

**IN THE HIGH COURT OF NEW ZEALAND
DUNEDIN REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
ŌTEPOTI ROHE**

CIV-2021-412-000089

UNDER the Declaratory Judgments Act 1908

IN THE MATTER of an application under the Declaratory Judgment Act 1908

BETWEEN **OTAGO REGIONAL COUNCIL**, a body corporate under the Local Government Act 2002

Plaintiff

AND **ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**, a duly incorporated society under the Incorporated Societies Act 1908 having its registered office at 205 Victoria Street, Wellington

Defendant

MEMORANDUM OF COUNSEL FOR THE PLAINTIFF

Dated: 22 December 2021

ROSS DOWLING MARQUET GRIFFIN
SOLICITORS
DUNEDIN

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Solicitor: A J Logan

MEMORANDUM OF COUNSEL FOR THE PLAINTIFF

May it Please the Court:

1. This memorandum is filed by the Otago Regional Council (“ORC”).
2. Timetabling directions for ORC to file reply evidence are provided for, but no timetabling directions are provided to file any updating evidence.
3. ORC thinks it would be helpful for the Court to provide a brief updating affidavit outlining where the process has gotten to with respect to the proposed Otago Regional Policy Statement.
4. Accordingly, ORC seeks leave to file an affidavit by 23 December 2021.



A J Logan/ T M Sefton
Counsel for the Otago Regional Council

22 December 2021

Date