

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

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

**CIV-2021-412-000089**

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**UNDER** the Declaratory Judgments Act 1908

**IN THE MATTER** of an application under the Declaratory Judgment Act 1908

**BETWEEN** **OTAGO REGIONAL COUNCIL**, a body corporate under the Local Government Act 2002

Plaintiff

**AND** **ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**, a duly incorporated society under the Incorporated Societies Act 1908 having its registered office at 205 Victoria Street, Wellington

Defendant

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**MEMORANDUM OF COUNSEL FOR THE PLAINTIFF**

Dated: 3 December 2021

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**MEMORANDUM OF COUNSEL FOR THE PLAINTIFF**

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**May it Please the Court:**

1. This memorandum is filed by the Otago Regional Council in response to the Registrar's enquiry as to a suitable date for a pre-trial conference.
2. ORC has consulted with all other parties and an amended timetable for the filing of submissions has been agreed to streamline the preparation for and conduct of the hearing.
3. The following sequential timetabling of submissions has been agreed between the parties:
  - 3.1. Submissions, list of authorities and chronology on behalf of the Plaintiff, Otago Regional Council, shall be filed and served by 24 December 2021;
  - 3.2. Submissions, list of authorities and chronology on behalf of the Defendant, Royal Forest and Bird Protection Society of New Zealand Incorporated, shall be filed and served by 20 January 2022; and
  - 3.3. Submissions, list of authorities and chronology on behalf of any other party shall be filed and served by 27 January 2022.
4. If the amended timetable is acceptable to the Court, a pre-trial conference on Wednesday 2 February 2022 at 9.15am would be acceptable. If this sequence for filing submissions is approved by the Court, a teleconference on 15 December is not necessary.



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A J Logan/ T M Sefton  
Counsel for the Otago Regional Council

3 December 2021

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Date