

**BEFORE A COMMISSIONER APPOINTED
BY THE SOUTHLAND REGIONAL COUNCIL**

IN THE MATTER the Resource Management Act 1991

AND

IN THE MATTER of resource consents to occupy the Coastal Marine
Area with a tide gate and weir and to dam and divert
water

AND

IN THE MATTER of an application by **SOUTHLAND REGIONAL
COUNCIL**

**MEMORANDUM OF COUNSEL FOR THE APPLICANT
15 November 2024**

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MAY IT PLEASE THE COMMISSIONER

1. The purpose of this memorandum is to propose next steps to finalise the hearing process and note Counsel's availability constraints after 6 December 2024.
2. The expert conferencing for the ecology and planning witnesses has been completed and joint witness statements filed. Following this, Counsel contacted the Department of Conservation and Te Ao Marama Inc to obtain their views on next steps:
 - (a) Counsel for the Department of Conservation does not wish to be heard further.
 - (b) TAMI likewise does not wish to be heard further.
3. Therefore, the remaining steps are the s 42A reporting officer's final recommendations and the Applicant's closing.
4. Counsel for the Applicant does not wish appear in person and considers the Applicant's closing can be dealt with in writing (if that suits the Commissioner). It is suggested the Reporting Officer could likewise give his final recommendation in writing.
5. In terms of availability, this Counsel is finishing for the year on 6 December and will then be out of the country. The Applicant seeks directions that will allow the hearing to be closed by that date.
6. Counsel has not contacted the Reporting Officer, so is uncertain on his availability. However, it is proposed the Applicant's closing be filed by 6 December 2024 and the Reporting Officer's recommendations received at least five working days beforehand (sooner if possible).



CP Thomsen
Counsel for the Applicant
15 November 2024