

BEFORE THE ENVIRONMENT COURT

ENV-2018-CHC-000251

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal pursuant to Clause 14 of
the First Schedule to the Act

BETWEEN Fonterra Limited

Appellant

AND Dunedin City Council

Respondent

**NOTICE OF REPRESENTATION AT PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991**

**To: The Environment Court
WX 11113 or PO Box 2069
Christchurch 8013, New Zealand
Attn: Case Manager: Christine McKee**

1. Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (“the Oil Companies”) wish to be a party to the following proceedings:
 - 1.1 ENV-2018-CHC-000251 between Fonterra Limited (“Appellant”) and the Dunedin City Council (“Respondent”) in relation to the respondent’s decisions on submissions to the Proposed Second Generation Dunedin District Plan (“the 2GP”).
2. The Oil Companies lodged submissions and further submissions on the subject matter of the proceedings.
3. The Oil Companies receive, store and distribute refined petroleum products. Within Dunedin City, the Oil Companies core activities relate to the operation and management of bulk storage facilities, aviation facilities and the operation and supply of retail and commercial outlets. The Oil Companies bulk storage facilities at Dunedin Port are infrastructure of regional and strategic importance and are critical to the functioning of the region as a whole.
4. The Oil Companies are not trade competitors for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. The Oil Companies are interested in the following parts of the proceedings:
 - Industrial Zones – Hazardous Substances – Rule 19.6.5 and Appendix A6.2 (para 59-65 of the appeal)
6. The reason for the Oil Companies interest in this matter is as follows:
 - 6.1 The appellant seeks to delete Rule 19.6.5 and Appendix A6.2. The relief sought is consistent with the Oil Companies own appeal, which seeks to remove the provisions managing hazardous substances and rely on HSNO unless exceptional circumstances can be demonstrated to exist through a robust s32 analysis for any specific additional control. The appeal is supported.
7. The Oil Companies agree to participate in mediation or other alternative dispute resolution of the proceedings.



.....
David le Marquand
Principal Planning and Policy Consultant
4Sight Consulting Limited

Dated this 31st day of January 2019

Address for Service:

4Sight Consulting Limited
PO Box 911 310
Victoria Street West
AUCKLAND 1142
Attention: David le Marquand

Ph: 021 122 3429
E-Mail: davidl@4sight.co.nz

A copy of this notice has been served on the following parties:

Dunedin City Council

C/- Michael Garbett
Anderson Lloyd (Dunedin)
Private Bag 1959, DX YP10107
Dunedin 9054,
michael.garbett@al.nz

Dunedin City Council

C/- Rachel Brooking
Anderson Lloyd (Dunedin)
Private Bag 1959, DX YP10107
Dunedin 9054,
rachel.brooking@al.nz

Fonterra Limited

C/- Daniel Minhinnick
Russell McVeagh
PO Box 8 / DX CX10085
Auckland
daniel.minhinnick@russellmcveagh.com

Fonterra Limited

C/- Tom Atkins
Russell McVeagh
PO Box 8 / DX CX10085
Auckland
tom.atkins@russellmcveagh.com