

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

**ENV-2024-CHC-24, 26, 27, 30, 31,33,
36, and 37**

Under the Resource Management Act 1991

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

Between **Aurora Energy Limited and others**

Appellants

And **Otago Regional Council**

Respondent

Application for waiver of time for filing section 274 notices

18 June 2024

Dunedin City Council's solicitors

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**anderson
lloyd.**

May it please the Court

- 1 This Application for Waiver is prepared on behalf of Dunedin City Council (**DCC**) in respect of various appeals under clause 14(1) of the First Schedule of the Resource Management Act 1991 (**RMA**) in relation to the non-freshwater planning instrument parts of the proposed Otago Regional Policy Statement 2021 (**PORPS**).
- 2 On Friday 7 June 2024 DCC filed and served section 274 notices on the following appeals:
 - (a) ENV-2024-CHC-24 (Aurora Energy Limited v ORC); and
 - (b) ENV-2024-CHC-27 (Forestry Appellants v ORC).
- 3 On Friday 14 June 2024 DCC filed and served section 274 notices on the following appeals:
 - (a) ENV-2024-CHC-26 (Royal Forest and Bird Protection Society of New Zealand Incorporated v ORC);
 - (b) ENV-2024-CHC-30 (Cain Whānau v ORC);
 - (c) ENV-2024-CHC-31 (Glenpanel Limited Partnership v ORC);
 - (d) ENV-2024-CHC-33 (Port Otago Limited v ORC);
 - (e) ENV-2024-CHC-36 (Kai Tahu v ORC); and
 - (f) ENV-2024-CHC-37 (Queenstown Lakes District Council v ORC).
- 4 Due to significant workload pressures, DCC staff were not able to review all of the notices of appeal within the statutory 15 working day timeframe required by section 274(2) RMA.
- 5 DCC respectfully seeks a waiver of the time limits for the filing and service of these notices, noting that:
 - (a) The late filing of these section 274 notices will not delay the case management of these appeals as case management is not due to be progressed until 12 July 2024; and
 - (b) The Respondent has advised that they have no concerns with the delayed filing of these section 274 notices.

Dated this 18th day of June 2024

m. Galea.

Michael Garbett/Rebecca Kindiak
Counsel for Dunedin City Council