

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

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

**CIV-2024-412-41**

BETWEEN OCEANA GOLD (NEW ZEALAND)  
LIMITED  
Appellant

AND OTAGO REGIONAL COUNCIL  
Respondent

Hearing: On the papers

Counsel: J St John and S Christensen for the Appellant  
S J Anderson and T M Sefton for the Respondent

Date of Minute: 22 November 2024

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**MINUTE OF HARLAND J  
(Appellant's withdrawal of appeal against LF-FW-N7)**

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[1] In its notice of appeal dated 22 April 2024, among other things, the appellant contended that the respondent adopted an error of law made by the Freshwater Hearings Panel (the Panel) in its report and recommendations on LF-FW-N7 being a provision contained in the freshwater planning instrument parts of the proposed Otago Regional Policy Statement (proposed ORPS). The parts of LF-FW-N7 in issue were outlined in para 14 of the appellant's notice of appeal.

[2] The specific point on appeal was whether the Panel (and therefore the respondent) had properly given effect to the National Policy Statement for Freshwater Management (NPS-FM) in relation to this provision.

[3] In a joint memorandum dated 27 September 2024 seeking orders by consent in relation to certain parts of this and other appeals on the proposed ORPS, the appellant indicated it would be withdrawing its appeal in relation to LF-FW-N7. This minute formally records that position and notes the withdrawal.

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**Harland J**

Counsel:

M Baker-Galloway, Anderson Lloyd for Otago Fish and Game Council and Central South Island Fish and Game Council

J St John and S Christensen for Oceana Gold (New Zealand) Ltd

S J Anderson and T M Sefton, Ross Dowling Marquet Griffin for Otago Regional Council.

Interested Parties in proceeding CIV-2024-412-41:

M Downing and P Anderson for Royal Forest & Bird Protection Society Inc

J Campbell and B Watts, Meredith Connell for Queenstown Lakes District Council

L Burkhardt for Manawa Energy Limited

C Thomsen and K Simonsen, Fletcher Vautier Moore for Beef and Lamb New Zealand Ltd

B Irving and P Page, Gallaway Cook Allan for Otago Water Resource User Group Inc.

H Jopp for Federated Farmers of New Zealand Incorporated

M Baker-Galloway and L McLaughlan, Anderson Lloyd for NZSki Limited and Real Group Limited.