

**IN THE HIGH COURT OF NEW ZEALAND  
DUNEDIN REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
ŌTEPOTI ROHE**

**NO. CIV-2024-**

<b>UNDER</b>	The Resource Management Act 1991
<b>IN THE MATTER OF</b>	An appeal under section 299 and clause 56 of Schedule 1 of the Act
<b>BETWEEN</b>	<b>KĀI TAHU</b>
<b>AND</b>	<b>OTAGO FISH AND GAME COUNCIL</b>
<b>AND</b>	<b>CENTRAL SOUTH ISLAND FISH AND GAME COUNCIL</b>
<b>AND</b>	<b>OCEANA GOLD (NEW ZEALAND) LIMITED</b>
<b>AND</b>	<b>QUEENSTOWN LAKES DISTRICT COUNCIL</b>
<b>AND</b>	<b>ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED</b>
	<b>Appellants</b>
<b>AND</b>	<b>OTAGO REGIONAL COUNCIL</b>
	<b>Respondent</b>

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**MEMORANDUM OF COUNSEL FOR ROYAL FOREST  
AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**

12 November 2024

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**Royal Forest and Bird Protection Society of New Zealand**

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**MAY IT PLEASE THE COURT**

1. This memorandum responds to the memoranda dated:
  - (a) 8 November 2024 of Otago Fish and Game Council and Central South Island Fish and Game Council (Fish and Game) and Oceana Gold (New Zealand) Limited (Oceana Gold) requesting that their appeals be put on hold; and
  - (b) 12 November 2024 of Otago Regional Council, opposing the Fish and Game and Oceana Gold appeals being put on hold.
2. Forest & Bird supports the position of the Otago Regional Council for the reasons outlined in its memorandum of 12 November 2024.
3. Forest & Bird is particularly concerned with the suggestion that its appeal, which has been resolved between the parties, might be put on hold because Fish and Game and Oceana Gold consider their respective appeals, which have not been resolved, should be put on hold.
4. Forest & Bird and the other parties spent a considerable amount of time and money in attending mediation. The result of this mediation was that the appeal points in relation to the Forest & Bird and other appeals were agreed between the parties and consent memoranda filed to resolve the appeals.
5. A proposal to consolidate Forest & Bird's appeal with the Fish and Game and Oceana Gold appeal would undermine these outcomes. Forest & Bird would therefore oppose any application to consolidate its appeals with unresolved appeals and put them on hold.

**DATED** 12 November 2024.



A handwritten signature in black ink, appearing to read 'R. Anderson', is written over a light blue rectangular background. The signature is cursive and somewhat stylized.

**Peter Anderson / May Downing**

Counsel for the Royal Forest and Bird Protection Society of  
New Zealand Inc