

BEFORE THE HEARINGS PANEL

IN THE MATTER

of the Proposed Otago Regional Policy Statement 2021

**MEMORANDUM ON BEHALF OF KĀI TAHU
IN RESPONSE TO MINUTE 6
16 February 2023**

Solicitor acting:

Jessica Riddell
Te Rūnanga o Ngāi Tahu
Telephone: 021 226 9328
Email:
Jessica.Riddell@ngaitahu.iwi.nz
15 Show Place
PO Box 13 046
Christchurch 8042

Counsel acting:

Aidan Cameron
Bankside Chambers
Telephone: 09 307 9955
Email: aidan@bankside.co.nz
Level 22, 88 Shortland Street,
Auckland 1010

Introduction

1. This memorandum, on behalf of Kāi Tahu,¹ responds to Minute 6, dated 10 February 2023.

Opportunity to respond to proposed provisions

2. Minute 6 directs various infrastructure and industry submitters listed in paragraphs 3 and 4 of the Minute to have their planning experts caucus to co-ordinate proposed wording regarding a new issue or issues for the SRMR chapter. However, our interpretation of Minute 6, particularly paragraphs 2 and 6, is that caucusing may also extend to proposed changes to the objectives and policies in the Integrated Management and Energy, Infrastructure and Transport (EIT) chapters.
3. Kāi Tahu further submitted in opposition to a number of the relevant submission points raised by the infrastructure and industry submitters. These submission points were also addressed in the planning evidence of Ms McIntyre.² Accordingly, Kāi Tahu seek an opportunity to respond to any proposed wording changes for objectives and policies in the IM and EIT chapters that result from the directed caucusing.
4. While we acknowledge there will be the opportunity for Kāi Tahu to speak to the substantive issue as to whether provisions of the type proposed in the submitters' evidence are appropriate at the EIT chapter hearing, there is no timetabled opportunity to respond to any co-ordinated wording that may result from the directed caucusing. The EIT chapter hearing is set down for 13 – 17 March. Minute 6 directs infrastructure and industry submitters to respond to the Panel by the end of March. Kāi Tahu should have the opportunity to comment on any newly proposed wording that is of direct interest and within the scope of their submission.

Directions sought

5. Kāi Tahu respectfully seek:
 - (a) The opportunity to respond to the wording put forward by infrastructure providers / industry submitters following their caucusing; or
 - (b) That any proposed wording following the caucusing is circulated to the parties prior to the EIT chapter hearing.

Aidan Cameron / Jessica Riddell
Counsel for Kāi Tahu

¹ Submitters 00226, 00223 and 00234.

² Evidence in chief of Ms McIntyre at [54] – [63], [116], [121], [122].