

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

**AT CHRISTCHURCH
KI ŌTAUTAHI**

ENV-2021-CHC-127

IN THE MATTER

of the Resource Management Act 1991
of a direct referral of proposed Plan Change 7 to the
Regional Plan: Water for Otago under s142 2 (b) of
the Act by the Minister for the Environment.

AND

Otago Regional Council

**Memorandum of Counsel for the
Director-General of Conservation *Tumuaki Ahurei*
dated 16 March 2021**

Department of Conservation *Te Papa Atawhai*
RMA Shared Services
Operations Group
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May it please the Court:

1. This memorandum responds to the Court directions of 15 March 2021, and the Court minute of 16 March 2021.
2. The Director-General of Conservation (Director-General) wishes to call supplementary planning evidence from Mr Murray Brass.
3. This supplementary evidence will respond to the supplementary evidence dated 14 March 2021 of Mr Tom de Pelsemaeker for the Otago Regional Council (Council) which annexed revised recommendations for proposed Plan Change 7 to the Regional Plan: Water for Otago (PC7).
4. The Court's directions require planning witnesses to complete a s32 analysis on any amendments they may propose, define the scope for proposed amendments within the Director-General's submission (or others), and attach a complete tracked changes version of PC7.
5. Mr Brass is also a participant for the Director-General in the Environment Court mediation on the Marlborough plan occurring in Blenheim on Wednesday and Thursday this week. The Environment Court Commissioner in those proceedings is aware Mr Brass was expecting to give evidence in the PC7 Court hearing, either yesterday or today as per the original hearing schedule, and had accommodated this by excusing Mr Brass from attendance at mediation today.
6. The Court's minute proposes to adjourn the hearing until Thursday 18 March, resuming with the new evidence for the Council. The minute then proposes to hear from the planning witnesses for Ngā Rūnanga, the Minister for the Environment and the Director-General.
7. Mr Brass is able to prepare his supplementary evidence by 5 pm Thursday 18 March and be available to give evidence in this hearing for Friday 19 March.
8. For these reasons, I propose the supplementary evidence of Mr Brass for the Director-General be completed and made available to the Court, the Council, and parties by 5 pm Thursday 18 March 2021.

Dated 16 March 2021



Pene Williams

Counsel for the Director-General of Conservation *Tumuaki Ahurei*