

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

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

ENV-2020-CHC-128

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Omnibus Plan Change - Plan Change 8, being part
of a proposal of national significance directed by the
Minister for the Environment to be referred to the
Environment Court under section 142(2)(b) of the RMA

AND

IN THE MATTER of an application under section 149T of the RMA

OTAGO REGIONAL COUNCIL

Applicant

**JOINT MEMORANDUM
4 August 2021**

Judicial Officer: Judge Borthwick

Applicant's Solicitor
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MAY IT PLEASE THE COURT

- 1 This Joint Memorandum is filed on behalf of the Otago Regional Council (**Council**) and Wise Response Incorporated (**Wise Response**) for the purpose of updating the Court in relation to Wise Response's submission on Plan Change 8 to the Regional Plan: Water for Otago (**PC8**).
- 2 In its Minute dated 23 July 2021 regarding the record of the Pre-Hearing Conference the Court directed the Council to file submissions identifying any relief it contends is out of scope in relation to Wise Response's submission on PC8.¹ The Council filed its submissions on 23 July 2021. In the same Minute the Court directed Wise Response to file their response to the Council's submissions in relation to the scope of their relief sought by 30 July 2021.²
- 3 Since the Pre-Hearing Conference Counsel for the Council and Wise Response have been in further discussions in relation to Wise Response's submission on PC8.
- 4 The Council and Wise Response have agreed by way of a Memorandum of Understanding dated 3 August 2021 that the issue of nutrient input controls will be further considered by the Council as part of developing a new proposed Otago Land and Water Regional Plan by way of a regional stakeholder engagement group that will include Wise Response.
- 5 On the basis of the Memorandum of Understanding agreed between the Council and Wise Response, Wise Response has decided to withdraw its submission on PC8. Wise Response requests that this memorandum be treated as the withdrawal of its submission and gives notice of its withdrawal from the proceedings as a section 274 party.

¹ Minute of the Environment Court dated 23 July 2021 at [17](a).

² Minute of the Environment Court dated 23 July 2021 at [17](b).

Dated this 4th day of August 2021



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L F de Latour / M A Mehlhopt

Counsel for Otago Regional Council



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D MacTavish

On behalf of Wise Response Incorporated