

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

ENV-2024-CHC-27

Under the Resource Management Act 1991 (**RMA**)

In the matter of an appeal under clause 14 of Schedule 1 of the RMA in relation to the non-freshwater parts of the Proposed Otago Regional Policy Statement 2021

Between **Rayonier Matariki Forests**
First Appellant

And **City Forests Limited**
Second Appellant

And **Ernslaw One Limited**
Third Appellant

And **Port Blakely NZ Limited**
Fourth 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

Dunedin City Council's solicitors:

Michael Garbett | Rebecca Kindiak

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**anderson
lloyd.**

To: The Registrar

Environment Court

Christchurch Registry

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

Rayonier Matariki Forests, City Forests Limited, Ernslaw One Limited and Port Blakely NZ Limited "Forestry Appellants" v Otago Regional Council (ENV-2024-CHC-27) 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 ORPS:
 - (a) CE-M4
 - (b) LF-LS-P16A
 - (c) LF-LS-M12
- 7 Dunedin City Council opposes the relief sought on the basis that:
 - (a) section 43B(1) of the RMA provides that a rule or resource consent that is more stringent than a national environmental standard prevails over the standard, if the standard expressly says that a rule or consent may be more stringent than it; and

(b) under regulation 6 of the Resource Management (National Environmental Standards for Commercial Forestry) 2017 district councils may have rules that are more stringent if they are giving effect to New Zealand Coastal Policy Statement 2010 or protecting outstanding natural features or landscapes.

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.