

**BEFORE THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

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

**ENV-2024-CHC-38**

**UNDER**

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

**IN THE MATTER OF**

an appeal pursuant to Clause 14(1) of  
the First Schedule of the Act

**BETWEEN**

**NEW ZEALAND TRANSPORT AGENCY  
WAKA KOTAHI**

**Appellant**

**AND**

**OTAGO REGIONAL COUNCIL**

**Respondent**

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**NOTICE OF ARA POUTAMA AOTEAROA DEPARTMENT OF  
CORRECTIONS' WISH TO BE A PARTY TO PROCEEDINGS**

Dated: 6 June 2024

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**GREENWOOD ROCHE**  
LAWYERS  
CHRISTCHURCH  
Solicitor: F Lupis/R Murdoch  
(rmurdoch@greenwoodroche.com)

Level 3, 1 Kettlewell Lane  
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PO Box 139  
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**TO:** The Registrar  
Environment Court  
Christchurch

- 1 Ara Poutama Aotearoa – Department of Corrections (**Ara Poutama** or the **Department**) wishes to be a party to the following proceeding on the basis that it has an interest in this proceeding that is greater than the interest held by the general public:
  - (a) *New Zealand Transport Agency Waka Kotahi v Otago Regional Council* (ENV-2024-CHC-38), an appeal in relation to the Proposed Otago Regional Policy Statement (the **PORPS**) (the **Appeal**).
- 2 That Appeal seeks amendments and/or additions to the provisions in the Energy, Infrastructure and Transport (**EIT**) and Integrated Management (**IM**) sections of the PORPS which relate to regionally and nationally significant infrastructure.
- 3 Ara Poutama lodged a submission on the notified PORPS, seeking:
  - (a) the inclusion of the Otago Corrections Facility and community corrections activity in the PORPS definition of *regionally significant infrastructure* (**Definitions Relief**)<sup>1</sup>;
  - (b) the retention of provisions in the EIT and Urban Form and Development sections of the notified PORPS relating to infrastructure generally and regionally significant infrastructure specifically.<sup>2</sup>
- 4 The Definitions Relief requested in Ara Poutama’s submission was rejected by the Otago Regional Council. Ara Poutama has appealed that decision.

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<sup>1</sup> Ara Poutama submission on the proposed Otago Regional Policy Statement 2021, 2 September 2021, submission point number 00102.001 addressing *TERP – Definitions: Regionally significant infrastructure*.

<sup>2</sup> Ara Poutama submission on the proposed Otago Regional Policy Statement 2021, 2 September 2021, submission point numbers 00102.003 – 00102.008 addressing *EIT – Energy, infrastructure and transport: EIT-INF-O4, EIT-INF-P10, EIT-INF-P12, EIT-INF-P15, EIT-INF-P17; and UFD – Urban form and development: UFD-O2*.

- 5 For its part, the Appeal addresses the way in which infrastructure (and *regionally significant infrastructure* in particular) is provided for under the PORPS. In that regard (and in light of its submission and subsequent appeal on the PORPs), Ara Poutama has an interest in the Appeal beyond that of the general public.<sup>3</sup>
- 6 Ara Poutama is not a trade competitor for the purposes of section 308C or 308CA of the Act.
- 7 Ara Poutama is interested in part of the Appeal.
- 8 The particular issues Ara Poutama is interested in are:
- (a) proposed amendment new objective, "IM-O5";
  - (b) proposed amendment to policy EIT-INF-P13; and
  - (c) all other issues incidental to the above.
- 9 In principle, Ara Poutama supports the relief sought under the Appeal, but wishes to ensure it does not adversely impact the relief it is seeking through its appeal on the PORPS.
- 10 Ara Poutama agrees to participate in mediation or other alternative dispute resolution of the Appeal.

**DATED** this 6<sup>th</sup> day of June 2024



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Francelle Lupis/Rachel Murdoch  
Counsel for Ara Poutama Aotearoa Department of Corrections

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<sup>3</sup> See *Purification Technologies Limited v Taupo District Council* [1995] NZRMA 197 at [7]. *Mt Christina Ltd v Queenstown Lakes District Council* [2018] NZEnvC 190 at [64].

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