

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

ENV-2024-CHC-36

UNDER

The Resource Management Act
1991 (the **Act**)

IN THE MATTER

of an appeal against decisions on
the non-freshwater planning
instrument related parts of the
Proposed Otago Regional Policy
Statement 2021

BETWEEN

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

First Appellants

(continued overleaf)

**SECTION 274 NOTICE ON BEHALF OF
WAITAKI IRRIGATORS COLLECTIVE LIMITED**



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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

AND **FALLS DAM COMPANY LIMITED**

s 274 Party

SECTION 274 NOTICE

To: The Registrar

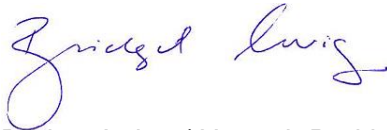
Environment Court

Christchurch Registry

1. Falls Dam Company Limited ("**Falls Dam**") wishes to be a party to the following proceeding:
 - (a) *Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga and Ors v Otago Regional Council.*
2. Falls Dam has interest in the subject matter of the proceedings greater than the general public has.
 - (a) Falls Dam Company owns and operates the Falls Dam which provides irrigation storage in the Manuherekia Catchment within Otago.
 - (b) Its infrastructure qualifies as Regionally Significant Infrastructure under the definition in the Decision to which this appeal relates.
 - (c) The changes sought by this appeal will significantly affect the interests of Falls Dam, particularly when it comes to obtaining replacement permits for its infrastructure.
3. Falls Dam is not trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Falls Dam is interested in part of the proceedings.
5. Falls Dam is interested in the following particular issues:
 - (a) Regionally Significant Infrastructure.
 - (b) Integrated Management and Climate Change
 - (c) Energy, Infrastructure and transport.
6. Falls Dam oppose the relief sought because:

- (a) Established community scale irrigation and stockwater infrastructure is regionally significant in Otago.
 - (b) Removal of established community scale irrigation and stockwater infrastructure from the definition of Regionally Significant Infrastructure will have consequential effects on the operation of the RPS with respect to irrigation infrastructure that have not been assessed in accordance with the Resource Management Act.
7. Amendments proposed to the Definitions, Integrated Management, Land and Freshwater, Land and Soils and Energy and Infrastructure provisions in the appeal will result in the Regional Policy Statement failing to achieve integrated and sustainable management of Otago's natural and physical resources.
8. Falls Dam agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date: 6 June 2024



Bridget Irving / Hannah Perkin

Solicitors for Falls Dam Company Limited

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