

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**ENV -2024-CHC-23, 29,
31, 37**

**I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under clause 14(1) of the
First Schedule of the Act

BETWEEN **Real Group Limited (and others)**

Appellant

AND **Otago Regional Council**

Respondent

**MEMORANDUM OF COUNSEL SEEKING WAIVER OF TIME FOR FILING
S274 NOTICES**

MAY IT PLEASE THE COURT

Introduction

- [1] This Memorandum of Counsel is prepared on behalf of Waterfall Park Developments Limited (WPDL) in respect of various appeals under clause 14(1) of the First Schedule of the Resource Management Act 1991 in relation to the non-freshwater planning instrument parts of the proposed Otago Regional Policy Statement 2021.
- [2] WPDL has filed, along with this Memorandum, s274 notices on the following appeals:
- (a) ENV-2024-CHC-31 (Glenpanel v ORC)
 - (b) ENV-2024-CHC-29 (Oceana Gold v ORC)
 - (c) ENV-2024-CHC-23 (Real Group v ORC)
 - (d) ENV-2024-CHC-37 (QLDC v ORC)
- [3] The dates of the notices of appeal vary, however the filing of s274 notices by WPDL is slightly over the statutory 15 working day period (by 1-2 working days).
- [4] Accordingly, counsel respectfully seeks a waiver of the time limits for the filing and service of these notices.
- [5] Counsel respectfully considers there is no prejudice in the granting of this requested direction on the following basis:
- (a) In all of the appeals that WPDL has joined there are existing s274 party notices filed, therefore the addition of WPDL will not otherwise extend or add to complexity of proceedings.
 - (b) Case management of appeals is not due to be progressed by the Respondent until 12th July, and therefore the filing of the WPDL notices will not delay matters.
 - (c) WPDL has clear standing on the respective appeals to which it seeks joining as it was an original submitter on the substantive

matters under appeal, as well as having established interests greater than that of the general public.

Dated 7th June 2024



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R E M Hill
Counsel for the 274 party