

**BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV-2024-CHC-36**

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

**AND**

**IN THE MATTER** of an appeal pursuant to Clause 14(1) of  
the First Schedule to the Act

**BETWEEN** **TE RŪNANGA O MOERAKI, KĀTI HUIRAPA  
RŪNAKA KI PUKETERAKI, TE RŪNANGA O  
ŌTĀKOU AND HOKONUI RŪNANGA**  
*First Appellants*

**AND** **TE AO MARAMA INCORPORATED ON  
BEHALF OF WAIHOPAI RŪNAKA, TE  
RŪNANGA O ŌRAKA APARIMA, AND TE  
RŪNANGA O AWARUA**  
*Second Appellants*

**AND** **TE RŪNANGA O NGĀI TAHU**  
*Third Appellants*

**AND** **Otago Regional Council**  
*Respondent*

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**NOTICE OF REPRESENTATION AT PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE  
MANAGEMENT ACT 1991**

7 June 2024

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**To: The Registrar  
Environment Court  
Christchurch**

1. Z Energy Limited, BP Oil New Zealand Limited, and Mobil Oil New Zealand Limited (the **Fuel Companies**) wish to be a party to the following proceedings:

1.1 *Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, Te Ao Marama Incorporated on behalf of Waihopai Rūnaka, Te Rūnanga o Ōraka Aparima, and Te Rūnanga o Awarua and Te Rūnanga O Ngāi Tahu vs Otago Regional Council (ENV-2024-CHC-36)* 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 (**PORPS-NF**).

2. The Fuel Companies lodged submissions and further submissions on the PORPS-NF on the subject matter of the proceedings.

3. The Fuel Companies have an interest in the Appeal that is greater than the interest the general public has because:

3.1 The Fuel Companies receive, store and distribute refined petroleum products. The core business of the Fuel Companies is the operation and management of retail fuel networks, commercial refuelling facilities and bulk storage (**terminal**) facilities. The Fuel Companies also supply petroleum products to individually owned businesses.

3.2 The Dunedin Port provides the sole point of entry for ships carrying bulk petroleum products into the Otago Region.

3.3 There are three terminal facilities operated by the Fuel Companies at the Port; Z Energy 2015 Limited (previously Chevron New Zealand), 203 Fryatt Street; Z Energy Limited, 9-25 Wickliffe Street; and BP Oil New Zealand Limited, Parry Street. The terminals are infrastructure of regional and strategic importance

and are critical to the functioning of the city and region as a whole.

4. The Fuel Companies are not trade competitors for the purposes of section 308C or 308CA of the RMA.
5. The Fuel Companies are interested in the parts of the Appeal that relate to the following PORPS-NF provisions:
  - 5.1 The seeking the addition of a new clause to objective CE-O5. The Fuel Companies opposes the relief sought by appellant as the new clause to “avoid adverse environmental and cultural effects as a priority” introduces only one part of the effects management hierarchy and is inappropriate for activities have a functional need to be located in the coastal environment, in accordance with CE-O5(3).
  - 5.2 The addition of a new policy CE-Pxx relating to the management of discharges into the coastal environment consistent with policies LF-FW-P15 (stormwater discharges) and LF-FW-P16 (wastewater discharges). The Fuel Companies opposes the relief sought by appellant as it potentially creates conflict, confusion or duplication with policies in other parts of the PORPS addressing the management of stormwater.
6. The Fuel Companies agree to participate in mediation or other alternative dispute resolution of the proceedings.



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Gavin McCullagh  
Principal Planner

Dated this 7<sup>th</sup> day of June 2024

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**A copy of this notice has been served on the following parties:**

**Otago Regional Council**

Hearings Administrator – [hearingsadministrator@orc.govt.nz](mailto:hearingsadministrator@orc.govt.nz)

**Appellant**

Lisa Mackenzie - [ttw@ngaitahu.iwi.nz](mailto:ttw@ngaitahu.iwi.nz)