

Before the Independent Hearings Panel

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions in relation to the
proposed Otago Regional Policy Statement

submitter: **Fonterra Limited**
Submitter 233

Memorandum of counsel regarding Proposed Otago Regional Policy Statement Hearings

Dated: 9 December 2022

Reference: B G Williams (ben.williams@chapmantripp.com)
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MEMORANDUM OF COUNSEL REGARDING PROPOSED OTAGO REGIONAL POLICY STATEMENT HEARINGS

- 1 Fonterra Limited (*Fonterra*) is a submitter on the Proposed Otago Regional Policy Statement (*PORPS*) (*Submitter 233*).
- 2 Fonterra's evidence addresses a number of 42A Report chapters, including:
 - 2.1 Chapter 1 (Introduction and general themes);
 - 2.2 Chapter 2 (Introduction and general provisions);
 - 2.3 Chapter 3 (Definitions and abbreviations);
 - 2.4 Chapter 5 (Significant resource management issues for the region);
 - 2.5 Chapter 6 (Integrated management);
 - 2.6 Chapter 7 (Air);
 - 2.7 Chapter 9 (Land and freshwater);
 - 2.8 Chapter 11 (Energy, infrastructure and transport); and
 - 2.9 Chapter 15 (Urban form and development).
- 3 Many of Fonterra's submissions between the various chapters are interrelated and overlap between the chapters. In particular, Fonterra seeks a suite of amendments to the *PORPS* to recognise "regionally significant industry". This includes a new definition, as well as new provisions and amendments to existing provisions in various chapters.
- 4 The purpose of this memorandum is to seek leave to (most likely) be heard only once. This will ensure that the hearings process is conducted in the most effective and efficient manner possible for the Panel, Council and submitters. This includes:
 - 4.1 avoiding unnecessary duplication of submissions and appearances; and
 - 4.2 ensuring presentation by experts is done in an efficient manner.
- 5 A number of chapters relevant to Fonterra are scheduled to be heard between 7 and 10 February 2023 (SRMR, IM and Air). At this stage Fonterra considers it would be most efficient to present its whole case in a hearing slot during this week.

- 6 Assuming that the request to present only once is granted, Fonterra notes that as the hearing progresses, it will keep the position under review and it is possible that it may still seek to be heard in later stages should particular issues arise. Accordingly, Fonterra seeks that leave be reserved to appear or provide memorandums in relation to further hearings.

Dated: 9 December 2022

A handwritten signature in blue ink, appearing to be 'B G Williams / K I G Jacomb', written in a cursive style.

B G Williams / K I G Jacomb