

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 **WILKINS FARMING COMPANY LTD**
Appellant / s274 Party

AND **SOUTHLAND REGIONAL COUNCIL**
Respondent

**MEMORANDUM OF COUNSEL FOR WILKINS FARMING COMPANY LTD
RAISING CHALLENGE TO SCOPE**

29 July 2022

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MAY IT PLEASE THE COURT

1. Any party disputing scope for relief has been directed to file a memorandum by 29 July 2022 identifying the relevant provision and briefly stating the basis for the challenge.
2. In the decisions version of the plan, Rule 20(a)(iii)(1) restricted the area of intensive winter grazing to the lesser of 15% of the landholding or 100ha.
3. Since November 2021 the Regional Council has been promoting an alternative restriction: the greater of 10% of the landholding or 50ha.
4. In the decisions version of the plan, Rule 20(a)(iii) did not restrict the slope of land on which intensive winter grazing could occur.
5. Since November 2021 the Regional Council has been promoting a new restriction: a maximum slope of 10 degrees.
6. No appeal seeks these changes.
7. No appellant has provided evidence in support of these changes.

DATED 29 July 2022



B S Carruthers
Counsel for Wilkins Farming Co Ltd