

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

UNDER	The Resource Management Act 1991 (RMA)
IN THE MATTER	Appeals under clause 14(1) of the First Schedule of the Act in relation to the Proposed Southland Water and Land Plan
BETWEEN	MERIDIAN ENERGY LIMITED Appellant
AND	SOUTHLAND REGIONAL COUNCIL Respondent

**MEMORANDUM OF COUNSEL FOR MERIDIAN ENERGY LIMITED TOPIC B
TRANCHE 1 – FINAL POSITION**

2 AUGUST 2022

Judicial Officer: Judge Borthwick

Solicitor acting:

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FONTERRA CO-OPERATIVE LTD
(ENV-2018-CHC-27)

HORTICULTURE NEW ZEALAND
(ENV-2018-CHC-28)

ARATIATIA LIVESTOCK LTD
(ENV-2018-CHC-29)

WILKINS FARMING CO
(ENV-2018-CHC-30)

GORE AND SOUTHLAND DISTRICT COUNCILS, INVERCARGILL CITY COUNCIL
(ENV-2018-CHC-31)

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(ENV-2018-CHC-32)

H W RICHARDSON GROUP LTD
(ENV-2018-CHC-33)

BEEF + LAMB NEW ZEALAND
(ENV-2018-CHC-34 AND 35)

DIRECTOR-GENERAL OF CONSERVATION
(ENV-2018-CHC-36)

SOUTHLAND FISH & GAME COUNCIL
(ENV-2018-CHC-37)

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(ENV-2018-CHC-40)

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ROBERT GRANT
(ENV-2018-CHC-45)

SOUTHWOOD EXPORT LTD, SOUTHLAND PLANTATION FOREST COMPANY OF NZ
(ENV-2018-CHC-46)

TE RUNANGA O NGAI TAHU, HOKONUI RUNAKA, WAIHOPAI RUNAKA, TE RUNANGA O AWARUA AND TE RUNANGA O ORAKA APARIMA
(ENV-2018-CHC-47)

PETER CHARTRES
(ENV-2018-CHC-48)

RAYONIER NEW ZEALAND LTD
(ENV-2018-CHC-49)

ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NZ INC
(ENV-2018-CHC-50)

Appellants

AND SOUTHLAND REGIONAL COUNCIL

Respondent

MAY IT PLEASE THE COURT

- 1 This memorandum is filed in response to the Court's direction to circulate final wording for the disputed Tranche 1 provisions of the pSWLP.
- 2 Meridian Energy Limited (**Meridian**) filed a memorandum dated 22 February 2022 setting out its preferred relief. Meridian's position has not changed.
- 3 Meridian is not a party to most of the remaining issues in dispute in Tranche 1. In relation to those matters to which it is a party the primary provision of concern to Meridian is Rule 51(e). Meridian continues to support the relief contained in its 22 February 2022 memorandum in relation to Rule 51(e).
- 4 Meridian is a party to Policies 15A and 15B. While Meridian continues to maintain the position set out in the 22 February 2022 memorandum in relation to these policies, it will abide the Court's decision on the basis that these policies hinge on the interim water quality standards in Appendix E, and that a limited exception to compliance with those standards will be included in the pSWLP for ancillary activities associated with the maintenance of the Manapōuri Power Scheme. This exception will be addressed as part of the forthcoming Tranche 3 hearing in respect of which evidence for the appellants is now filed with the Court.



Stephen Christensen

Counsel for Meridian Energy Limited

2 August 2022

