

**BEFORE THE FRESHWATER HEARINGS PANEL CONVENED BY THE CHIEF
FRESHWATER COMMISSIONER**

IN THE MATTER

of the Proposed Otago Regional Policy Statement
2021

MEMORANDUM ON BEHALF OF THE OTAGO REGIONAL COUNCIL

Dated 21 March 2022

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MEMORANDUM ON BEHALF OF THE OTAGO REGIONAL COUNCIL

May it please the Commissioners:

1 This memorandum is in response to Minute 2 of the Panel.

Further direction

2 The Council respectfully requests a further direction that within ten working days after responses under paragraph 29 of the Minute (ie by 3 May 2022) the Council is to identify in terms of paragraph 24 of the Minute matters that are unquestionably freshwater issues and provide any further response or recommendation arising from the matters outlined in Minute 2 and responses under paragraph 29 of the Minute.

3 The reason for this is that the responses lodged under paragraph 29 of the Minute will bear on the Council's task under paragraph 24 of the minute.

Section 42A report timing

4 Paragraph 3 of the Panel's Minute 1 records that a section 42A report will be published on 25 March 2022.

5 After considering Minute 2 and the potential implications for the section 42A report, the Council respectfully seeks the Panel's approval to delay publication of the report until the Panel makes further directions after considering the responses sought by Minute 2. The Council may then require further time to make consequential amendments to the section 42A report.

6 Approval to delay publication of the section 42 report is sought because decisions of the Panel after considering the responses sought by Minute 2 may impact on the section 42A report.

Flow on effects

7 The Council acknowledges that if a further direction is made as sought above, and time is required for consequential changes to the section 42A report, then further delay of the timetable from paragraph 4 onwards of Minute 1 will be needed.

8 The Council respectfully submits that if the delay was two months instead of the one month directed at paragraph 30 of Minute 2, then that would

enable time for decisions of the Panel to be made after considering the responses sought by Minute 2.

- 9 The same point applies to the commencement of hearings, for which a further month may be required.

A handwritten signature in blue ink, consisting of a series of connected loops and curves, positioned above a horizontal line.

Simon Anderson
Counsel for Otago Regional Council
21 March 2022