

BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY

ENV-2024-CHC-39

I TE KŌTI TAIAO O AOTEAROA  
ŌTAUTAHI ROHE

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of appeals under clause 14(1) of Schedule 1 RMA in relation to the non-freshwater parts of the Proposed Otago Regional Policy Statement 2021

**BETWEEN** **ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED**

**AND** **OTHERS**

Appellants

**AND** **OTAGO REGIONAL COUNCIL**

Respondent

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**MEMORANDUM SEEKING LEAVE TO ATTEND GROUP 4 RESUMED MEDIATION  
REMOTELY**

**26 February 2025**

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Environmental Defence Society Inc  
John Commissaris  
[john@eds.org.nz](mailto:john@eds.org.nz)  
PO Box 91736  
Victoria St West  
AUCKLAND 1142

TO: The Commissioner  
Environment Court  
CHRISTCHURCH

1. This memorandum refers to the Commissioner's direction dated 29 October 2024 that parties need to seek leave to attend proposed Otago Regional Policy Statement mediations remotely.
2. The Environmental Defence Society (**EDS**) attended mediation on Group 3 (Integrated management), Group 7 (Coast) and Group 4 (Energy, infrastructure and transport) in person and Group 5 (Land, freshwater and soil) via AVL.
3. Mediation on Group 4 did not address all matters and is being reconvened on 4 and 5 March 2025.
4. Due to resourcing constraints, EDS cannot attend the resumed Group 4 mediation in person and seeks leave to attend remotely.
5. EDS's in-house counsel will have authority to settle and may be joined online by supporting counsel, Douglas Allan, where necessary.
6. With respect to its interest in matters to be discussed, EDS has appeal points concerning the energy sub-chapter and is listed as a section 274 party to other appeal points. EDS's interest is generally aligned with Forest & Bird who seeks similar relief and will be appearing at the resumed mediation in person.
7. On that basis, EDS respectfully requests leave to attend Group 4 resumed mediation remotely via AVL.

**DATED** at Auckland this 26<sup>th</sup> day of February 2025

A handwritten signature in black ink, appearing to read 'John Commissaris', written over a light grey rectangular background.

**John Commissaris**

Signed for and on behalf of the  
**ENVIRONMENTAL DEFENCE SOCIETY  
INCORPORATED** by its duly authorised  
agent

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