

**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 8: Water for Otago (referred to the Environment Court by the Minister for the Environment under s142(2)(b) of the Act)

BETWEEN OTAGO REGIONAL COUNCIL

(ENV-2020-CHC-128)

Applicant

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**MINUTE OF THE ENVIRONMENT COURT  
PLAN CHANGE 8  
(15 October 2021)**

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**Introduction**

[1] This Minute is released for the purpose of case management, in light of the hearing set for the week of 8 November 2021. As previously advised, the hearing will cover the primary sector provisions of Plan Change 8 ('PC8').

[2] As there is a high level of agreement between parties and the evidence will be pre-read, the court now anticipates that the hearing will not need the full week to be heard.

[3] I also see benefit in legal submissions being pre-circulated and pre-read as parties have had plenty of time to prepare and this will further reduce hearing time. I will make directions for these to be filed.

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**Hearing schedule**

[4] Mr Cooper, hearing administrator for Otago Regional Council, has helpfully provided the court with a rough draft of the hearing schedule for its approval.

[5] In light of the updates on reducing hearing time, the schedule will be refined upon issue of this Minute and will be uploaded to the website next week. Parties will be advised via email when this has been uploaded.

**Site visit**

[6] In the Minute of 14 September 2021, I directed that a site visit would be conducted on Thursday 11 November 2021.

[7] However, at the PHC on 14 July 2021, Commissioner Edmonds made directions for witnesses to include photographs and other graphic material to assist the court. I can confirm that these directions have been complied with and the evidence filed includes material that provides the court with an effective illustration of the systems.

[8] Subsequently, the court no longer intends to conduct a site visit as there is now an agreed position on issues, no opposition has been raised and the hearing is a formal proof hearing. However, in the interests of fairness, I will give parties the opportunity to comment and advise the court whether in their view, there is a benefit to a site visit.

**Commissioner availability**

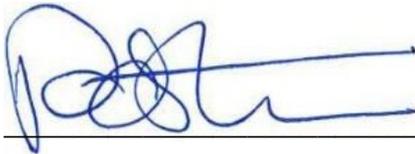
[9] Due to the recent COVID-19 restrictions in Auckland, I wish to advise the parties that the court has made the decision for Commissioner Hodges to preside over the hearing via AVL from Auckland. Shipleys will be assisting the court to facilitate this.

## Directions

[10] I direct:

- (a) any party who wishes the court to conduct a site visit is to notify the court by **Wednesday 20 October 2021**, outlining the grounds they wish the site visit to proceed on;
- (b) if no parties respond to (a), the direction in the Record of Pre-Hearing Conference dated 23 July 2021 at paragraph [17](l) will be cancelled effective **Thursday 21 October 2021**; and
- (c) any party who wishes to file legal submissions is to do so by **Wednesday 3 November 2021**.

[11] Leave is reserved for any party to apply for further (or other) directions.



**P A Steven**  
**Environment Judge**



Issued: 15 October 2021