

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtepoti Rohe

ENV-2024-CHC-24

Under the Resource Management Act 1991

In the matter of An appeal under clause 14 of Schedule 1

Between **Aurora Energy Limited, Network Waitaki Limited, and
PowerNet Limited**

Appellant

And **Otago Regional Council**

Respondent

**Notice of Dunedin City Council's wish to be party to proceedings pursuant to
section 274 RMA**

7 June 2024

Section 274 party's solicitors:

Michael Garbett | Rebecca Kindiak

Anderson Lloyd

Level 12, Otago House, 477 Moray Place, Dunedin 9016

Private Bag 1959, Dunedin 9054

DX Box YX10107 Dunedin

p + 64 3 477 3973

michael.garbett@al.nz | rebecca.kindiak@al.nz

**anderson
lloyd.**

**To: The Registrar
Environment Court
Christchurch Registry**

- 1 Dunedin City Council gives notice that it wishes to be party to the following proceedings:

Aurora Energy Limited, Network Waitaki Limited and PowerNet Limited v Otago Regional Council (ENV-2024-CHC-24) being an appeal under clause 14 of Schedule 1 of the Resource Management Act 1991 (RMA), against the decisions of the Otago Regional Council (ORC) on the non-freshwater planning instrument parts of the Proposed Otago Regional Policy Statement 2021 (PORPS)

- 2 Dunedin City Council has an interest in the proceedings that is greater than the interest that the general public has because Dunedin City Council is a territorial authority with responsibility for community and economic development, and urban planning.
- 3 Dunedin City Council made a submission about the subject matter of the proceedings.
- 4 Dunedin City Council is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 5 Dunedin City Council is interested in all of the appeal.
- 6 Without limiting its interest in all of the appeal, Dunedin City Council is particularly interested in the appeal points relating to the following provisions of the PORPS:
 - (a) UFD-O1 – Development of urban areas;
 - (b) UFD-P3 – Urban intensification; and
 - (c) UFD-P4 – Urban expansion.
- 7 Dunedin City Council:
 - (a) agrees that the development of urban areas should occur in a strategic and coordinated way and should include consideration of the operational and functional needs of existing infrastructure
 - (b) considers that the proposed addition to UFD-P3 is unnecessary as UFD-P3 (2) provides for consideration of infrastructure when managing urban intensification, and that the proposed addition may

be too high of a test. The operational or functional needs of some infrastructure may be compromised by urban intensification.

- (c) considers that the proposed addition to UFD-P4 is unnecessary as UFD-P4(3) provides for the integration of development infrastructure and additional infrastructure already. The functional or operational needs of some infrastructure may be compromised by urban expansion.

- 8 Dunedin City Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 7th day of June 2024.



Michael Garbett
Counsel for Dunedin City Council

This document is filed by Michael Garbett, solicitor for the Section 274 party, of the firm Anderson Lloyd.

The address for service of the Section 274 party is Level 12, Otago House, 477 Moray Place, Dunedin 9016.

Documents for service on the filing party may be left at that address for service or may be:

- (a) posted to the solicitor at Private Bag 1959, Dunedin 9054; or
- (b) left for the solicitor at a document exchange for direction to DX Box YX10107 Dunedin; or
- (c) transmitted to the solicitor by fax to + 64 3 477 3184; or
- (d) emailed to the solicitor at michael.garbett@al.nz.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.