

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

ENV-2018-CHC-26 to 50

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of appeals under clause
14 of Schedule 1 to the
Act relating to the
proposed Southland
Water and Land Plan

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

**Appellants in ENV-
2018-CHC-47**

AND **SOUTHLAND
REGIONAL COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL FOR NGĀ RŪNANGA REGARDING SCOPE
CHALLENGES**

1 August 2022

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MAY IT PLEASE THE COURT

1. This memorandum is filed on behalf of Waihopai Rūnaka, Hokonui Rūnaka, Te Rūnanga o Awarua, Te Rūnanga o Oraka Aparima, and Te Rūnanga o Ngāi Tahu (collectively **Ngā Rūnanga**), in response to the Court's direction that any party disputing scope for relief is to file a memorandum identifying the relevant provision and briefly stating the basis for the challenge.¹
2. Ngā Rūnanga challenges the scope for the relief sought by Federated Farmers in relation to Rule 70(ca). An amendment has been proposed to Rule 70, clause (ca)(iv), the effect of which would be to make the disturbance of a natural wetland by sheep a permitted activity.
3. It is understood that Federated Farmers is not an appellant on Rule 70, but it is a section 274 party to the Forest and Bird appeal on Rule 70. Although, in its appeal, Forest and Bird sought an inclusion of a reference to natural wetlands (in clauses (c) and (e)), it is submitted that the effect of that reference would have been significantly different to the effect of what is being proposed by Federated Farmers.
4. In addition, Federated Farmers' section 274 notice for the Forest and Bird appeal addresses aspects of Rule 70, but it does not detail any relief sought in respect of grazing sheep in natural wetlands.

DATED this 1st day of August 2022



J G A Winchester / S K Lennon
Counsel for Ngā Rūnanga

¹ Minute of the Environment Court - Timetable Directions (15 July 2022).