

**BEFORE THE HEARING COMMISSIONERS**

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**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the Proposed Otago Regional Policy Statement

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**MEMORANDUM FOR THE OTAGO REGIONAL COUNCIL IN RESPONSE TO  
THE MEMORANDUM OF PORT OTAGO LIMITED DATED 9 DECEMBER 2022**

Dated 16 January 2023

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ROSS DOWLING MARQUET GRIFFIN  
SOLICITORS  
DUNEDIN

Telephone: (03) 477 8046  
Facsimile: (03) 477 6998  
PO Box 1144, DX YP80015

Solicitor: A J Logan

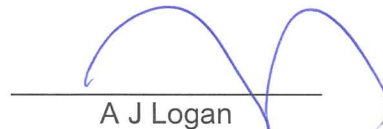
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**MEMORANDUM FOR THE OTAGO REGIONAL COUNCIL IN RESPONSE TO  
THE MEMORANDUM OF PORT OTAGO LIMITED DATED 9 DECEMBER 2022**

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**May it Please the Commissioners:**

1. This memorandum is filed in response to the memorandum dated 9 December 2022 lodged by Port Otago Limited.
2. Counsel for the Otago Regional Council has spoken to Counsel for Port Otago Limited to clarify the directions sought by Port Otago Limited.
3. The background is that there is an appeal before the Supreme Court on provisions relating to port activities in the proposed Otago Regional Policy Statement 2019. The appeal was heard in May 2022. Judgment has been reserved.
4. The Otago Regional Council agrees with Port Otago Limited that the decision will be relevant to matters raised in Port Otago Limited's submission on the proposed Regional Policy Statement 2021.
5. When the Supreme Court will give its decision is unknown. It is desirable that the hearing of Port Otago Limited's submission be delayed as long as practically possible to accommodate the release of the decision and consideration of its implications for the new Regional Policy Statement.
6. In discussions, Counsel for Port Otago Limited has confirmed it does not seek indefinite deferment of all or part of the hearing of submissions on the proposed Regional Policy Statement 2021.



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A J Logan  
Counsel for the Otago Regional Council

Dated: 16 January 2023