

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE**

ENV-2024-CHC-021-033 & 034-040

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under clause 14(1) of the First Schedule of the Act in relation to the non-freshwater planning instrument parts of proposed Otago Regional Policy Statement 2021 (pORPS21)

BETWEEN **ARA POUTAMA AOTEAROA DEPARTMENT OF CORRECTIONS** and the other appellants on the non-freshwater planning instrument parts of the Proposed Otago Regional Policy Statement 2021 listed overleaf

Appellants

AND **OTAGO REGIONAL COUNCIL**, a regional council under Schedule 2 of the Local Government Act 2002, having its principal office at 70 Stafford Street, Dunedin

Respondent

**THIRD MEMORANDUM OF THE OTAGO REGIONAL COUNCIL REPORTING ON
PROGRESS OF APPEALS ON THE NON-FRESHWATER INSTRUMENT PARTS OF
THE PROPOSED OTAGO REGIONAL POLICY STATEMENT**
Dated: 27 June 2025

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**AND AURORA ENERGY LIMITED, NETWORK WAITAKI LIMITED
and POWERNET LIMITED**

**AND BP OIL NEW ZEALAND LIMITED, MOBIL OIL NEW ZEALAND
LIMITED, and Z ENERGY LIMITED**

AND CAIN WHĀNAU

AND DUNEDIN CITY COUNCIL

AND ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED

AND MANAWA ENERGY LIMITED

AND MERIDIAN ENERGY LIMITED

AND OCEANA GOLD (NEW ZEALAND) LIMITED

AND PORT OTAGO LIMITED

AND QUEENSTOWN AIRPORT CORPORATION LIMITED

**AND RAYONIER MATARIKI FORESTS, CITY FORESTS LIMITED,
ERNSLAW ONE LIMITED and PORT BLAKELY NZ LIMITED**

AND REAL GROUP LIMITED

**AND ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW
ZEALAND INCORPORATED**

**AND 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**

AND TRANSPower NEW ZEALAND LIMITED

**THIRD MEMORANDUM OF THE OTAGO REGIONAL COUNCIL REPORTING
ON PROGRESS OF APPEALS ON THE NON-FRESHWATER INSTRUMENT
PARTS OF THE PROPOSED OTAGO REGIONAL POLICY STATEMENT**

To: The Registrar
Environment Court
Christchurch

And to: Each Appellant on the non-freshwater planning instrument parts of the
Proposed Otago Regional Policy Statement 2021

Introduction

- 1 This is the third reporting memorandum of the Otago Regional Council (“**ORC**”) on the progress and status of Environment Court Appeals on the non-freshwater planning instrument parts of the proposed Otago Regional Policy Statement 2021 (“**PORPS 21**”).

Mediation Directions

- 2 By Minute dated 20 September 2024, Commissioner Buchanan:
- 2.1 confirmed the schedule of mediation dates for all chapters and directed mediations be set down in accordance with that schedule; and
- 2.2 set directions for the exchange and timetabling of mediation position papers.
- 3 Mediation proceeded in accordance with those directions and are now completed.

Consent Documents

- 4 The Court has issued Consent Orders for:
- 4.1 Group 1, MW – Mana whenua on 3 April 2025.
- 4.2 Group 2, SRMR - Significant resource management issues for the region and Introduction and general provisions on 22 June 2025; and
- 4.3 Group 6, AIR - Air on 22 June 2025.

- 5 ORC circulated a consent memorandum and draft orders (“**consent documents**”) for Group 4, Energy, infrastructure and transport to the parties for review, comment and signature on 27 June 2025.
- 6 In accordance with the Court’s direction of 10 February 2025, the parties must confirm the contents of the consent documents and sign and return the same; or provide any comments and/or required amendments to ORC and the parties by 10 July 2025.
- 7 ORC intends to file the consent documents for Group 4, Energy, infrastructure and transport on 11 July 2025.
- 8 The issuing of Consent Orders for Group 4 Energy, infrastructure and transport will resolve the Transpower New Zealand Limited appeal points on:
- 8.1 Land, freshwater and soil (Group 5).
 - 8.2 Air (Group 6).
 - 8.3 Energy, infrastructure and transport (Group 4).
 - 8.4 Coast (Group 7).
 - 8.5 Ecosystems and indigenous biodiversity (Group 8).
 - 8.6 Historic heritage and cultural values (Group 10).
 - 8.7 Natural features and landscapes (Group 11).
 - 8.8 Urban form and development (Group 12).
- 9 The Transpower appeal points on those groups remain live until the Court issues a consent order on the new National Grid policy in the EIT - Energy, infrastructure and transport chapter.
- 10 ORC will draft the consent documents for those groups in accordance with the table below but will defer filing the same until it is known whether the Court issues a consent order for the new National Grid policy in the EIT - Energy, infrastructure and transport chapter.

Indicative timetable for filing the balance of the consent documents

11 The table below sets out the status of each topic group and an indicative timetable for the filing of consent documents for the remaining resolved topic groups:

Topic	Comment	Approximate date to circulate to parties	Date to be filed
Group 1: MW – Mana whenua	Consent Order received – 3 April 2025.	-	-
Group 2: SRMR – Significant resource management issue for the region	Consent Order received – 22 June 2025.	-	-
Group 6: AIR - Air	Consent Order received – 22 June 2025.	-	-
Group 4: EIT – Energy, infrastructure and transport	-	Circulated to the parties 27 June 2025	11 July 2025
Group 10: HCV – Historical and cultural values	Will defer filing until Court considers Consent Orders for EIT.	Circulated to the parties 26 June 2025	As soon as a Consent Order for EIT is issued.
Group 5: LF – Land and freshwater	Will defer filing until Court considers Consent Orders for EIT.	11 July 2025	As soon as a Consent Order for EIT is issued
Group 3: IM – Integrated Management	This Group is not contingent on receiving EIT Orders.	18 July 2025	1 August 2025
Group 9: HAZ – Hazards and risks	This Group is not contingent on receiving EIT Orders.	1 August 2025	15 August 2025
Group 8: ECO – Ecosystems		15 August 2025	29 August 2025 ¹

¹ Provided Consent Orders issued for Group 4

and indigenous biodiversity			
Group 7: CE – Coastal environment		29 August 2025	12 September 2025
Group 11: NFL – Natural features and landscapes		12 September 2025	26 September 2025

Outstanding appeals

- 12 The only appeal that remains unresolved is the Glenpanel Limited Partnership’s appeal on the UFD – Urban form and development chapter (“the Glenpanel appeal”).
- 13 The following parties are interested in the Glenpanel appeal:
 - 13.1 Waterfall Park Developments Limited.
 - 13.2 Dunedin City Council.
 - 13.3 Queenstown Lakes District Council; and
 - 13.4 Royal Forest and Bird Protection Society of New Zealand Incorporated.
- 14 In July and August 2024, both the Queenstown Lakes District Council and the ORC wrote to Glenpanel raising issues as to scope.
- 15 The Glenpanel appeal seeks unspecified relief. ORC does not know what relief Glenpanel is seeking in respect of the UFD – Urban form and development chapter.
- 16 As no relief is specified, ORC cannot assess whether the Glenpanel appeal should be set down for hearing, or whether there should be a preliminary hearing on the issue of scope.

Directions sought

- 17 Accordingly, ORC seeks the following directions:

- 17.1 Glenpanel to provide the ORC and interested parties with the specific relief it is seeking by 11 July 2025.
- 17.2 By 11 August 2025, ORC to either:
- 17.2.1 Apply to the Court to have the Glenpanel appeal or parts of the appeal struck out based on lack of scope, or
 - 17.2.2 Request the appeal be set down for hearing and a directions conference allocated for timetabling directions.



S J Anderson / T M Sefton
Counsel for the Otago Regional Council

27 June 2025