

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

No. ENV-2018-CHC-000291

UNDER

**The Resource Management Act
1991**

IN THE MATTER

**of an appeal Against provisions
of the Dunedin City Second
Generation Plan**

BETWEEN

BP OIL NEW ZEALAND LTD,
MOBIL OIL NEW ZEALAND
LTD **AND**
Z ENERGY LTD

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

NOTICE OF PORT OTAGO LTD'S WISH TO BE
PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

McMillan & Co
Solicitors
Dunedin
PO Box 5547
Phone (03) 477 2238
Fax (03) 474 5588
Solicitor dealing with proceeding: Sally McMillan

Notice of person's wish to be party to proceedings

**TO: The Registrar
Environment Court
CHRISTCHURCH**

1. I, **Port Otago Ltd**, wish to be a party to the following proceedings:

The notice of appeal lodged by the The BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd against decisions made in relation to the Dunedin City Council Second Generation Plan being reference number ENV-2018-CHC-000291.

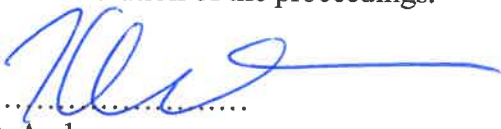
2. I am a person who made a submission about the subject matter of the proceedings.
3. I am not a trade competitor for the purposes of section 308C Resource Management Act 1991.
4. I am interested in part of the proceedings.

The parts of the proceeding I am interested in are the appeals relating to Hazardous Substances and Natural Environment.

I am interested in the following particular issues:

- (a) The removal of rules relating to Hazardous Substances;
- (b) The setback of buildings related to port activities.
5. I support the relief sought because:
- (a) Rules 9.3.4 and A6 Hazardous Substances Limits: the storage, use, disposal or transportation of hazardous substances in industrial and industrial port zones should be dealt with under the HSNO regime rather than in the District Plan;
- (b) The proposed amendment to Rule 10.3.3 is appropriate to exempt buildings, structures and earthworks associated with port activities from the requirement to be set back from mean highwater springs by 20 metres.

6. I agree to participate in mediation or other alternative dispute resolution of the proceedings.


.....
L A Andersen
Counsel for 274 Party

30 January 2019

.....
Date

Address for service of person wishing to be a party:
McMillan & Co, Level 5, Forsyth Barr House, 165 Stuart Street, The Octagon,
Dunedin
Telephone: Phone (03) 477 2238
Fax: Fax (03) 474 5588

Counsel for the 274 Party is Mr L A Andersen who address is PO Box 5117,
Dunedin.
Telephone: (03) 477 3488
Fax: (03) 474 0012
Email: len@barristerschambers.co.nz

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after –

the period for lodging a notice of appeal ends, if the proceedings are an appeal; or

the decision to hold an inquiry, if the proceedings are an inquiry; or

the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 247(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the other parties to the proceedings within the same 15 working day period.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38).

Advice

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