

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 **FEDERATED FARMERS OF NEW ZEALAND INCORPORATED**
Appellant / s274 Party

AND **SOUTHLAND REGIONAL COUNCIL**
Respondent

**MEMORANDUM OF COUNSEL FOR FEDERATED FARMERS
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.

Intensive Winter Grazing – Rule 20A

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.

Stock Exclusion from Waterbodies – Rule 70

7. A new Rule 70(cb) is proposed:

The use of land within a natural wetland or the disturbance of the bed of a water body within a natural wetland for access or grazing stock is a non-complying activity.

8. No appeal seeks to impose restrictions on sheep in natural wetlands.

DATED 29 July 2022



B S Carruthers
Counsel for Federated Farmers