

## Kate McKinlay

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**From:** Preston, Sophia <Sophia.Preston@justice.govt.nz>  
**Sent:** Tuesday, 9 May 2023 2:38 PM  
**Subject:** pSWLP - Tranche 1 -

Good afternoon,

I have referred SRC reporting memorandum dated 8 May 2023 to Judge Borthwick who directs:

1. *Without limiting any question that counsel may wish to put to participants on the sense check, expert evidence is required in relation to cl 7(b) and cl 8(c)(i) and the court anticipates Dr Monaghan may be in a position to respond the same.*
2. *Responding to counsel's query regarding the effectiveness of cl 13 (i), the court anticipates evidence will be required from witnesses having expertise in soil and agricultural sciences and possibly water quality. This evidence is in addition to that to be given by the farm systems advisors.*
3. *Subject to the above, I will make the directions proposed by counsel:*
  - a. *SRC is to circulate to the parties amendments to Appendix N:FEMP that are supported by Dr Monaghan and Mr McCallum-Clark by **Wednesday 10 May 2023** who will succinctly state their reasons for the same;*
  - b. *The other parties are directed to respond to the SRC by **Friday 12 May 2023**; and*
  - c. *Technical and expert evidence is to be filed by Friday 19 May 2023 together with a copy of Appendix N: FEMP tracking any changes proposed.*
4. *Finally, the court separately released its decision on SRC application to recall and Federated Farmers application to stay proceedings. The application to stay proceedings has the potential to cut across the above directions and indeed most other extant case management directions. I draw this to the parties attention as the court will set the application down for an urgent fixture.*

Judge Borthwick  
Environment Court

Kind regards,  
Sophia



**Sophia Preston**  
Hearing Manager | Christchurch Environment Court  
DDI: +64 3 353 9667 | Ext 39667  
Mobile: 027 2143320  
[sophia.preston@justice.govt.nz](mailto:sophia.preston@justice.govt.nz)  
[www.environmentcourt.govt.nz](http://www.environmentcourt.govt.nz)

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**From:** Preston, Sophia  
**Sent:** Tuesday, 9 May 2023 2:30 p.m.  
**To:** Tinkler, Michael <Michael.Tinkler@justice.govt.nz>; 'Bronwyn Carruthers' <bcarruthers@shortlandchambers.co.nz>; 'Imogen Edwards' <Imogen.Edwards@wynnwilliams.co.nz>; Baatjes, Kelly <Kelly.Baatjes@pds.govt.nz>; Kelly, Karina <Karina.Kelly@justice.govt.nz>; 'Kristy Rusher' <Kristy.Rusher@awslegal.co.nz>; 'Katherine Forward' <katherine.forward@duncancotterill.com>; 'Laura Jeffries' <laura.jeffries@hobec.co.nz>; 'ben@cuee.nz' <ben@cuee.nz>; 'ben.williams@chapmantripp.com' <ben.williams@chapmantripp.com>; 'carmen@planzconsultants.co.nz' <carmen@planzconsultants.co.nz>; 'Chris Fowler' <chris.fowler@saunders.co.nz>; 'Chris Thomsen' <CThomsen@fvm.co.nz>; 'Douglas Allan'

<dallan@ellisgould.co.nz>; 'Humphrey Tapper' <Humphrey.Tapper@MeridianEnergy.co.nz>; 'Jacob Smyth' <jacob.smyth@southlandfishgame.co.nz>; 'James Winchester' <jw@jameswinchester.co.nz>; 'jason.sandford@fonterra.com' <jason.sandford@fonterra.com>; 'Jessica Ottowa' <jessica.ottowa@duncancotterill.com>; 'Jordanclaire20' <Jordanclaire20@gmail.com>; 'Karen Wilson' <Karen.Wilson@hobec.co.nz>; 'Laura Murphy' <Laura.Murphy@hobec.co.nz>; 'Linda Kirk' <lkirk@doc.govt.nz>; 'Mark Christensen' <mark@naturalresourceslaw.co.nz>; 'Megan Exton' <Megan.Exton@hobec.co.nz>; 'michael.garbett@al.nz' <michael.garbett@al.nz>; 'Michael Morris' <Michael.Morris@icc.govt.nz>; 'Mike Campbell' <mcampbell@fedfarm.org.nz>; 'MRussell@heritage.org.nz' <MRussell@heritage.org.nz>; 'natasha.garvan@bellgully.com' <natasha.garvan@bellgully.com>; 'pwilliams@doc.govt.nz' <pwilliams@doc.govt.nz>; 'p.anderson@forestandbird.org.nz' <p.anderson@forestandbird.org.nz>; 'Peter Wilson' <pwilson@fedfarm.org.nz>; 'Philip Maw' <philip.maw@wynnwilliams.co.nz>; 'rex.chapman@cplaw.co.nz' <rex.chapman@cplaw.co.nz>; 'Richard Gardner' <rgardner@fedfarm.org.nz>; 'riki.donnely@prlaw.co.nz' <riki.donnely@prlaw.co.nz>; 'Sal Lennon' <Sal.Lennon@simpsongrierson.com>; 'Sally Gepp' <sally@sallygepp.co.nz>; 'Stephen Christensen' <stephen@projectbarrister.nz>; 'Sue Ruston' <sue@ppmconsulting.co.nz>; 'Tayla.crawford@bellgully.com' <Tayla.crawford@bellgully.com>; 'Tim Ensor' <TEnsor@tonkintaylor.co.nz>; 'Tom Kay' <T.Kay@forestandbird.org.nz>; 'Treena Davidson' <treenadavidson@aecltd.co.nz>; 'Twin Farm Ltd' <snowwelsh@hotmail.com>; 'Vanessa Hamm' <Vanessa.Hamm@hobec.co.nz>; 'Waiau Rivercare Group' <waiau.rivercare.group@gmail.com>; 'Zane Moss' <zane.moss@southlandfishgame.co.nz>

**Subject:** pSWLP - Tranche 1 - sixth interim decision recall and stay

Hi,

Please see attached sixth interim decision for release and the accompanying applications in regards to the recall and the stay.

Kind regards,  
Sophia



**Sophia Preston**

Hearing Manager | Christchurch Environment Court

DDI: +64 3 353 9667 | Ext 39667

Mobile: 027 2143320

[sophia.preston@justice.govt.nz](mailto:sophia.preston@justice.govt.nz)

[www.environmentcourt.govt.nz](http://www.environmentcourt.govt.nz)

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**From:** Preston, Sophia

**Sent:** Tuesday, 9 May 2023 12:15 p.m.

**To:** Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>; Bronwyn Carruthers' <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Imogen Edwards' <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Baatjes, Kelly <[Kelly.Baatjes@pds.govt.nz](mailto:Kelly.Baatjes@pds.govt.nz)>; Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; 'Kristy Rusher' <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; 'Katherine Forward' <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; 'Laura Jeffries' <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; 'ben@cuee.nz' <[ben@cuee.nz](mailto:ben@cuee.nz)>; 'ben.williams@chapmantripp.com' <[ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com)>; 'carmen@planzconsultants.co.nz' <[carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz)>; 'Chris Fowler' <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; 'Chris Thomsen' <[CThomsen@fvm.co.nz](mailto:CThomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; 'Humphrey Tapper' <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; 'James Winchester' <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; 'jason.sandford@fonterra.com' <[jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com)>; 'Jessica Ottowa' <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; 'Jordanclaire20' <[Jordanclaire20@gmail.com](mailto:Jordanclaire20@gmail.com)>; 'Karen Wilson' <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; 'Laura Murphy' <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; 'Linda Kirk' <[lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)>; 'Mark Christensen' <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; 'Megan Exton' <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>;

'michael.garbett@al.nz' <[michael.garbett@al.nz](mailto:michael.garbett@al.nz)>; 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; 'Mike Campbell' <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; 'MRussell@heritage.org.nz' <[MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz)>; 'natasha.garvan@bellgully.com' <[natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com)>; 'pwilliams@doc.govt.nz' <[pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz)>; 'p.anderson@forestandbird.org.nz' <[p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz)>; 'Peter Wilson' <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; 'Philip Maw' <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; 'rex.chapman@cplaw.co.nz' <[rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz)>; 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; 'riki.donnely@prlaw.co.nz' <[riki.donnely@prlaw.co.nz](mailto:riki.donnely@prlaw.co.nz)>; 'Sal Lennon' <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; 'Sally Gepp' <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; 'Sue Ruston' <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; 'Tayla.crawford@bellgully.com' <[Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com)>; 'Tim Ensor' <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; 'Tom Kay' <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; 'Treena Davidson' <[treenadavidson@aecltd.co.nz](mailto:treenadavidson@aecltd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; 'Vanessa Hamm' <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; 'Zane Moss' <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>

**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

Hi,

Please see below direction from Judge.

*I have referred Beef and Lamb's memorandum dated 8 May 2023 to Judge Borthwick who grants counsel leave to be excused on the terms sought.*

Judge Borthwick  
Environment Judge

Kind regard,  
Sophia



**Sophia Preston**  
Hearing Manager | Christchurch Environment Court  
DDI: +64 3 353 9667 | Ext 39667  
Mobile: 027 2143320  
[sophia.preston@justice.govt.nz](mailto:sophia.preston@justice.govt.nz)  
[www.environmentcourt.govt.nz](http://www.environmentcourt.govt.nz)

---

**From:** Colleen Luisetti <[CLuisetti@fvm.co.nz](mailto:CLuisetti@fvm.co.nz)>

**Sent:** Monday, 8 May 2023 4:07 pm

**To:** Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>; Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thomsen <[CThomsen@fvm.co.nz](mailto:CThomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordana Claire20 <[JordanaClaire20@gmail.com](mailto:JordanaClaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw

<[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnely@prlaw.co.nz](mailto:riki.donnely@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com); Tim Ensor <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aecdtd.co.nz](mailto:treenadavidson@aecdtd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>; Merat, Olivia <[Olivia.Merat@justice.govt.nz](mailto:Olivia.Merat@justice.govt.nz)>

**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

Dear Registrar and Parties

Please find attached a memorandum of counsel for B+LNZ.

Kind Regards



**Colleen Luisetti** | Senior Solicitor | **Fletcher Vautier Moore, Lawyers** | Level 2, 105 Collingwood Street, Nelson 7010 | PO Box 90, Nelson, 7040 | DX WC 70009 | DDI 03 539 1723 | Fax 03 548 2994 | Phone 03 548 1469 | Email [cluisetti@fvm.co.nz](mailto:cluisetti@fvm.co.nz) | Website [www.fvm.co.nz](http://www.fvm.co.nz)

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**From:** Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>

**Sent:** Sunday, 19 March 2023 12:27 PM

**To:** Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thomsen <[CThomsen@fvm.co.nz](mailto:CThomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordanclaire20 <[Jordanclaire20@gmail.com](mailto:Jordanclaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnely@prlaw.co.nz](mailto:riki.donnely@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com); Tim Ensor <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aecdtd.co.nz](mailto:treenadavidson@aecdtd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>; Merat, Olivia <[Olivia.Merat@justice.govt.nz](mailto:Olivia.Merat@justice.govt.nz)>

**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

**CAUTION:** This email originated outside of Fletcher Vautier Moore. It is not safe to open attachments or click links unless you recognise the sender and know the content is safe.

Good afternoon,

I have referred Ms Carruthers KC memorandum dated 17 March 2023 to Judge Borthwick who **responds**:

1. *I am grateful for counsel's initiative in conferring with other parties as to a suitable alternative hearing dates;*
2. *The only date that the bench can make itself available is the week commencing **29 May 2023**;*
3. *Any party having a difficulty with the date is to advise the court no later than **Wednesday 22 March 2023**. If the parties do not have a difficulty, the resumed hearing will be confirmed for the week commencing 29 May 2023 (without any further direction issuing).*

Judge Borthwick  
Environment Judge

Kind regards



Ngā mihi, nā

**Mike Tinkler**

Service Manager

Environment Court | PO Box 2069 | DX WX11113 | Christchurch 8140

DDI: +64 3 365 1738 | Ext 68926

Cellphone: 027 2808 135

[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>

**Sent:** Friday, 17 March 2023 2:47 pm

**To:** Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>; Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thompson <[cthomsen@fvm.co.nz](mailto:cthomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordandclaire20 <[Jordandclaire20@gmail.com](mailto:Jordandclaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lirk@doc.govt.nz](mailto:lirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnely@prlaw.co.nz](mailto:riki.donnely@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Taila.crawford@bellgully.com](mailto:Taila.crawford@bellgully.com); Tim Ensor <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aecltd.co.nz](mailto:treenadavidson@aecltd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>

**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

Afternoon all,



My memorandum of today's date is **attached** requesting that the hearing not resume the week of 15 May and proposing three alternatives shortly thereafter.

I would appreciate if you could place this before Her Honour before the Notice of Hearing issues.

Regards  
Bron

## Bronwyn Carruthers KC

Barrister

**t** +64 9 306 2770 **m** +64 21 685 809  
**e** bcarruthers@shortlandchambers.co.nz  
**w** shortlandchambers.co.nz/carruthers

## SHORTLAND CHAMBERS

Level 13, 70 Shortland Street, Auckland 1010  
PO Box 4338, Auckland 1140, New Zealand

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**From:** Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>  
**Sent:** Thursday, 9 March 2023 4:52 pm  
**To:** Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thompson <[cthomsen@fvm.co.nz](mailto:cthomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordandclaire20 <[Jordandclaire20@gmail.com](mailto:Jordandclaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnelly@prlaw.co.nz](mailto:riki.donnelly@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com); Tim Ensor <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aectltd.co.nz](mailto:treenadavidson@aectltd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>  
**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

Good afternoon,

Attached please find a minute of the court (plus annexures A & B) issued by Judge Borthwick today.

Kind regards



Ngā mihi, nā

**Mike Tinkler**

Service Manager

Environment Court | PO Box 2069 | DX WX11113 | Christchurch 8140

DDI: +64 3 365 1738 | Ext 68926

Cellphone: 027 2808 135

[www.justice.govt.nz](http://www.justice.govt.nz)

---

**From:** Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>

**Sent:** Tuesday, 7 March 2023 8:48 am

**To:** Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>; Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thompson <[cthomsen@fvm.co.nz](mailto:cthomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordandclaire20 <[Jordandclaire20@gmail.com](mailto:Jordandclaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnely@prlaw.co.nz](mailto:riki.donnely@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com); Tim Ensor <[TENSOR@tonkintaylor.co.nz](mailto:TENSOR@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aecltd.co.nz](mailto:treenadavidson@aecltd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>

**Subject:** RE: pSWLP - Tranche 1 [WW-ACTIVE.FID195730]

Dear Karina,

Unfortunately, counsel for the Council has not had an opportunity to confer with the parties regarding the content of the Memorandum of Counsel, which the Court directed the Council to file yesterday.

Counsel for the Council will confer with the parties today, and will file the Memorandum later today.

Kind regards,  
Imogen



**Imogen Edwards**

Senior Associate  
Wynn Williams

---

P +64 3 379 7622

[www.wynnwilliams.co.nz](http://www.wynnwilliams.co.nz)

M +64 272 525 992

Connect with us on LinkedIn

**From:** Kelly, Karina <[Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)>

**Sent:** Friday, 3 March 2023 2:58 PM

**To:** Kristy Rusher <[Kristy.Rusher@awslegal.co.nz](mailto:Kristy.Rusher@awslegal.co.nz)>; Imogen Edwards <[Imogen.Edwards@wynnwilliams.co.nz](mailto:Imogen.Edwards@wynnwilliams.co.nz)>; Katherine Forward <[katherine.forward@duncancotterill.com](mailto:katherine.forward@duncancotterill.com)>; Bronwyn Carruthers <[bcarruthers@shortlandchambers.co.nz](mailto:bcarruthers@shortlandchambers.co.nz)>; Tinkler, Michael <[Michael.Tinkler@justice.govt.nz](mailto:Michael.Tinkler@justice.govt.nz)>; Laura Jeffries <[laura.jeffries@hobec.co.nz](mailto:laura.jeffries@hobec.co.nz)>; [ben@cuee.nz](mailto:ben@cuee.nz); [ben.williams@chapmantripp.com](mailto:ben.williams@chapmantripp.com); [carmen@planzconsultants.co.nz](mailto:carmen@planzconsultants.co.nz); Chris Fowler <[chris.fowler@saunders.co.nz](mailto:chris.fowler@saunders.co.nz)>; Chris Thompson <[cthomsen@fvm.co.nz](mailto:cthomsen@fvm.co.nz)>; 'Douglas Allan' <[dallan@ellisgould.co.nz](mailto:dallan@ellisgould.co.nz)>; Humphrey Tapper <[Humphrey.Tapper@MeridianEnergy.co.nz](mailto:Humphrey.Tapper@MeridianEnergy.co.nz)>; 'Jacob Smyth' <[jacob.smyth@southlandfishgame.co.nz](mailto:jacob.smyth@southlandfishgame.co.nz)>; James Winchester <[jw@jameswinchester.co.nz](mailto:jw@jameswinchester.co.nz)>; [jason.sandford@fonterra.com](mailto:jason.sandford@fonterra.com); Jessica Ottowa <[jessica.ottowa@duncancotterill.com](mailto:jessica.ottowa@duncancotterill.com)>; Jordanclaire20 <[Jordanclaire20@gmail.com](mailto:Jordanclaire20@gmail.com)>; Karen Wilson <[Karen.Wilson@hobec.co.nz](mailto:Karen.Wilson@hobec.co.nz)>; Laura Murphy <[Laura.Murphy@hobec.co.nz](mailto:Laura.Murphy@hobec.co.nz)>; Linda Kirk <[lirk@doc.govt.nz](mailto:lirk@doc.govt.nz)>; Mark Christensen <[mark@naturalresourceslaw.co.nz](mailto:mark@naturalresourceslaw.co.nz)>; Megan Exton <[Megan.Exton@hobec.co.nz](mailto:Megan.Exton@hobec.co.nz)>; [michael.garbett@al.nz](mailto:michael.garbett@al.nz); 'Michael Morris' <[Michael.Morris@icc.govt.nz](mailto:Michael.Morris@icc.govt.nz)>; Mike Campbell <[mcampbell@fedfarm.org.nz](mailto:mcampbell@fedfarm.org.nz)>; [MRussell@heritage.org.nz](mailto:MRussell@heritage.org.nz); [natasha.garvan@bellgully.com](mailto:natasha.garvan@bellgully.com); [pwilliams@doc.govt.nz](mailto:pwilliams@doc.govt.nz); [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz); Peter Wilson <[pwilson@fedfarm.org.nz](mailto:pwilson@fedfarm.org.nz)>; Philip Maw <[philip.maw@wynnwilliams.co.nz](mailto:philip.maw@wynnwilliams.co.nz)>; [rex.chapman@cplaw.co.nz](mailto:rex.chapman@cplaw.co.nz); 'Richard Gardner' <[rgardner@fedfarm.org.nz](mailto:rgardner@fedfarm.org.nz)>; [riki.donnelly@prlaw.co.nz](mailto:riki.donnelly@prlaw.co.nz); Sal Lennon <[Sal.Lennon@simpsongrierson.com](mailto:Sal.Lennon@simpsongrierson.com)>; Sally Gepp <[sally@sallygepp.co.nz](mailto:sally@sallygepp.co.nz)>; 'Stephen Christensen' <[stephen@projectbarrister.nz](mailto:stephen@projectbarrister.nz)>; Sue Ruston <[sue@ppmconsulting.co.nz](mailto:sue@ppmconsulting.co.nz)>; [Tayla.crawford@bellgully.com](mailto:Tayla.crawford@bellgully.com); Tim Ensor <[TEnsor@tonkintaylor.co.nz](mailto:TEnsor@tonkintaylor.co.nz)>; Tom Kay <[T.Kay@forestandbird.org.nz](mailto:T.Kay@forestandbird.org.nz)>; Treena Davidson <[treenadavidson@aecdtd.co.nz](mailto:treenadavidson@aecdtd.co.nz)>; 'Twin Farm Ltd' <[snowwelsh@hotmail.com](mailto:snowwelsh@hotmail.com)>; Vanessa Hamm <[Vanessa.Hamm@hobec.co.nz](mailto:Vanessa.Hamm@hobec.co.nz)>; 'Waiau Rivercare Group' <[waiiau.rivercare.group@gmail.com](mailto:waiiau.rivercare.group@gmail.com)>; Zane Moss <[zane.moss@southlandfishgame.co.nz](mailto:zane.moss@southlandfishgame.co.nz)>

**Subject:** RE: pSWLP - Tranche 1

Good afternoon all,

Please find attached the Record of PHC.

Kind regards, Karina



**Karina Kelly**

Mediations Case Manager

| Environment Court of New Zealand | Land Valuation Tribunal

| 20 Lichfield Street | PO Box 2069 | WX11113 | Christchurch

Ext: 68912 | DDI: (03) 353 8536

E-mail: [Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)

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