

30 May 2022

Dear Submitter,

**Re – Notification of first decision on Variation 2 (Additional Housing Capacity) to the Dunedin City Second Generation District Plan (2GP): Provisions and Intensification Rezoning**

This notification of decision is made pursuant to clause 11 of the first schedule of the Resource Management Act 1991 (RMA).

On 31 May 2022 the first decision on Variation 2 will be available as detailed in the attached public notice. The first decision addresses Variation 2 provisions and intensification rezoning areas but not any proposed greenfield rezoning. The Variation 2 provisions and intensification rezoning areas will have 'legal effect' on and from this date.

The Dunedin City Council (DCC) is required to serve all submitters with the public notice and provide the deadline for lodging a notice of appeal, which is 30 working days from being served with the public notice. 30 working days from 31 May is 13 July 2022. Clause 14 of the first schedule of the RMA establishes who can appeal the decisions.

**Where to view the decisions**

You can read the decisions on submissions to Variation 2 at [www.dunedin.govt.nz/2GP-variation-2](http://www.dunedin.govt.nz/2GP-variation-2). The website can also be accessed at one of the public computers at the Dunedin City Library, Mosgiel Library, Port Chalmers Library, Waikouaiti Library, South Dunedin Community Pop-Up and the Blueskin Bay Library at Waitati. A hard copy of this decision report is also available for viewing at these locations and at the Dunedin City Council Civic Centre, Ground Floor, 50 The Octagon, Dunedin and Middlesmarch Postal Agency, 19 Swansea Street, Middlesmarch.

If you would like a hard copy of a decision, please email [2gpappeals@dcc.govt.nz](mailto:2gpappeals@dcc.govt.nz) or phone 03 477 4000. Please provide your name, phone number and which decisions you would like printed. Requests for sections of the decision report over 30 pages will generally only be provided by USB unless no computer access is available. We will provide the copy within three days of your request.

**When do the new rules replace existing rules?**

Once decisions have been released, all Variation 2 provisions and intensification rezoning areas changes will have legal effect. Please note that the greenfield rezoning changes will not have legal effect until a decision is released on that topic.

Legal effect means the relevant rules of both the new Variation 2 provisions and intensification rezoning areas (31 May 2022) and the partially operative 2GP (as at 30 May 2022) apply.

If there are no appeals against Variation 2 provisions or intensification rezoning areas (or any closely related provisions), those rules are deemed operative and replace the relevant existing rules in the partially operative 2GP. However, if a rule (or closely related provisions) is appealed, both the provisions of this Variation 2 decision and the partially operative 2GP (20 May 2022) apply until the appeals have been dismissed, withdrawn or determined by the Environment Court.

Further information is available on the 2GP website.

## **Making an appeal**

Submitters may appeal decisions on matters that were the subject of their submission.

The appeal process is run by the Environment Court and directions on how to appeal can be found on its website (address below).

If you appeal, you need to serve a copy of the appeal documents on:

- the DCC (on the same date on which you lodge the appeal with the Environment Court)
- all the other people who made submissions on the Variation 2 provision or matter to which the appeal relates (within five working days of lodgement with the Environment Court)

For service on the DCC, the preferred method of service is to email a copy to [2gpappeals@dcc.govt.nz](mailto:2gpappeals@dcc.govt.nz) . Alternatively, you could post it to:

Variation 2 Appeal  
Dunedin City Council  
PO Box 5045  
Dunedin 9054

The DCC will include all notices of appeal on its website at [www.2gp.dunedin.govt.nz](http://www.2gp.dunedin.govt.nz).

Once appeals are lodged, people who have submitted on the subject being appealed (or who have an interest greater than the general public) may join an appeal under s274 of the RMA. Normally a s274 party would have to serve all other s274 parties to an appeal.

## **Enquiries**

- For enquiries about the decisions on submissions, please contact the Variation 2 team on 477 4000.
- For enquiries about resource consents and what rules may apply to your activity please contact one of the Resource Consent team's front counter planners as normal.
- For enquiries about how to lodge an appeal, please see <https://environmentcourt.govt.nz/court-process/lodge-appeal-or-application>.

You can speak to a planner by calling the DCC on 03 477 4000. Please indicate which type of enquiry you have, so you can be directed to the right person.



Dr Anna Johnson  
**City Development Manager**