

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

applications for resource consents to take and use
water in the Upper Waitaki Catchments

**MEMORANDUM OF COUNSEL ON BEHALF OF SOUTHDOWN HOLDINGS
LIMITED, FIVE RIVERS LIMITED AND KILLERMONT STATION LIMITED**

24 JUNE 2011

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MAY IT PLEASE THE COMMISSIONERS:

1. This memorandum is filed on behalf of Southdown Holdings Limited, Five Rivers Limited and Killermont Station Limited ("**Applicants**").
2. The Applicants have received the Commissioners' 28th Minute of 4 April 2011 and appreciate that the Commissioners are dealing with a very large determination on a number of applications which has been made more difficult by both natural disasters and the time taken by some parties to submit their condition sets.
3. Nevertheless, the Applicants wish to again record their anxiety to see a decision made with all due haste.
4. The Applicants have previously sought that matters be determined as soon as possible:
 - (a) On 6 September 2010 a memorandum was filed which requested that the Applicants not be held up by any further by delays caused by other parties.
 - (b) On 12 October 2010 the Applicants requested that their applications be determined as soon as practicable, notwithstanding any further delay from other applicants in providing their conditions.
5. The length of time taken for the process is putting the Applicants under considerable strain, both financial and emotional. Large amounts of capital are tied up in this hearing, and accordingly the Applicants wish to have certainty as to what may be undertaken on their properties.
6. Accordingly, the Applicant's respectfully request that the Commissioners provide a date by which the decisions on their applications are finalised and that this date be as soon as possible.

Dated 24 June 2011

B J Matheson

Counsel for Southdown Holdings Limited,
Five Rivers Limited and Killermont Station Limited