



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, 3 December 2024 – Friday, 6 December 2024
TIME:	10:00 AM
VENUE:	James Speight Room, Scenic Circle Southern Cross Hotel Corner of Princes Street and High Street Dunedin Ph: (03) 4746013; Fax: (03) 4775776

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.

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 11 October 2024

Karina Kelly

Case Manager - Mediation

Direct dial phone: (03) 353 8536

E-mail address: Karina.Kelly@justice.govt.nz

ENVIRONMENT COURT

WX11113

PO Box 2069

Christchurch

Facsimile: (03) 365 1740



LIST OF PARTIES

TOPIC: pORPS: Group 5 Land, freshwater and soil

LF - Land and Freshwater

Provision	Appellant(s)	Interested Parties
LF-WAI-P2 - Mana whakahaere	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower
LF-WAI-M1 – Kāi Tahu rakatirataka	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC Transpower
LF-WAI-E1 – Explanation [paragraphs 2 and 3]	<ul style="list-style-type: none"> Cain Whānau 	<ul style="list-style-type: none"> Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited DCC Kāi Tahu QLDC
LF-FW-O10 - Natural character	<ul style="list-style-type: none"> Oceana Gold 	<ul style="list-style-type: none"> Fish & Game Forest & Bird Forestry Appellants Kāi Tahu OWRUG Queenstown Airport EDS



<p>LF-FW-P12 - Identifying and managing outstanding water bodies</p>	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited • Transpower • Queenstown Airport 	<ul style="list-style-type: none"> • Director General of Conservation • DCC • Fish & Game • Forest & Bird • Kāi Tahu • QLDC • Transpower • Queenstown Airport • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • Forestry Appellants • EDS
<p>LF-FW-P13 – Preserving natural character and instream values</p>	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited 	<ul style="list-style-type: none"> • Director General of Conservation • DCC • Fish & Game
Provision	Appellant(s)	Interested Parties
	<ul style="list-style-type: none"> • Royal Forest and Bird Protection Society of New Zealand Inc • Cain Whānau 	<ul style="list-style-type: none"> • Forest & Bird • Kāi Tahu • Oceana Gold • QLDC • Transpower • Queenstown Airport • Beef + Lamb • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • Meridian Energy • Darby Asset Management LP • Federated Farmers • Forestry Appellants • NZTA • Port Otago • RealNZ • EDS • Manawa Energy • <u>Waitaki Irrigators Collective</u> • <u>Maniototo Irrigation Company</u> • <u>Falls Dam Company Limited</u> • <u>OWRUG</u>



<p>LF-FW-P14 – Restoring natural character and instream values</p>	<ul style="list-style-type: none"> Royal Forest and Bird Protection Society of New Zealand Inc 	<ul style="list-style-type: none"> Beef + Lamb Darby Asset Management LP Federated Farmers Fish & Game Forestry Appellants NZTA Port Otago RealNZ Manawa Energy <u>Waitaki Irrigators Collective</u> <u>Maniototo Irrigation Company</u> <u>Falls Dam Company Limited</u> <u>OWRUG</u>
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LF-LS – Land and soil

Provision	Appellant(s)	Interested Parties
<p>LF-LS-O11 – Land and soil</p>	<ul style="list-style-type: none"> Oceana Gold 	<ul style="list-style-type: none"> Director General of Conservation Fish & Game Forest & Bird Forestry Appellants Kāi Tahu
		<ul style="list-style-type: none"> OWRUG Queenstown Airport EDS
<p>LF-LS-O12 – Use, development, and protection</p>	<ul style="list-style-type: none"> Oceana Gold 	<ul style="list-style-type: none"> Fish & Game Forest & Bird Forestry Appellants Kāi Tahu OWRUG Queenstown Airport EDS



<p>UFD-O4- Development in rural areas</p>	<ul style="list-style-type: none"> • Royal Forest and Bird Protection Society of New Zealand Inc • Kāi Tahu • Glenpanel Limited 	<ul style="list-style-type: none"> • Federated Farmers • Fish & Game • Forest & Bird • QLDC • DCC • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • Cain Whānau • Forestry Appellants • Oceana Gold • Falls Dam Irrigation • Queenstown Airport • <u>Waitaki Irrigators Collective</u> • <u>Maniototo Irrigation Company</u> • <u>OWRUG</u>
<p>LF-LS-P16A – Managing pests</p>	<ul style="list-style-type: none"> • Royal Forest and Bird Protection Society of New Zealand Inc • Forestry Appellants • Environmental Defence Society 	<ul style="list-style-type: none"> • Beef + Lamb • Director General of Conservation • Federated Farmers • Forest & Bird • Forestry Appellants • Port Otago • DCC • Fish & Game • Kāi Tahu • Meridian Energy • EDS
<p>LF-LS-P19 – Highly productive land</p>	<ul style="list-style-type: none"> • Oceana Gold 	<ul style="list-style-type: none"> • Director General of Conservation • Fish & Game • Forest & Bird • Forestry Appellants • Kāi Tahu • OWRUG • Queenstown Airport • EDS



Provision	Appellant(s)	Interested Parties
UFD-P7 – Rural areas	<ul style="list-style-type: none"> • Oceana Gold • QLDC • Royal Forest and Bird Protection Society of New Zealand Inc • Glenpanel Limited 	<ul style="list-style-type: none"> • Darby Asset Management LP • Forestry Appellants • Oceana Gold • Kāi Tahu • RealNZ • Queenstown Airport • Waterfall Park Developments • Federated Farmers • Director General of Conservation • Forest & Bird • Fish & Game • QLDC • DCC • OWRUG • EDS
UFD-P8 – Rural lifestyle development	<ul style="list-style-type: none"> • QLDC 	<ul style="list-style-type: none"> • Darby Asset Management LP • Forestry Appellants • RealNZ • Waterfall Park Developments • Kāi Tahu
LF-LS-P22 – Public access	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • DCC • Kāi Tahu • QLDC • Transpower
LF-LS-M11A - Identification of highly productive land	<ul style="list-style-type: none"> • Cain Whānau 	<ul style="list-style-type: none"> • Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited • DCC • Kāi Tahu • QLDC • Transpower
LF-LS -M12 – District plans	<ul style="list-style-type: none"> • Oceana Gold • Forestry Appellants • Royal Forest and Bird Protection Society of New Zealand Inc • Environmental Defence Society 	<ul style="list-style-type: none"> • Port Otago • Beef + Lamb • Director General of Conservation • Queenstown Airport • Federated Farmers • DCC • Fish & Game • Forest & Bird



Provision	Appellant(s)	Interested Parties
		<ul style="list-style-type: none"> • Kāi Tahu • Forestry Appellants • OWRUG • NZTA • Oceana Gold • Meridian Energy • EDS
LF-LS-M13 – Management of beds and riparian margins	<ul style="list-style-type: none"> • Forestry Appellants 	<ul style="list-style-type: none"> • Director General of Conservation • DCC • Fish & Game • Forest & Bird • Kāi Tahu • EDS
LF-LS-E4 – Explanation	<ul style="list-style-type: none"> • QLDC 	<ul style="list-style-type: none"> • Darby Asset Management LP • Forestry Appellants • RealNZ • Waterfall Park Developments • Kāi Tahu

Interpretation

Provision	Appellant(s)	Interested Parties
Mining [new definition sought]	<ul style="list-style-type: none"> • Oceana Gold 	<ul style="list-style-type: none"> • Fish & Game • Forest & Bird • Forestry Appellants • Kāi Tahu • OWRUG • Queenstown Airport • EDS
Natural wetland [deleted in Decision version]	<ul style="list-style-type: none"> • Oceana Gold 	<ul style="list-style-type: none"> • Fish & Game • Forest & Bird • Forestry Appellants • OWRUG • Queenstown Airport • EDS
Rural area	<ul style="list-style-type: none"> • Oceana Gold • Royal Forest and Bird Protection Society of New Zealand Inc 	<ul style="list-style-type: none"> • Fish & Game • Forest & Bird • Forestry Appellants • OWRUG • Queenstown Airport • Oceana Gold • Port Otago • EDS



SCHEDULE OF PROCEEDINGS

- 1. Topic:** **pORPS: Group 5 Land, freshwater and soil**
- Topic Number:** **ENV-2024-309-000017**
- 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. City Forests 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-000027
 - 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. Glenpanel Limited Partnership 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-000031
 - vii. Transpower 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-000035
 - viii. 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
 - ix. Environmental Defence Society 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-000039
- Queenstown Airport Corporation 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

