

**In the Environment Court of New Zealand
Christchurch Registry**

**I Te Kooti Taiao O Aotearoa
Ōtautahi Rohe**

ENV-2024-CHC-

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

and in the matter of decisions by Otago Regional Council in respect of the Proposed Otago Regional Policy Statement 2021

Between **Environmental Defence Society**
Appellant

And **Otago Regional Council**
Respondent

Notice of New Zealand Transport Agency Waka Kotahi wish to be party to proceedings

Dated 5 June 2024

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7 NZTA agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 5 June 2024



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Appendix A Table of PORPS provisions of interest

TABLE OF PORPS PROVISIONS OF INTEREST		
PROVISION	POSITION	REASON
IM-P12	Oppose	NZTA opposes the Appellant's relief because it introduces environmental bottom lines and limits which are uncertain and not required by the RMA or national direction. The relief sought would also introduce a requirement that there be no alternative location, site or method for the activity, which is a particularly onerous requirement, and may compromise NZTA's ability to carry out its statutory functions.
CE-O5	Oppose	<p>The Appellant seeks to amend CE-O5 so only activities that have a functional need to be located within the coastal environment can be located there.</p> <p>NZTA opposes the Appellant's relief because it introduces functional need as a threshold requirement for activities located in the coastal environment, rather than acknowledging that some activities have a functional need to be located in the coastal environment.</p>
CE-P9	Oppose	<p>The Appellant seeks to delete the reference to 'operational need' in CE-P9.</p> <p>NZTA supports the inclusion of 'operational need' in CE-P9, and considers that this better gives effect to the NZCPS as a whole.</p>
CE-P10	Oppose	<p>The Appellant seeks to delete the reference to 'operational need' in CE-P10.</p> <p>As above, NZTA supports the Decisions version of CE-P10, which recognises the relevance of operational need.</p>
EIT-INF-O4	Oppose	<p>The Appellant seeks to reinstate "within environmental limits" to this provision.</p> <p>As above, NZTA opposes the inclusion of "environmental limits" which are uncertain and not required by the RMA or national direction.</p>
EIT-INF-P12	Oppose	<p>The Appellant seeks to add a new clause to this provision which would require adverse effects to be managed in accordance with the ECO, CE, NFL and LF chapters.</p> <p>The relief proposed by the Appellant is redundant as the chapters referenced in this amendment would apply regardless.</p>