

Minute 20 of the Non-Freshwater Hearing Panel
responding to Memorandum for Port Otago Limited seeking extension of time

1. By Memorandum dated 26 September 2023, newly appointed Counsel for Port Otago Limited Mr. M. Garbett has drawn attention to the sad passing of Mr Len Anderson KC on 16 September, 2023. As Mr. Anderson KC was the former counsel for Port Otago Limited before the Supreme Court, and in this process, his passing has impacted the ability of Port Otago Limited to address the implications it wished to advance for this process arising out of the Supreme Court's decision.
2. Mr. Garbett sought a limited extension of time to enable that issue to be completed by him until Friday 6 October 2023. As that is now a short time away and the circumstances leading to it are tragic, the Panel accepts that is a reasonable request - which is granted.
3. Mr. Garbett also advised that counsel for ORC Mr. Simon Anderson had confirmed ORC's agreement with that extension.
4. Minute 18 had required responses by ORC to other Memoranda by other parties, (of which 10 have been lodged), by Friday 29 September, and the Panel anticipates that date will still be met by ORC. The Panel is anxious those other aspects of the process not be delayed if possible. The Panel remains aware of the need to maintain timely progress on its report drafting bearing in mind the Land & Water planning process is closely following on this RPS process.
5. Notwithstanding that aim to maintain progress, it is reasonable that ORC is provided a particular opportunity of extension to respond to any submissions on the Supreme Court decision impacts which might be made by Port Otago Limited.
6. Any such response should be made by ORC by 5 p.m. on Wednesday 11 October, 2023.

Dated 28 September, 2023

Ron Crosby
Chair,
Non-Freshwater Hearing Panel