

UNDER the Resource Management Act 1991 ("RMA")

IN THE MATTER of appeals under Clause 14 of the First Schedule to the RMA in relation to the decision on the proposed Southland Water and Land Plan

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND INCORPORATED**
Appellant / s274 Party

AND **SOUTHLAND REGIONAL COUNCIL**
Respondent

MEMORANDUM OF COUNSEL FOR FEDERATED FARMERS

19 July 2022

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MAY IT PLEASE THE COURT:

1. Paragraphs [9] – [12] of the Court’s Minute dated 11 July 2022 directed Mr Wilson to circulate worked examples of the Index of Grazing Pressure he introduced during questioning on 8 July 2022.
2. As the Court will be aware, the NES:F has capped the area of IWG to the maximum area of the landholding used for IWG in the 5 year reference period 2014 – 2019.
3. I confirm it is not the intent of the relief to enable any increase in area of IWG under Rule 20(a)(i).
4. Rather than preparing worked examples of a new metric, Federated Farmers and Wilkins Farming Co Ltd prepared an alternate version of Rule 20(a)(i) which was provided to Council for consideration on 12 July 2022.
5. The purpose of this memorandum is twofold:
 - (a) To give advance notice to the Court and parties of the revised version of Rule 20(a)(i) to be put forward by my clients on 27 July 2022; and
 - (b) To request that the direction that Mr Wilson prepare and provide worked examples of the potential new metric be cancelled.
6. The revised wording of Rule 20(a)(i) reads as follows:

...does not occur on more than:

 - 50ha or 15% of the area of the landholding or 100 hectares, whichever is the lesser greater area; and
 - the maximum area of the landholding used for intensive winter grazing in the five years 2014 – 2019.
7. I respectfully request confirmation from the Court that the worked examples requested from Mr Wilson are not required.

DATED 7 June 2022



B S Carruthers
Counsel for Federated Farmers