

Kate McKinlay

From: Philip Maw
Subject: FW: pSWLP Southland Tranche 1

From: Brownlee, Maddy <Maddy.Brownlee@justice.govt.nz>
Sent: Tuesday, 19 July 2022 12:48 PM
To: Bronwyn Carruthers <bcarruthers@shortlandchambers.co.nz>; Imogen Edwards <Imogen.Edwards@wynnwilliams.co.nz>; Amelia Ching <aching@doc.govt.nz>; ben@cuee.nz; ben.williams@chapmantripp.com; carmen@planzconsultants.co.nz; Chris Fowler <chris.fowler@saunders.co.nz>; Chris Thompson <cthomsen@fvm.co.nz>; Dave Harrison <Dave.Harrison@beeflambnz.com>; 'David Pullar' <dpullar@xtra.co.nz>; dean <dean@environmentalbarrister.co.nz>; 'Douglas Allan' <dallan@ellisgould.co.nz>; Humphrey Tapper <Humphrey.Tapper@MeridianEnergy.co.nz>; 'Jacob Smyth' <jacob.smyth@southlandfishgame.co.nz>; James Winchester <jw@jameswinchester.co.nz>; jason.sandford@fonterra.com; 'Jessica Ottowa' <jessica.ottowa@duncancotterill.com>; Jordandclair20 <Jordandclair20@gmail.com>; Karen Wilson <Karen.Wilson@hobec.co.nz>; katherine.forward@duncancotterill.com; Kristy Rusher <Kristy.Rusher@awslegal.co.nz>; Laura Murphy <Laura.Neale@hobec.co.nz>; Linda Kirk <lkirk@doc.govt.nz>; Mark Christensen <mark@naturalresourceslaw.co.nz>; Megan Exton <Megan.Exton@hobec.co.nz>; michael.garbett@al.nz; 'Michael Morris' <Michael.Morris@icc.govt.nz>; Mike Campbell <mcampbell@fedfarm.org.nz>; natasha.garvan@bellgully.com; pwilliams@doc.govt.nz; p.anderson@forestandbird.org.nz; Peter Wilson <pwilson@fedfarm.org.nz>; Philip Maw <philip.maw@wynnwilliams.co.nz>; rex.chapman@cplaw.co.nz; 'Richard Gardner' <rgardner@fedfarm.org.nz>; riki.donnely@prlaw.co.nz; 'Rob Enright' <rob@publiclaw9.com>; Sal Lennon <Sal.Lennon@simpsongrierson.com>; Sally Gepp <sally@sallygepp.co.nz>; 'Stephen Christensen' <stephen@projectbarrister.nz>; Sue Ruston <sue@ppmconsulting.co.nz>; Tayla.crawford@bellgully.com; Tim Ensor <TEnsor@tonkintaylor.co.nz>; Tom Kay <T.Kay@forestandbird.org.nz>; Treena Davidson <treenadavidson@aecdtd.co.nz>; 'Twin Farm Ltd' <snowwelsh@hotmail.com>; sgraydon@heritage.org.nz; Vanessa Hamm <Vanessa.Hamm@hobec.co.nz>; 'Waiau Rivercare Group' <waiau.rivercare.group@gmail.com>; Zane Moss <zane.moss@southlandfishgame.co.nz>
Subject: pSWLP Southland Tranche 1

Good afternoon

Judge Borthwick has considered Federated Farmer's memorandum dated 19 July 2022 and responds:

1. The application to cancel the court's directions is declined;
2. Federated Farmers latest amendment to Rule 20(a)(i) does not address the purpose for which the direction was made.
3. For the court to be inclined to grant its relief, Federated Farmers will need to satisfy the court that there is an evidential basis for its proposed rules, Rule 20A(a)(i) and Rule 20A(aa).
4. Mr Wilson intimated to the court that the grazing pressure index could be used to establish that there are no greater if adverse effects if the farming activity does not meet Rule 20A (a)(i) or (ii) and on that basis a certifier certify FEMP (Rule 20A (aa)).

J E Borthwick
Environment Judge
19 July 2022

Kind regards
Maddy

Maddy Brownlee
Case/Hearing Manager



Christchurch Environment Court | Land Valuation Tribunal
20 Lichfield Street, Christchurch | WX 11113

Maddy.Brownlee@justice.govt.nz

<https://environmentcourt.govt.nz/>