

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHU**

Decision No. [2025] NZEnvC 362

IN THE MATTER of the Resource Management Act 1991

AND appeals under clause 14 of the First
Schedule to the Act

BETWEEN DEPARTMENT OF
CORRECTIONS – ARA POUTAMA
AOTEAROA (and 16 other appeals as
set out in Schedule One to this
decision)

(ENV-2024-CHC-21)

Appellants

AND OTAGO REGIONAL COUNCIL

Respondent

Court: Environment Judge P A Steven

Last case event: 31 October 2025

Date of Decision: 6 November 2025

Date of Issue: 6 November 2025

CORRIGENDUM

REASONS

[1] This corrigendum concerns consent orders issued in relation to appeals filed against Otago Regional Council's (ORC) decisions on the non-freshwater

DEPARTMENT OF CORRECTIONS ARA POUTAMA AOTEAROA v ORC –
CORRIGENDUM



planning instrument parts of the Proposed Otago Regional Policy Statement 2021 (PORPS).

[2] On 31 October 2025, ORC filed a memorandum identifying errors in the following consent orders:

- (a) in relation to the ‘IM – Integrated Management’ chapter of the PORPS – Meridian Energy Ltd v ORC [2025] NZEnvC 296;
- (b) in relation to the ‘HAZ – Hazards and risks’ chapter of the PORPS – Aurora Energy Ltd v ORC [2025] NZEnvC 307;
- (c) in relation to the ‘EIT – Energy, infrastructure and transport’ chapter of the PORPS – Department of Corrections Ara Poutama Aotearoa v ORC [2025] NZEnvC 323; and
- (d) in relation to the ‘LF – Land and freshwater’ chapter of the PORPS – Department of Corrections Ara Poutama Aotearoa v ORC [2025] NZEnvC 333 (LF consent order).

[3] In summary, the memorandum identified the following errors:

- (a) resolved appeal points were omitted from ‘A:’ of the respective consent orders; and
- (b) Kāi Tahu was erroneously referred to as “Te Rūnanga o Moeraki” in ‘A:’ of the LF consent order.

[4] Upon review of the relevant documents, it appears that these errors are the result of accidental omissions by either the court and/or the counsel in the consent memoranda filed.

[5] I note that the appeal points identified in paragraph [14] of ORC’s memorandum as being omitted, are in fact correctly set out in ‘A:’ of the LF consent order. I therefore make no corrections in that respect.

Correction

[6] In accordance with s278 RMA and Rule 11.10 of the District Court Rules 2014, the court has the power to correct errors including accidental slips or omissions. Rule 11.10 is set out as follows:

11.10 Correction of accidental slip or omission

- (1) A judgment or order may be corrected by the court or the Registrar who made it, if it—
 - (a) contains a clerical mistake or an error arising from an accidental slip or omission, whether or not made by an officer of the court; or
 - (b) is drawn up so that it does not express what was decided and intended.
- (2) The correction may be made by the court or the Registrar, as the case may be,—
 - (a) on its or his or her own initiative; or
 - (b) on an interlocutory application.

[7] I am satisfied that an error has occurred resulting in the accidental omission of resolved appeal points from ‘A:’ of the respective orders, which is inconsistent with what was intended by the parties. I am also satisfied that a clerical error has resulted in the accidental omission of the other appellants to the Kāi Tahu appeal as referred to in ‘A:’ of the LF consent order. It is important that the court in issuing a decision and/or a consent order correctly identify which appeal points are being resolved.

[8] I correct the consent orders to include the omitted resolved appeal points and appellants as follows:

- (a) the following appeal points are also resolved by consent order [2025] NZEnvC 296:
 - (i) Cain Whānau’s appeal points in relation to:
 - 1. IM-P1;
 - 2. IM-P3;

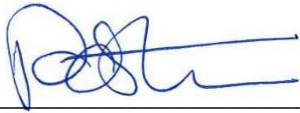
3. IM-P8;
 4. IM-P14; and
 5. IM-PR1;
- (ii) Oceana Gold (New Zealand) Limited's appeal point in relation to IM-P2;
- (b) the following appeal points are also resolved by consent order [2025] NZEnvC 307:
- (i) Aurora Energy Limited, Network Waitaki Limited and Powernet Limited's appeal point in relation to CE-P1; and
 - (ii) Transpower New Zealand Limited's appeal point in relation to CE-P1;
- (c) the following appeal points are also resolved by consent order [2025] NZEnvC 323:
- (i) Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te Rūnanga o Awarua and Te Rūnanga o Ngāi Tahu (Kāi Tahu) appeal points in relation to:
 1. EIT-INF-P13;
 2. EIT-EN-O2; and
 3. EIT-EN-P16;
 - (ii) Queenstown Lakes District Council's appeal point in relation to EIT-INF-P13;
 - (iii) New Zealand Transport Agency Waka Kotahi's appeal point in relation to EIT-INF-P13;
 - (iv) Manawa Energy Limited's appeal point in relation to EIT-INF-P15; and
 - (v) Port Otago Limited's appeal point in relation to MAP2-EIT-TRAN-M7;
- (d) the following appeal points are also resolved by consent order [2025] NZEnvC 333:
- (i) Glenpanel Limited Partnership's appeal points in relation to:

1. UFD-O4; and
2. UFD-P7.

[9] I correct paragraph (f) in ‘A:’ of [2025] NZEnvC 333 to read as follows:

- (f) Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnango o Ōtākou and Hokonui Rūnanga, Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te Rūnanga o Awarua and Te Rūnanga o Ngāi Tahu’s appeal point in relation to:

...



P A Steven
Environment Judge



Schedule One

1. Meridian Energy Limited v ORC (ENV-2024-CHC-22)
2. Aurora Energy Limited, Network Waitaki Limited and Powernet Limited v ORC (ENV-2024-CHC-24)
3. Royal Forest and Bird Protection Society of New Zealand Incorporated v ORC (ENV-2024-CHC-26)
4. Rayonier Matariki Forests, City Forests Limited, Ernslaw One Limited and Port Blakely NZ Limited v ORC (ENV-2024-CHC-27)
5. BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited v ORC (ENV-2024-CHC-28)
6. Oceana Gold (New Zealand) Limited v ORC (ENV-2024-CHC-29)
7. Cain Whānau v ORC (ENV-2024-CHC-30)
8. Glenpanel Limited Partnership v ORC (ENV-2024-CHC-31)
9. Manawa Energy Limited v ORC (ENV-2024-CHC-32)
10. Port Otago Limited v ORC (ENV-2024-CHC-33)
11. Transpower New Zealand Limited v ORC (ENV-2024-CHC-35)
12. Te Rūnanga o Moeraki & ors v ORC (ENV-2024-CHC-36)
13. Queenstown Lakes District Council v ORC (ENV-2024-CHC-37)
14. New Zealand Transport Agency Waka Kotahi v ORC (ENV-2024-CHC-38)
15. Environmental Defence Society v ORC (ENV-2024-CHC-39)
16. Queenstown Airport Corporation v ORC (ENV-2024-CHC-40)