

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

IN THE MATTER of the Resource Management Act 1991

AND of a notice of motion under section 149T(2) to decide proposed Plan Change 7 to the Regional Plan: Water for Otago (referred to the Environment Court by the Minister for the Environment under section 142(2)(b) of the Act)

BETWEEN OTAGO REGIONAL COUNCIL

(ENV-2020-CHC-127)

Applicant

**MINUTE OF THE ENVIRONMENT COURT
PLAN CHANGE 7
Expert Conferencing: Schedule 10A.4
(16 April 2021)**

Introduction

[1] Following initial facilitated expert conferencing¹ with (now) Commissioner Dunlop in relation to PC7's Schedule, the Regional Council is due to report to the court as to progress on remaining issues not agreed by next **Wednesday 21 April 2021**.

[2] In addition, the court has indicated that it will likely have questions for the witnesses for expert conferencing, the details of which we will release early next

¹ On Primary Sector, Hydro and Community Water Supply, and Planning.



week.

[3] If further facilitated conferencing is required, the court will refer **all** witnesses back to expert conferencing in the next two week adjournment (e.g. between 27 April and 7 May 2021). To that end, I will ask parties with participating witnesses to confer and agree on dates for further conferencing facilitated by Commissioner Dunlop.

[4] At this stage it is anticipated that **three days** will be required, with all witnesses attending the one combined conference (rather than being split into topics). Parties are to advise whether they consider more time is needed. The court is also contemplating directing planners to conference on the topic of priorities, with further directions again to issue next week.

[5] Parties will note any dates that their witnesses are unavailable, giving succinct but detailed reasons for the same. Note also that prior work engagements are unlikely to be sufficient reason to be excused from conferencing and it is the court's expectation that the conference is prioritised. If no or insufficient reason is given, the direction may still be made that all witnesses attend.

Joint Witness report and evidence

[6] Bearing in mind that a Joint Witness Statement may be filed instead of a brief of evidence, particularly where there is full agreement on all issues, Mr Maw, having liaised with the participating parties, is to propose by next Friday directions as to the recalling of witnesses to address the subject matter of the Schedule.²

Directions

[7] I direct by **Friday 23 April 2021** the Regional Council having conferred

² Parties may refer to the Transcript following the conclusion of evidence on Friday 16 April 2021 concerning these and other directions that the court is considering.

with the relevant parties, is to file a memorandum setting out witness availability for further conferencing to take place for three days between 27 April and 7 May 2021 in Dunedin and propose directions for the filing of the JWS and any further evidence in relation to the Schedule and associated provisions.

Jane S.



J E Borthwick
Environment Judge

Issued: 16 April 2021