



## **THE ENVIRONMENT COURT OF NEW ZEALAND**

### **NOTICE OF MEDIATION**

The parties to these proceedings in the attached schedule have been directed to attend court-assisted mediation. The prerogative for setting a date for the mediation lies solely with the Registrar and is made first and foremost in terms of the availability of an Environment Commissioner. Accordingly, this matter has been set down for mediation at the date, time and at the venue specified below:

|        |   |
|--------|---|
| DATE:  | Tuesday, 18 March 2025 – Friday, 21 March 2025                      |
| TIME:  | 10:00 AM  |
| VENUE: | Auditorium, Dunedin Public Art Gallery<br>30 the Octagon<br>Dunedin |

#### **Note To Participants:**

Participation in the mediation process is mandatory, and each party must participate in person or by a representative unless leave is granted by the Court not to attend. Any application for leave to be excused **must be made in writing** to the Registrar, giving reasons and be served upon all other participants to the proceedings.

The Court has released a Practice Note on Alternative Dispute Resolution, which may assist parties in the protocols around the Mediation Process. A copy of this Practice Note can be obtained through this Environment Court Registry.

Information on the Environment Court and the Court's Practice Notes which serve as a guide, are available at [www.justice.govt.nz/courts/environment-court](http://www.justice.govt.nz/courts/environment-court).

If any party has special needs (for example in relation to disability and access, deafness), they are to advise the Court in writing of this not later than 10 working days from the date of the mediation so that appropriate arrangements can be considered.

<https://www.justice.govt.nz/courts/going-to-court/pre/interpreters-language-and-disability-access/>

Should any party wish to contact the Mediator either before or after the mediation, then all contact should be through the Court's Registry.

**Dated at Christchurch Environment Court Registry on 19 February 2025**

**Karina Kelly**

**Case Manager - Mediation**

Direct dial phone: (03) 353 8536

E-mail address: [Karina.Kelly@justice.govt.nz](mailto:Karina.Kelly@justice.govt.nz)

**ENVIRONMENT COURT**

WX11113

PO Box 2069

Christchurch

Facsimile: (03) 365 1740



# LIST OF PARTIES

**TOPIC: pORPS: Group 9 Natural Hazards**

| Provision  | Appellant(s)   | Interested Parties  |
|--|--|---|
| HAZ-NH-O1- Natural Hazards                               | <ul style="list-style-type: none"> <li>• Oceana Gold</li> <li>• Royal Forest and Bird Protection Society of New Zealand Inc</li> </ul>   | <ul style="list-style-type: none"> <li>• Director General of Conservation</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• Forestry Appellants</li> <li>• OWRUG</li> <li>• QLDC</li> <li>•</li> <li>• Kāi Tahu</li> <li>• Oceana Gold</li> <li>• EDS</li> <li>• <u>Port Otago</u></li> <li>• <u>Meridian Energy</u></li> </ul>  |
| HAZ-NH-O2 - Adaptation                                   | <ul style="list-style-type: none"> <li>• Royal Forest and Bird Protection Society of New Zealand Inc</li> </ul>  | <ul style="list-style-type: none"> <li>• Director General of Conservation</li> <li>• Kāi Tahu</li> <li>• <u>Port Otago</u></li> <li>• <u>Meridian Energy</u></li> </ul>   |
| HAZ-NH-P1 – Identifying areas subject to natural hazards | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• Royal Forest and Bird Protection Society of New Zealand Inc</li> <li>• Kāi Tahu</li> <li>• <u>Port Otago</u></li> </ul> | <ul style="list-style-type: none"> <li>• Director General of Conservation</li> <li>• DCC</li> <li>• Darby Asset Management LP</li> <li>• Forestry Appellants</li> <li>• Oceana Gold</li> <li>• Port Otago</li> <li>• QLDC</li> <li>• RealNZ</li> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• Cain Whānau</li> <li>•</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• Maniototo Irrigation Company</li> <li>• <u>Meridian Energy</u></li> </ul> |



| HAZ-NH-P1A Identifying areas subject to coastal hazards | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>• Kāi Tahu</li> </ul> | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• DCC</li> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• Cain Whānau</li> <li>• Fish &amp; Game</li> <li>• </li> <li>• Forest &amp; Bird</li> <li>• Forestry Appellants</li> <li>• Port Otago</li> </ul> |
|---|--|--|
| Provision   | Appellant(s)   | Interested Parties   |
| HAZ-NH-P1A Identifying areas subject to coastal hazards | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>• Kāi Tahu</li> </ul> | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• DCC</li> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• Cain Whānau</li> <li>• Fish &amp; Game</li> <li>• </li> <li>• Forest &amp; Bird</li> <li>• Forestry Appellants</li> <li>• Port Otago</li> </ul> |



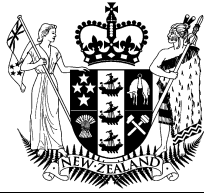
|   |  |  |
|---|--|--|
| <p>HAZ-NH-P2 – Risk assessments</p>             | <ul style="list-style-type: none"> <li>• Oceana Gold</li> <li>• QLDC</li> <li>• Port Otago</li> <li>• Kāi Tahu</li> <li>• Cain Whānau</li> </ul> | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Forestry Appellants</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Darby Asset Management LP</li> <li>• Forestry Appellants</li> <li>• Oceana Gold</li> <li>• Port Otago</li> <li>• RealNZ</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• OWRUG</li> <li>• </li> <li>• Cain Whānau</li> <li>• Maniototo Irrigation Company</li> <li>• EDS</li> <li>• <u>Manuherikia Catchment Group</u></li> <li>• <u>Waitaki Irrigators Collective</u></li> <li>• <u>Falls Dam Company Limited</u></li> </ul> |
| <p>HAZ-NH-P3 - New activities</p>               | <ul style="list-style-type: none"> <li>• Oceana Gold</li> <li>• QLDC</li> <li>• Port Otago</li> <li>• Cain Whānau</li> </ul>                     | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Darby Asset Management LP</li> <li>• Forestry Appellants</li> <li>• Oceana Gold</li> <li>• Port Otago</li> <li>• RealNZ</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• OWRUG</li> <li>• </li> <li>• EDS</li> </ul>   |
| <p>HAZ-NH-P4 – Existing natural hazard risk</p> | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• Port Otago</li> </ul>   | <ul style="list-style-type: none"> <li>• Darby Asset Management LP</li> <li>• Forestry Appellants</li> <li>• Port Otago</li> <li>• RealNZ</li> <li>• QLDC</li> <li>• Oceana Gold</li> <li>• DCC</li> </ul>   |



| Provision  | Appellant(s)   | Interested Parties  |
|--|--|---|
| HAZ-NH-P6 – Protecting features and systems that provide hazard mitigation | <ul style="list-style-type: none"> <li>• Royal Forest and Bird Protection Society of New Zealand Inc</li> </ul>                        | <ul style="list-style-type: none"> <li>• Forestry Appellants</li> </ul>   |
| HAZ-NH-P7 – Mitigating natural hazards                                     | <ul style="list-style-type: none"> <li>• Royal Forest and Bird Protection Society of New Zealand Inc</li> <li>• Cain Whānau</li> </ul> | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Director General of Conservation</li> <li>• <u>Maniototo Irrigation Company</u></li> <li>• <u>Port Otago</u></li> </ul>   |
| HAZ-NH-P10 - Coastal hazards   | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>• Kāi Tahu</li> <li>• Cain Whānau</li> </ul>                              | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Cain Whānau</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• Port Otago</li> <li>• </li> <li>• Forestry Appellants</li> <li>• Maniototo Irrigation Company</li> </ul> |
| HAZ-NH-P11 - Kāi Tahu rakatirataka   | <ul style="list-style-type: none"> <li>• Cain Whānau</li> </ul>  | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• QLDC</li> <li>• Transpower</li> </ul>  |
| HAZ-NH-PXX<br>[New Policy requested]                                       | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited</li> </ul>                   | <ul style="list-style-type: none"> <li>• Director General of Conservation</li> <li>• DCC</li> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• Kāi Tahu</li> <li>• QLDC</li> <li>• EDS</li> </ul>  |



| Provision                                 | Appellant(s)  | Interested Parties   |
|---|---|--|
| HAZ-NH-M1 – Statement of responsibilities | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• Cain Whānau</li> </ul>                       | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Forestry Appellants</li> <li>• Darby Asset Management LP</li> <li>• Port Otago</li> <li>• RealNZ</li> </ul>      |
| HAZ-NH-M2 – Local authorities             | <ul style="list-style-type: none"> <li>• QLDC</li> <li>• Cain Whānau</li> </ul>                       | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• QLDC</li> <li>• Forestry Appellants</li> <li>• Darby Asset Management LP</li> <li>• Port Otago</li> <li>• RealNZ</li> </ul>                                 |
| HAZ-NH-M3- Regional plans                 | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>• Cain Whānau</li> </ul>                 | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• QLDC</li> <li>• Oceana Gold</li> </ul>  |
| HAZ-NH-M4 - District plans                | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>• QLDC</li> <li>• Cain Whānau</li> </ul> | <ul style="list-style-type: none"> <li>• Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>• DCC</li> <li>• Kāi Tahu</li> <li>• Meridian Energy</li> <li>• QLDC</li> <li>• Darby Asset Management LP</li> <li>• Forestry Appellants</li> <li>• Port Otago</li> <li>• Oceana Gold</li> </ul> |
| HAZ-CL-P14 Managing contaminated land     | <ul style="list-style-type: none"> <li>• The Fuel Companies</li> </ul>                                | <ul style="list-style-type: none"> <li>• Port Otago</li> <li>•</li> </ul>  |
| HAZ- CL-P15 – New contaminated land       | <ul style="list-style-type: none"> <li>• Oceana Gold</li> <li>• The Fuel Companies</li> </ul>         | <ul style="list-style-type: none"> <li>• Fish &amp; Game</li> <li>• Forest &amp; Bird</li> <li>• Forestry Appellants</li> <li>• OWRUG</li> <li>• QLDC</li> <li>• EDS</li> </ul>  |



| Provision                                  | Appellant(s)  | Interested Parties  |
|--|---|---|
| HAZ-CL-P18 – Waste facilities and services | <ul style="list-style-type: none"> <li>Royal Forest and Bird Protection Society of New Zealand Inc</li> <li>Kāi Tahu</li> </ul> | <ul style="list-style-type: none"> <li>Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited</li> <li>Cain Whānau</li> <li>DCC</li> <li>Fish &amp; Game</li> <li>Forest &amp; Bird</li> <li>QLDC</li> <li>Forestry Appellants</li> <li><u>Port Otago</u></li> <li><u>Meridian Energy</u></li> </ul> |

#### Appendices and Maps

| Provision   | Appellant(s)  | Interested Parties   |
|---|---|--|
| APP6 – Methodology for natural hazard risk assessment | <ul style="list-style-type: none"> <li>Oceana Gold</li> <li>Port Otago</li> <li>QLDC</li> </ul> | <ul style="list-style-type: none"> <li>Darby Asset Management LP</li> <li>Forestry Appellants</li> <li>Oceana Gold</li> <li>Port Otago</li> <li>RealNZ</li> <li>DCC</li> <li>Fish &amp; Game</li> <li>Forest &amp; Bird</li> <li>OWRUG</li> <li>QLDC</li> <li>EDS</li> </ul> |



## SCHEDULE OF PROCEEDINGS

- 1. Topic:** **pORPS: Group 9 Natural Hazards**
- Topic Number:** **ENV-2025-309-000003**
- i. Auroroa Energy Limited & others v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000024
  - ii. Royal Forest and Bird Protection Society of New Zealand Incorporated v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000026
  - iii. BP Oil New Zealand Limited & Others v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000028
  - iv. Oceana Gold New Zealand Limited v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000029
  - v. Cain Whanau v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000030
  - vi. Port Otago Limited v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000033
  - vii. Kai Tahu v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000036
  - viii. Queenstown Lakes District Council v Otago Regional Council  
Appeal By Submitter On Proposed Policy Statement Or Plan pursuant to Clause 14 of the First Schedule of the Resource Management Act 1991  
Court Reference: ENV-2024-CHC-000037