

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under Clause 14 of the First Schedule of the Act

BETWEEN **TRANSPOWER NEW ZEALAND LIMITED**
(ENV-2018-CHC-26)

FONTERRA CO-OPERATIVE GROUP
(ENV-2018-CHC-27)

HORTICULTURE NEW ZEALAND
(ENV-2018-CHC-28)

ARATIATIA LIVESTOCK LIMITED
(ENV-2018-CHC-29)

WILKINS FARMING CO

(Continued next page)

**MEMORANDUM OF COUNSEL FOR SOUTHLAND REGIONAL COUNCIL
REGARDING AN AMENDED STATEMENT OF REBUTTAL EVIDENCE ON
BEHALF OF MR MCCALLUM-CLARK
27 May 2019**

Judicial Officer: Judge Borthwick

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WYNNWILLIAMS

(ENV-2018-CHC-30)

**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT
COUNCIL & INVERCARGILL DISTRICT COUNCIL**
(ENV-2018-CHC-31)

DAIRYNZ LIMITED
(ENV-2018-CHC-32)

H W RICHARDSON GROUP
(ENV-2018-CHC-33)

BEEF + LAMB NEW ZEALAND
(ENV-2018-CHC-34 & 35)

DIRECTOR-GENERAL OF CONSERVATION
(ENV-2018-CHC-36)

SOUTHLAND FISH AND GAME COUNCIL
(ENV-2018-CHC-37)

MERIDIAN ENERGY LIMITED Act 1991
(ENV-2018-CHC-38)

ALLIANCE GROUP LIMITED
(ENV-2018-CHC-39)

FEDERATED FARMERS OF NEW ZEALAND
(ENV-2018-CHC-40)

HERITAGE NEW ZEALAND POUHERE TAONGA
(ENV-2018-CHC-41)

STONEY CREEK STATION LIMITED
(ENV-2018-CHC-42)

THE TERRACES LIMITED
(ENV-2018-CHC-43)

CAMPBELL'S BLOCK LIMITED
(ENV-2018-CHC-44)

ROBERT GRANT
(ENV-2018-CHC-45)

**SOUTHWOOD EXPORT LIMITED, KODANSHA
TREEFARM NEW ZEALAND LIMITED, SOUTHLAND
PLANTATION FOREST COMPANY OF NEW ZEALAND**
(ENV-2018-CHC-46)

**TE RUNANGA O NGAI TAHU, HOKONUI RUNAKA,
WAIHOPAI RUNAKA, TE RUNANGA O AWARUA & TE
RUNANGA O ORAKA APARIMA**
(ENV-2018-CHC-47)

PETER CHARTRES
(ENV-2018-CHC-48)

RAYONIER NEW ZEALAND LIMITED
(ENV-2018-CHC-49)

**ROYAL FOREST AND BIRD PROTECTION SOCIETY
OF NEW ZEALAND**
(ENV-2018-CHC-50)

Appellants

AND

SOUTHLAND REGIONAL COUNCIL

Respondent

MAY IT PLEASE THE COURT

- 1 This Memorandum of Counsel is filed on behalf of the Southland Regional Council (**Council**) in respect of the appeals against the Council's decision on the proposed Southland Water and Land Plan (**pSWLP**).
- 2 Earlier today, on 27 May 2019, Counsel for the Council filed, and served, by email, the rebuttal evidence on behalf of the Council, which comprises Statements of Rebuttal Evidence of Nicholas Ward, Ewen Rodway, and Matthew McCallum-Clark.
- 3 Subsequent to the electronic filing and service of that evidence, Counsel has become aware of an inadvertent error contained in the Statement of Rebuttal Evidence of Mr McCallum-Clark.
- 4 The inadvertent transposition error was contained in paragraph 26 of the previous version of Mr McCallum-Clark's Rebuttal Evidence that was filed with the Court. For ease of reference, the amended version deletes the phrase "Amenity values" from the revised version of Objective 13(d), as set out in paragraph 26, as follows (deletions in strikethrough):

(d) ~~Amenity values,~~ Recreation values, cultural values and historic heritage values are maintained or enhanced.
- 5 To avoid any potential confusion, and to ensure an efficient hearing process, Counsel considers that this error should be corrected.
- 6 Accordingly, out of an abundance of caution, Counsel seeks leave to replace the Rebuttal Evidence of Mr McCallum-Clark that was previously filed with the Court, with the Statement of Rebuttal Evidence of Mr McCallum-Clark appended to this Memorandum.
- 7 Counsel considers that no prejudice arises from the filing of this amended Rebuttal evidence, as the amended Rebuttal Evidence of Mr McCallum-Clark is still filed within the timeframe directed by the Court.

- 8 For completeness, the paginated hard copy of the Council's Rebuttal evidence, which is to be filed with the Court today, will include the amended version of Mr McCallum-Clark's Rebuttal Evidence.

DATED this 27th day of May 2019



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P A C Maw / K J Wyss
Counsel for the Southland Regional Council