITAGE NEW ZEALAND POUHERE TAONGA**

(ENV-2018-CHC-41)

**STONY CREEK STATION LIMITED**

(ENV-2018-CHC-42)

**THE TERRACES LIMITED**

(ENV-2018-CHC-43)

**CAMBELL'S BLOCK LIMITED**

(ENV-2018-CHC-44)

**ROBERT GRANT**

(ENV-2018-CHC-45)

**SOUTHWOOD EXPORT LIMITED, KODANSHA TREEFARM  
NEW ZEALAND LIMITED, SOUTHLAND PLANTATION FOREST  
COMPANY OF NEW ZEALAND**

(ENV-2018-CHC-46)

**TE RUNANGA O NGĀI TAHU, HOKONUI RUNAKA, WAIHOPAI  
RUNAKA, TE RUNANGA O AWARUA & TE RUNANGA O  
ORAKA APARIMA**

(ENV-2018-CHC-47)

**RAYONIER NEW ZEALAND LIMITED**

(ENV-2018-CHC-49)

**ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW  
ZEALAND**

(ENV-2018-CHC-50)

Appellants

**AND**

**SOUTHLAND REGIONAL COUNCIL**

Respondent

**MAY IT PLEASE THE COURT**

- 1 This joint Memorandum is filed on behalf of DairyNZ Limited and Fonterra Co-operative Group Limited (**the Dairy Interests**) and relates to the 20 May 2022 supplementary evidence of Dr Craig Depree; prepared in response to the evidence prepared by Southland Fish and Game Council concerning Rules 13 and Appendix E.
- 2 The Court's Minute dated 2 May 2022, directed parties intending to file supplementary evidence to limit this to 5 pages<sup>1</sup>. Evidence filed on behalf of Southland Fish and Game, by Dr Death comprised 9 pages, excluding cover sheet and references.
- 3 Dr Depree has taken his utmost care to ensure his supplementary evidence is succinct. However, due to the scientific assessment and explanations necessary to provide meaningful assistance to the Court, Dr Depree has been unable to restrict his evidence to the prescribed 5 page limit (the body of Dr Depree's evidence amounts to 7 pages).
- 4 Counsel respectfully seeks the indulgence of the Court (and the parties) and requests that Dr Depree's evidence is accepted on this basis.

**Dated** 20 May 2022



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**Katherine Forward**

Solicitor for DairyNZ Limited and on behalf of Counsel for Fonterra Co-operative Group Limited.

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<sup>1</sup> Paragraph [14(a)] Courts Minute, dated 2 May 2022.