

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA
KI OTAUTAHI**

ENV-2018-CHC-34

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF appeals under clause 14 of the First Schedule to the Act

BETWEEN **BEEF+LAMB NEW ZEALAND LIMITED**

Appellant

AND **SOUTHLAND REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL FOR BEEF+LAMB NZ IDENTIFYING
TRACKED CHANGE RELIEF SOUGHT
29 October 2021**

FLETCHER VAUTIER MOORE
LAWYERS
PO BOX 3029
RICHMOND 7050

Telephone: (03) 543 8301
Facsimile: (03) 543 8302
Email: cthomsen@fvm.co.nz
cluisetti@fvm.co.nz
Solicitor/Counsel: CP Thomsen/ CH Luisetti

MAY IT PLEASE THE COURT:

1. Beef+Lamb New Zealand Limited (B+LNZ) has filed two appeals on the decisions version of the Proposed Southland Water and Land Plan. It has or will (shortly) give notice of withdrawal of its appeal in respect of rule 20(d) (identifier ENV-2018-CHC-34) by separate memorandum.
2. This memorandum responds to the Court's direction to all parties to identify the relief being sought.
3. B+LNZ seeks the following relief (additions underlined):

Rule 70 – Stock exclusion from water bodies

- (a) ...
- (b) The disturbance of the bed of a lake, river (excluding ephemeral rivers where stock access is permitted under Rule 20(aa)), modified watercourse or natural wetland by sheep is a permitted activity.

Table 1: Timetable for stock exclusion from water bodies ...

Insert into the Glossary a new definition of 'Stock Unit' as follows:

Stock unit means one 55 kilogram breeding ewe, bearing a single lamb, consuming 550 kilograms DM average quality feed over a year.

4. B+LNZ has not particularised relief sought in respect of policy 18(2a). In its appeal it pleads a lack of clarity in the policy's application because it does not know where it applies. Ms Foster's will say statement says:

It appears from Mr McCallum-Clark's supplementary statement that there may be a basis for more clearly defining the catchments referred to by the words 'preclude contact recreation' in Policy 18 (2a.). If that is the case, my opinion is that the Council should propose a list explicitly identifying the relevant catchments.

5. B+LNZ therefore seeks a list of the affected catchments, which is information held by the Respondent. It will therefore address this with the Respondent.



C P Thomsen
Counsel for Beef+Lamb New Zealand Limited
29 October 2021