

BEFORE THE HEARINGS PANEL

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of the Proposed Otago Regional Policy Statement
2021 (Non-Freshwater Parts) ("PORPS")

**MEMORANDUM OF COUNSEL FOR THE OTAGO REGIONAL COUNCIL
REGARDING APPENDIX 2, SIGNIFICANCE CRITERIA FOR INDIGENOUS
BIODIVERSITY**

Dated 28 February 2023

ROSS DOWLING MARQUET GRIFFIN
SOLICITORS
DUNEDIN

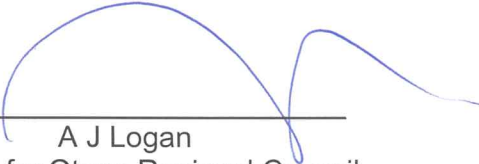
Telephone: (03) 477 8046
Facsimile: (03) 477 6998
PO Box 1144, DX YP80015

Solicitor: A J Logan

**MEMORANDUM OF COUNSEL FOR THE OTAGO REGIONAL COUNCIL
REGARDING APPENDIX 2, SIGNIFICANCE CRITERIA FOR INDIGENOUS
BIODIVERSITY**

May it Please the Commissioners:

- 1 Appendix 2 (Significance Criteria for Indigenous Biodiversity) of the proposed Otago Regional Policy Statement is the subject of submissions and evidence.
- 2 Much of the evidence is of a technical, ecological nature.
- 3 The Otago Regional Council suggest the Panel may be assisted by the ecological witnesses conferring and reporting.
- 4 If so, the Council will make arrangements.
- 5 The caucusing should be limited to the expert witnesses giving ecological evidence on Appendix 2.
- 6 Ideally agreement would be reached on the content of Appendix 2.
- 7 However, if not, then the ecologists should record their areas of agreement and disagreement and where there is disagreement their individual reasons for their position with references to the relevant parts of their evidence.
- 8 If this cause of action commends itself to the Commissioners, then it is respectfully submitted that it is necessary to set a date to report back. Reporting back should be at least 5 workings days before the hearings on the ECO chapter commence.
- 9 Before giving directions, it is respectfully suggested that the Hearings Administrator send this memorandum to the parties intending to present during the ECO chapter, and give them a chance to respond in writing.



A J Logan
Counsel for Otago Regional Council
Dated: 28 February 2023