

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

ENV-2024-CHC-36

Under the Resource Management Act 1991

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

Between **Te Runanga o Moeraki**

Appellant

And **Otago Regional Council**

Respondent

And **Port Otago Limited**

Section 274 party

Notice of Port Otago Limited's wish to be party to proceedings pursuant to section 274

4 June 2024

Section 274 party's solicitors:

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**anderson
lloyd.**

**To: The Registrar
Environment Court
Christchurch**

- 1 Port Otago Limited gives notice it wishes to be party to the following proceedings:

Te Runanga o Moeraki v 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 Otago Regional Policy Statement 2021 (**ORPS**).

- 2 Port Otago Limited has an interest in the proceedings that is greater than the interest that the general public has because:

- (a) Port Otago Limited owns and operates property and infrastructure in the Otago Region; and
- (b) Port Otago Limited has also filed an appeal which overlaps some of the subject matter of this appeal.

- 3 Port Otago Limited made a submission and further submission about various aspects of the proceedings.

- 4 Port Otago Limited is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

- 5 Port Otago Limited is interested in the appeal points relating to the following provisions of the ORPS:

- (a) The definition of regionally significant infrastructure;
- (b) IM-P1 Integrated approach to decision-making and IM-P12 Contravening limits for climate change mitigation and climate change adaption;
- (c) CE Coastal environment chapter, including CE-O5 Activities in the coastal environment, CE-P3 Coastal water quality, P11 Aquaculture & P12 Reclamation and de-reclamation;
- (d) CE-O1A Te Mauri o te Moana, CE-O1 Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru) and CE-O4 Mana moana, and any related and/or new provisions sought in relation to coastal discharges.

- (e) EIT-INF-P12 Upgrades and development and EIT-INF-P13A Managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment;
 - (f) HAZ Hazards and risks chapter, including HAZ-NH-P1A Identifying areas subject to coastal hazards, HAZ-NH-P1 Identifying areas subject to natural hazards, HAZ-NH-P2 Risk assessments, and HAZ-NH-P10 Coastal hazards; and
 - (g) HCV-WT-M2(1) Regional plans and district plans.
- 6 Port Otago Limited opposes the relief sought on the following aspects:
- (a) IM-P1 Integrated approach to decision-making; and
 - (b) The CE Coastal Environment chapter, particularly the relief sought in respect of CE-O5 Activities in the coastal environment.
- 7 Port Otago is neutral at this stage of the proceedings pending further information and discussions, in respect of the relief sought on the following aspects:
- (a) The definition of regionally significant infrastructure;
 - (b) IM-P12 Contravening limits for climate change mitigation and climate change adaption;
 - (c) CE-O1A Te Mauri o te Moana, CE-O1 Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru) and CE-O4 Mana moana, and any new provisions sought in relation to coastal discharges;
 - (d) EIT-INF-P12 Upgrades and development and EIT-INF-P13A Managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment;
 - (e) HAZ Hazards and Risks chapter; and
 - (f) HCV-WT-M2(1) Regional plans and district plans.

- 8 Port Otago Limited agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 4th day of June 2024



Shelley Chadwick
Counsel for Port Otago Limited

This document is filed by Shelley Chadwick, 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 shelley.chadwick@al.nz.

Advice

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