

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

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

**CIV-2024-412-000037 /
000038 / 000040 / 000041 / 000042**

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under section 299 and clause 56 of Schedule
1 to the Act

BETWEEN **OTAGO FISH AND GAME COUNCIL AND CENTRAL
SOUTH ISLAND FISH AND GAME COUNCIL**

AND **OCEANA GOLD (NEW ZEALAND) LIMITED**

Appellants

AND **OTAGO REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL IN REPLY TO JOINT MEMORANDUM OF
OTAGO FISH AND GAME COUNCIL AND CENTRAL SOUTH ISLAND
FISH AND GAME COUNCIL AND OCEANA GOLD (NEW ZEALAND)
LIMITED FOR BEEF + LAMB NEW ZEALAND LIMITED
13 November 2024**

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**MEMORANDUM OF COUNSEL IN REPLY TO JOINT MEMORANDUM OF
OTAGO FISH AND GAME COUNCIL AND CENTRAL SOUTH ISLAND FISH
AND GAME COUNCIL AND OCEANA GOLD (NEW ZEALAND) LIMITED FOR
BEEF + LAMB NEW ZEALAND LIMITED**

MAY IT PLEASE THE COURT

1. This memorandum is filed in reply to the joint memorandum of counsel for Otago Fish and Game Council and Central South Island Fish and Game Council (**Fish & Game**) and Oceana Gold (New Zealand) Limited (**Oceana Gold**) dated 12 November 2024.
2. Beef + Lamb New Zealand Limited (**B+LNZ**) is a s 301 party to the appeals of Fish & Game and Oceana Gold.
3. B+LNZ have reviewed the memoranda in reply from Otago Regional Council (**ORC**), Royal Forest and Bird Protection Society Incorporated (**Forest & Bird**) and Kāi Tahu.

Extant Points on Appeal Subject to Timetable

4. B+LNZ is neutral on the application by Fish & Game and Oceana Gold. It will abide the decision of the Court.

Points on Appeal before the Court Proposed for Resolution by Consent

5. To the extent either Fish & Game or Oceana Gold seek to adjourn the applications for consent orders, or there is otherwise a delay sought, B+LNZ oppose the same.¹ B+LNZ concur with and adopt the grounds of ORC and Forest & Bird in support of its position.

Kāi Tahu Application for Waiver

6. B+LNZ does not oppose the application by Kāi Tahu for a waiver of the time period to join the Oceana Gold appeal.

¹ Counsel understands from counsel for Oceana Gold that her client is not seeking to adjourn the determination of the consent orders but B+LNZ records its position to avoid any doubt.



CP Thomsen/K Simonsen
Counsel for Beef + Lamb NZ Limited
13 November 2024