

BEFORE THE FRESHWATER HEARING PANEL

UNDER THE

Resource Management Act 1991

AND

IN THE MATTER

of the Proposed Otago Regional Policy Statement 2021:
Freshwater Planning Instrument

**MEMORANDUM FOR THE OTAGO REGIONAL COUNCIL SEEKING
AMENDMENT OF TIMETABLE**

Dated 25 May 2023

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**MEMORANDUM FOR THE OTAGO REGIONAL COUNCIL SEEKING
AMENDMENT OF TIMETABLE**

May it Please the Panel:

1. In its minute dated 10 May 2023, the Panel directed that the Section 42A report be made available on the Otago Regional Council website on Monday, 29 May 2023. In effect, that direction required the Section 42A report to be completed by Friday, 26 May 2023.
2. Regrettably, it will not be possible to comply with that deadline.
3. The report-writer, Ms Boyd, her colleagues, and ORC's legal counsel have been largely occupied with the reply for the Non-Freshwater parts of the RPS. The time required for that task has been substantial in deference to the evidence and submissions presented at the hearing.
4. ORC's legal counsel are now preparing submissions for presentation at the reply hearing on Monday and Tuesday, 29 and 30 May 2023.
5. Time does not permit legal counsel to provide the advice sought to finalise the Section 42A report, as well as prepare comprehensive legal submissions for the reply hearing, notwithstanding that Ms Boyd advises that the report will be complete in draft by Monday.
6. The Section 42A report requires legal review, and text on legal issues before it is completed.
7. It is therefore requested that the time for filing the Section 42A report on the FPI be enlarged to Friday, 2 June 2023, with the FPI being made available on the website the same day.
8. In the circumstances, the direction in clause 3 of the Panel's minute should be extend to Thursday 8 June 2023.
9. No change is required to the timetable for evidence exchange, or to the proposed hearing date.



S J Anderson
Counsel for the Otago Regional Council
Dated: 25 May 2023