

**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)

(Continued next page)

**MEMORANDUM OF COUNSEL FOR SOUTHLAND REGIONAL COUNCIL
RESPONDING TO COURT'S MINUTE OF 23 AUGUST 2022**

23 August 2022

Judicial Officer: Judge Borthwick

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WILKINS FARMING CO
(ENV-2018-CHC-30)

**GORE DISTRICT COUNCIL, SOUTHLAND DISTRICT
COUNCIL & INVERCARGILL CITY 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
(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 in respect of the appeals against the Council's decision on the proposed Southland Water and Land Plan.
- 2 This Memorandum responds to the Court's Minute of 23 August 2022, in which the Council was directed to advise whether it agrees to the will say documents being included in a common bundle.
- 3 Ms Carruthers has referred to the will say statements of Ms Maciaszek for the Council and Dr Sklash for Wilkins Farming Company Limited (**Wilkins**) in her legal submissions.
- 4 However, in addition to Ms Maciaszek's will say statement, the Council also filed a will say statement by Mr Peter Callander addressing certain technical matters which, although not relevant to the scope argument, are relevant to the matters raised in Wilkins' appeal. Mr Callander's will say statement is therefore not referred to in any party's legal submissions in respect of jurisdictional matters but for completeness, is enclosed with this Memorandum.
- 5 The Council acknowledges that the Court will need to sight the will say statements for Ms Maciaszek and Dr Sklash in order to fully appreciate Ms Carruthers' submissions. Accordingly, the Council does not oppose the inclusion of the will say statements on that basis. However, the Council notes for the Court's benefit that it intends to call technical evidence at the substantive hearing to dispute that which Dr Sklash will say.
- 6 Finally, the Council does not object to Ms Dines' being called to give evidence.

DATED this 23rd day of August 2022



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P A C Maw / I F Edwards
 Counsel for the Southland Regional Council