

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

ENV-2020-CHC-127

UNDER the Resource Management Act 1991 (RMA)

IN THE MATTER of the Water Permits Plan Change - Plan Change 7, being part of a proposal of national significance directed by the Minister for the Environment to be referred to the Environment Court under section 142(2)(b) of the RMA

AND

IN THE MATTER of an application under section 149T of the RMA

BETWEEN **OTAGO REGIONAL COUNCIL**
Applicant

**MEMORANDUM OF COUNSEL ON BEHALF OF OTAGO REGIONAL
COUNCIL IDENTIFYING PARTIES CALLING PLANING EVIDENCE ON
PRIORITIES
27 April 2021**

Judicial Officer: Judge Borthwick

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

WYNNWILLIAMS

Solicitor: P A C Maw / M A Mehlhopt
(philip.maw@wynnwilliams.co.nz /
michelle.mehlhopt@wynnwilliams.co.nz)

MAY IT PLEASE THE COURT:

- 1 The purpose of this Memorandum is to respond to the Court's directions in its Minute dated 23 April that the Otago Regional Council file a memorandum identifying parties to the proceedings calling planning evidence on the topic of priorities.
- 2 The following table identifies the parties who have called planning evidence on the topic of priorities and the name of the relevant expert planning witness.

Party	Expert
Otago Regional Council	Tom de Pelsemaeker
Otago Water Resource Users Group	Sally Dicey
Director-General of Conservation	Murray Brass
Landpro Limited	Claire Perkins
Fish and Game	Ben Farrell ¹

- 3 Counsel for Ngā Rūnanga has raised an issue as to the scope of matters directed for conferencing. At paragraph [8] of its Minute dated 23 April 2021, the Court has directed that the planners respond to the matters in paragraphs [24]-[30] of the Court's Minute, dated 7 April 2021.
- 4 One of those matters is that the recognition of priorities in Plan Change 7 may necessitate changes to the objectives and policies.² Although Ngā Rūnanga do not have an interest in the recognition of priorities, they do have interests in the objectives and policies more generally.
- 5 Counsel understands that Counsel for Ngā Rūnanga are seeking confirmation from the Court that, while it is intended that changes to objectives and policies be considered at expert conferencing on 3 May

¹ Counsel for Fish and Game have confirmed that Mr Farrell is unavailable for conferencing on the weeks of 3 and 10 May 2021.

² At paragraph [28] of the 7 April 2021 Minute.

2021, this is only insofar as those changes relate to recognition of priorities and not to the overall intent of the objective or policies.

Dated this 27th day of April 2021



.....
P A C Maw / M A Mehlhopt

Counsel for Otago Regional Council