

**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 THE SOUTHLAND REGIONAL  
COUNCIL REGARDING TRANCHE 3 EVIDENCE**

**12 April 2023**

---

Judicial Officer: Judge Borthwick

---

Respondent's Solicitor  
PO Box 4341 CHRISTCHURCH 8140  
DX WX11179  
Tel +64 3 379 7622  
Fax +64 3 379 2467

**WYNN WILLIAMS**

Solicitor: P A C Maw  
(philip.maw@wynnwilliams.co.nz)

**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 (**Council**) regarding Tranche 3 of the appeals on the proposed Southland Water and Land Plan (**pSWLP**).
- 2 Pursuant to the Court's direction dated 6 April 2023, counsel advises that the following paragraphs of Mr McCallum-Clark's evidence-in-chief dated 7 September 2022 are no longer relevant and do not need to be (re)read by the Court:
  - (a) Paragraphs [4]-[6] (Executive summary)
  - (b) Paragraphs [25]-[29] (reverse sensitivity elements of Policy 26)
  - (c) Paragraphs [32]-[43] (Rule 52A)
  - (d) Appendix 1 (Consolidated version of Policy 26, Rule 52A and Appendix E (beginning) of the planners)
- 3 In relation to the Court's direction for witnesses to consider whether the NPS-FM 2020 provisions relied on or referred to in evidence are amended by the recent changes to the NPS-FM, Mr McCallum-Clark has advised that he made only limited references to the NPSFM 2020 and does not consider any provisions relied on or referred in evidence are amended in any material way by the NPS-FM (as amended February 2023).

**DATED** this 12<sup>th</sup> day of April 2023

pp



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