



THE PROPOSED
**SECOND
GENERATION
DISTRICT PLAN**

Dunedin City Council, 50 The Octagon, Dunedin 9016
PO Box 5045, Moray Place, Dunedin 9058

Website: www.dunedin.govt.nz/2gp

PROPOSED VARIATION 2 (ADDITIONAL HOUSING CAPACITY) TO THE 2GP

MINUTE 5

Adjournment of Hearing 1

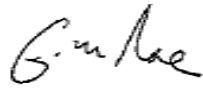
From: The Chairperson, Variation 2 (Additional Housing Capacity) Hearing Panel

To: Submitters and Reporting Officers

Date: 15 September 2021

1. Hearing 1 of submissions on Variation 2 stands adjourned (as of 14 September 2021).
2. The Panel would like to thank all parties and officers for their assistance at the hearing, and their willingness to participate in what was a fairly unusual and difficult set of circumstances brought about by Covid restrictions.
3. The Panel has requested a written Reply Report from the reporting officer team to be made available during next week. That report will respond to evidence and matters raised at the hearing, and it will be made available to all parties for information.
4. As noted at the hearing, the Panel has received a request from the Council's legal adviser (Mr Garbett), for decisions to be issued on a hearing-by-hearing basis, rather than issuing a single set of decisions at the conclusion of the hearings (which may well be some time next year). Mr Garbett's request, and the reasons for it, are outlined in his memorandum attached to this Minute.
5. We wish to provide an opportunity now for submitters to comment on that request. Please provide any comments you may wish to make by **Monday 20th September 2021**.
6. Upon receipt of the Response Report, and any responses to Mr Garbett's request, the Panel will then consider whether it has sufficient information in relation to Hearing 1. As signalled at the hearing we may feel it is necessary to obtain our own independent legal advice on some matters that were raised at the hearing before proceeding.
7. We will issue further communications to update the parties on the process from here.

8. In the meantime, if you have any questions regarding this Minute, please contact Jenny Lapham or Wendy Collard on 477-4000 or by email gso@dcc.govt.nz

A handwritten signature in black ink, appearing to read "G. m. Rae".

Gary Rae, **Chairperson**
on behalf of the Variation 2 Hearing Panel

15 September 2021

Before the Independent Hearings Panel

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

In the matter of a determination on submissions lodged in relation to proposed Variation 2 to the proposed Second Generation Dunedin City District Plan (**2GP**) except 3 Waters

Memorandum of Counsel on behalf of Dunedin City Council

13 September 2021

Dunedin City Council's solicitors:

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**anderson
lloyd.**

May it please the Hearing Panel:

- 1 This is a written summary of the points I made to the Hearing Panel this morning at the hearing.
- 2 Dunedin City Council as applicant requests that the Panel make decisions on the Part 1 provisions (except 3 Waters provisions) as soon as practicable following the closure of the hearing.
- 3 The Variation 2 hearings are broken into distinct parts, being the Part 1 provisions, and on 2 November 2021 the 3 Waters provisions, followed by the site specific Greenfield zoning changes.
- 4 This will enable these provisions to have legal effect once decisions are made. This will be helpful to the processing of consents to have any approved changes able to be part of the consent process.
- 5 This will also have the advantage of all parties having the benefit of the Hearing Panel's decision on the provisions leading into the hearings on the site specific zoning. Parties will then know what provisions apply to the zoning as they consider the sites.
- 6 As suggested by Counsel in opening, the Hearing Panel should raise this with any other parties and see whether any have a contrary position during the course of the hearing.

Dated this 13th day of September 2021

A handwritten signature in black ink, appearing to read 'M. Garbett', is written above a horizontal line.

Michael Garbett
Counsel for Dunedin City Council