

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2018-CHC-000237

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under Clause 14(1) of the First
Schedule of the Act in relation to the
Proposed Second-Generation Dunedin City
Plan

BETWEEN **RAVENSDOWN LTD**

Appellant

AND **DUNEDIN CITY COUNCIL**

Respondent

**NOTICE OF WISH TO BE
PARTY TO PROCEEDINGS PURSUANT TO
SECTION 274 RESOURCE MANAGEMENT ACT 1991**

To: The Registrar

Environment Court

Christchurch

1. Horticulture New Zealand ("**HortNZ**") wishes to be a party pursuant to section 274 of the Resource Management Act 1991 ("**RMA**") to the following proceedings:
 - (a) *Ravensdown Ltd v Dunedin City Council* (**ENV-2018-CHC-000237**) being an appeal against decisions of the Dunedin City Council on the Proposed Second-Generation Dunedin City Plan.
2. HortNZ made submissions and further submissions on the Proposed Second-Generation Dunedin City Plan (submission number 1090 and further submission number 2452).
3. HortNZ also has an interest in these proceedings that is greater than the general public as it represents interest groups in the community that are likely to be adversely affected by the proposed relief sought by the Respondent
4. HortNZ is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
5. The parts of the proceedings HortNZ is interested in are:
 - (a) Policy 2.2.6.2 - a Strategic Direction policy relating to the storage and use of hazardous substances. Hazardous Substances – Policy 2.2.6.2
 - (b) Chapter 9 Public Health and Safety – provisions relating to the storage and use of hazardous substances. The particular parts of Chapter 9 Public Health and Safety being appealed are: (i) 9.1 Introduction (ii) Policy 9.2.2.11

6. The particular issues and whether HortNZ supports, opposes or conditionally opposes the relief sought are set out in the attached table.
7. HortNZ agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Rachel McClung

Environmental Policy Advisor – South Island
Horticulture New Zealand

23 January 2019

Address for service:

Horticulture New Zealand
PO Box 10232, Wellington 6143
Phone: 027 582 7474
Email: rachel.mcclung@hortnz.co.nz
Contact person: Rachel McClung

Advice

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

Provision Appealed by Ravensdown	Scope for s274 (HortNZ submission point reference)	Support / Oppose	Reasons
Policy 2.2.6.2	OS1090.22, 23,24	Support	The decisions add new objectives and policies to Chapter 2 Strategic Directions 2.2.6 which were omitted from the notified plan. The decision states that have been added as a minor change. HortNZ submitted on the notified hazardous substances provisions but did not have an opportunity to submit on Objective 2.2.6 and Policies 2.2.6.1 and 2.2.6.2 as they were not notified.
9.1 Introduction	OS1090.22	Support	The Appellant is seeking wording sought in the submission of HortNZ that reliance will be on HSNO in respect to management of hazardous substances, unless there is a clear resource management reason that the District Plan needs to address. The decisions do not identify the resource management reasons to justify not relying on HSNO provisions.
Policy 9.2.2.11	OS1090.23	Support	HortNZ agrees that the approach taken in the 2GP to the storage and use of hazardous substances should recognise that HSNO and associated regulations generally provide for appropriate management of the resource management effects of these land uses. Additional regulation via resource consent requirements in the 2GP should be limited to exceptional circumstances.