

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I MUA I TE KOOTI TAIAO
I ŌTAUTAHI ROHE**

IN THE MATTER of the Resource Management Act 1991 (the Act)

A N D

IN THE MATTER of appeals pursuant to clause 14 of the First Schedule to the Act

BETWEEN **SOUTHLAND FISH AND GAME COUNCIL**

(ENV-2018-CHC-37)

**ROYAL FOREST AND BIRD PROTECTION
SOCIETY OF NEW ZEALAND**

(ENV-2018-CHC-50)

**WAIHOPAI RŪNAKA, HOKONU I RŪNAKA, TE
RŪNANGA O AWARUA, TE RŪNANGA O
ORAKA APARIMA, and TE RŪNANGA O
NGĀI TAHU (collectively NGĀ RŪNANGA)**

(ENV-2018-CHC-47)

Appellants

A N D **SOUTHLAND REGIONAL COUNCIL**

Respondent

NOTICE OF MOTION SEEKING A RULING ON SCOPE

22 MAY 2020

**TO: THE REGISTRAR
ENVIRONMENT COURT
CHRISTCHURCH**


1. This Notice of Motion is filed on behalf of Ballance Agri-Nutrients Limited, Federated Farmers of New Zealand (Southland), Horticulture New Zealand, and Ravensdown Limited (“the Parties”).
2. The Parties apply under s291 of the Resource Management Act 1991 (“the Act”) for a ruling that evidence relating to Objectives 1 and 3 (and consequential amendments to other Objectives) of the proposed Southland Land and Water Regional Plan are beyond the scope of the Ngā Rūnanga appeal, and are therefore to be excluded from the Court’s consideration.
3. The grounds for this application are set out in the attached Memorandum of Counsel filed in support of this application.
4. Without restricting the grounds and reasons set out in the Memorandum of Counsel, the grounds for this application are that the evidence on Objectives 1 and 3 (and consequential amendments to other Objectives), and in particular the evidence of Ms Treena Davidson in that regard goes beyond the scope of any appeals.
5. The parties to be served with a copy of this notice are all appellants and all other parties to appeals on the proposed Southland Land and Water Regional Plan.

DATE: 22 May 2020



Vanessa Hamm

Counsel for Ballance Agri-Nutrients Limited



Clare Lenihan

Counsel for Federated Farmers of New Zealand (Southland)



Helen Atkins

Counsel for Horticulture New Zealand



Mark Christensen

Counsel for Ravensdown Limited