

In the Environment Court of New Zealand  
Christchurch Registry

I Mua I Te Kōti Taiao o Aotearoa  
Ōtautahi Rohe

**ENV-2018-CHC-26 to 50**

Under the Resource Management Act 1991 (RMA)

In the matter of appeals under clause 14 of Schedule 1 of the RMA relating to the proposed Southland Water and Land Plan (**pSWLP**)

Between **Gore District Council, Southland District Council and Invercargill City Council (TLAs)**

Appellants in ENV-2018-CHC-31, and section 274 party to appeals: ENV-2018-CHC-37 Southland Fish & Game Council; ENV-2018-CHC-39 Alliance Group Limited; ENV-2018-CHC-40 Federated Farmers of New Zealand; ENV-2018-CHC-50 Royal Forest and Bird Protection Society of New Zealand; ENV-2018-CHC-41 Heritage New Zealand Pouhere Taonga; ENV-2018-CHC-47 Te Rūnanga o Ngāi Tahu, Hokonui Rūnaka, Waihopai Rūnaka, Te Rūnanga o Awarua & Te Rūnanga o Oraka Aparima

And **Southland Regional Council (Environment Southland)**  
Respondent

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**Memorandum of Counsel for the Territorial Authorities**

13 October 2021

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**Appellant's solicitors:**


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## May it please the Court

- 1 This memorandum is filed in preparation for the prehearing conference on 19 October 2021.
- 2 Most of the issues which the Territorial Authorities had an interest in have been resolved at mediation. The remaining issues that have not been resolved with all parties are in Topic B2 – Water Quality and Discharges. This topic has been grouped with the "farming" topic which is mostly involving Topic B3, B4 and B5. The Territorial Authorities issues to be resolved relate only to part of Topic B2. These are:
  - (a) Policies 15, 15A, 15B, 15C and Appendix E (topic B2 issues 6 – 9 and 21 – 22); and
  - (b) Rules 5,6 and 15 (Topic B2, issues 15 – 17).
- 3 The Territorial Authorities involvement at the hearing would be confined to making submissions and providing evidence on these issues. The wording on these provisions has been agreed with some parties and efforts are being made to see if they can be fully resolved with all parties prior to the hearing.
- 4 In terms of the issues the Court seeks responses on the Territorial Authorities position as is follows:
  - (a) The evidence timetable proposed is acceptable.
  - (b) The issues of fact and opinion to be resolved are agreed.
  - (c) There will be one planning witness and up to three Council managers to provide evidence (total 4).
  - (d) Mr Dunning, the Planning Witness can be available between 22 November and 10 December for conferencing.

Dated this 13<sup>th</sup> day of October 2021



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Michael Garbett  
Counsel for the Territorial Authorities