

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991

AND of a notice of motion under section 149T(2) to decide proposed Plan Change 7 to the Regional Plan: Water for Otago (referred to the Environment Court by the Minister for the Environment under section 142(2)(b) of the Act)

BETWEEN OTAGO REGIONAL COUNCIL

(ENV-2020-CHC-127)

Applicant

**MINUTE OF THE ENVIRONMENT COURT
PLAN CHANGE 7
ORC Evidence
(16 March 2021)**

[1] This is the second Minute issued in response to the Otago Regional Council's proposal to call further evidence.

[2] On Friday 12 March 2021, all parties were alerted by the Registry that further evidence would likely be filed by the Regional Council. As anticipated, on Sunday 14 March 2021 the Regional Council filed evidence.¹ This was uploaded onto the Court's website at approximately 5 pm the same day.

[3] Last evening, following discussion with the parties that were present in

¹ Briefs were received from Tom de Pelsemaeker (supplementary evidence); Simon Wilson (supplementary evidence); Joanna Gilroy; and Alexandra King.



court, I issued a direction that any party calling planning evidence must advise whether they intend to file supplementary evidence in response to the Regional Council's latest evidence and also whether they seek to cross-examine the Regional Council's witnesses on this evidence. This is to be done **today** by **1 pm**.

[4] Overnight it occurred to me that parties – other than those in the courtroom yesterday – should have been canvassed around the timing of the Regional Council's supplementary evidence. I do not wish to inadvertently prejudice counsel and parties who would wish to examine the witnesses but are unable to be in court today.

[5] That being the case, I propose adjourning the case until **9.30 am Thursday 18 March 2021** when the court will hear from the Regional Council's witnesses. Following the Regional Council's witnesses, I propose to hear this week the planning witnesses of Ngā Rūnanga, the Minister for the Environment and the Director-General of Conservation.

[6] The remaining parties scheduled to be heard this week, will be heard at a later date.

[7] To minimise disruption, I suggest we continue the hearing with the OWRUG's case scheduled for next week.

Directions

[8] The court will hear from counsel who are present today at 1.30 pm in respect of the above course.

[9] Counsel and parties who are not here today, who wish to cross-examine the Regional Council's witnesses are to advise the court of this intention by **2.30 pm**²

² This later time is deliberate.

and confirm whether they are available to attend on **Thursday 18 March 2021**.

Jane S.

The seal of the Environment Court of New Zealand is circular. It features a central coat of arms with a crown on top, flanked by two figures. The text "THE SEAL OF THE ENVIRONMENT COURT NEW ZEALAND" is written around the perimeter of the seal.

J E Borthwick
Environment Judge

Issued: 16 March 2021