

Otago Regional Council
Proposed Otago Regional Policy Statement 2021
(excluding parts determined to be a freshwater planning instrument)

DIRECTIONS ISSUES BY THE HEARING PANEL DURING THE WEEK ONE OF HEARING

[Minute 5]

INTRODUCTION

1. This minute is intended to record some directions as to dates issued orally by the Hearing Panel during the first week of hearings.
2. Those directions arose in respect of three different issues:
 - i. The reference in opening submissions by counsel for Otago Regional Council Mr A. Logan at paragraph 14 as to the intent of Ms F Boyd the s.42A report writer to lodge further evidence on the effect of the amended NPSFM and the need to allow for any further evidence in response from submitters.
 - ii. The challenge raised in evidence at paragraph 5.5 and 5.6 by Mr Paul Freeland for Dunedin City Council as to natural justice issues asserted to arise out of the proposed definitions of Māori Land and papakāiika in the event of change of ownership of any Land. That challenge was also advanced by Ms A McLeod for Transpower. Opportunity was provided for response by Kāi Tahu submitters represented by Mr A Cameron.
 - iii. The intent expressed by Ms F Boyd & other s.42A report writers to reconsider whether to advance potential amendments to various affected chapters of the pOPRS to address effects arising from any potential consent pathway for mineral extraction activities, in response to evidence advanced by Claire Hunter for Oceana Gold (NZ) Limited.
3. The dates fixed for the filings are:
 - i. Ms Boyd's evidence on the amended NPSFM is to be lodged by 24 February 2023. Any responding evidence by submitters is to be lodged by 31 March 2023.
 - ii. The responding submissions by Mr A Cameron on behalf of Kāi Tahu submitters to the issues discussed at para 2 (ii) above are to be lodged within 10 working days of this minute.

- iii. Otago Regional Council is to lodge any further evidence by s.42A report writers addressing the potential for separate relevant chapter amendments as to effects of mineral extraction activities by 24 February 2023.
- iv. Any response by Oceana Gold (NZ) Limited is to be lodged by 31 March 2023.

Ron Crosby for and on behalf of the Panel

Dated 27 January 2023