

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

ENV-2024-CHC-36

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| Under | cl 14 of Schedule 1 to the Resource Management Act 1991 ("RMA") |
| 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 |
| 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 |

**Notice of Dunedin City Council's wish to be party to proceedings pursuant to
section 274 RMA**

14 June 2024

Dunedin City Council's solicitors:

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**anderson
lloyd.**

To the Registrar

Environment Court

Christchurch

- 1 Dunedin City Council gives notice it wishes to be party to the following proceedings:

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; Te Rūnanga o Ngāi Tahu (Kāi Tahu) 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 Proposed Otago Regional Policy Statement 2021 (PORPS).

- 2 Dunedin City Council has an interest in the proceedings that is greater than the interest that the general public has because Dunedin City Council is a territorial authority with responsibility for community and economic development, and urban planning.
- 3 Dunedin City Council made a submission about the subject matter of the proceedings.
- 4 Dunedin City Council is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 5 Dunedin City Council is interested in all of the appeal.
- 6 Without limiting its interest in all of the appeal, Dunedin City Council is particularly interested in the appeal points relating to the following provisions of the PORPS:
 - (a) The definition of Māori land;
 - (b) MW-P4 – Papakāika;
 - (c) CE policies;
 - (d) UFD objectives, policies and methods in relation to Rakatirataka;
 - (e) IM-O3;
 - (f) IM-P1-P2;

- (g) IM-P6;
- (h) IM-P14;
- (i) IM-P10;
- (j) IM-P12;
- (k) EIT-INF-P12;
- (l) EIT-INF-P14;
- (m) CE-O5;
- (n) The definition of regionally significant infrastructure;
- (o) EIT-EN-P6;
- (p) EIT-EN-P9A;
- (q) EIT-EN-P13A;
- (r) HAZ-NH-P1A;
- (s) HAZ-NH-P1-P2;
- (t) HAZ-NH-P10;
- (u) HCV-WT-M2(1) and HAZ-CL-P18; and
- (v) UFD-P4.

7 Dunedin City Council generally opposes the relief sought. However Dunedin City Council supports the relief sought in relation to:

- (a) EIT-INF-P12 and P14 and agrees that when considering upgrades and new infrastructure the current and future effects of sea level rise should be considered; and
- (b) HAZ-NH-P1A, HAZ-NH-P1, HAZ-NH-P2 and HAZ-NH-P10 and agrees that coastal hazards risk should be assessed and managed through the PORPS 2021; and
- (c) UFD-P4 and agrees that when considering urban expansion the effects on degraded water bodies should be considered with regard to increased water supply, wastewater and stormwater.

- 8 Dunedin City Council agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 14th day of June 2024



Michael Garbett
Counsel for the Dunedin City Council

This document is filed by Michael Garbett, 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 michael.garbett@al.nz.

Advice

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