

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

ENV-2018-CHC-26 to 50

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of appeals under clause
14 of Schedule 1 to the
Act relating to the
proposed Southland
Water and Land Plan

BETWEEN **WAIHOPAI RŪNAKA,
HOKONUI RŪNAKA,
TE RŪNANGA O
AWARUA, TE
RŪNANGA O ORAKA
APARIMA, and TE
RŪNANGA O NGĀI
TAHU (collectively
NGĀ RŪNANGA)**

**Appellants in ENV-
2018-CHC-47**

AND **SOUTHLAND
REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL FOR NGĀ RŪNANGA REGARDING ATTENDANCE
AT THE TOPIC B 'ALL OF PARTIES' HEARING**

8 March 2022

Solicitor acting

 **Simpson Grierson**
Barristers & Solicitors

Simpson Grierson
S K Lennon
Telephone: +64-4-924 3509
Facsimile: +64-4-472 6986
Email: sal.lennon@simpsongrierson.com
DX SX11174 PO Box 2402
SOLICITORS
WELLINGTON 6140

Counsel acting

James Winchester
Telephone: 06 883 0080
E-mail: jw@jameswinchester.co.nz
The Office
Level 1, 15 Joll Road
PO Box 8161
Havelock North

MAY IT PLEASE THE COURT

1. This memorandum of counsel is filed on behalf of Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima, and Te Rūnanga o Ngāi Tahu (collectively **Ngā Rūnanga**).
2. The Topic B, Tranche 1 'all of parties' hearing is scheduled to commence on Monday 14 March 2022. Based on the hearing schedule filed by counsel for Environment Southland on 1 March 2022, the 'all of parties' hearing is expected to take five days.
3. Counsel respectfully requests the Court's leave to be excused from attending the 'all of parties' hearing. The Court's leave is sought on the basis that:
 - (a) Counsel are not presenting legal submissions;
 - (b) There are no witnesses who will be giving evidence on behalf of Ngā Rūnanga;
 - (c) Counsel will not be cross-examining any witnesses; and
 - (d) At a high level, the position of Ngā Rūnanga is aligned with that of Environment Southland.
4. Counsel will of course be responsible for keeping a watching brief on the hearing and attend parts of the hearing, if or as required. As such, Counsel does not expect that this approach will cause any disruptions or prejudice.

DATED this 8th day of March 2022



J G A Winchester / S K Lennon
Counsel for Ngā Rūnanga