

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

I TE KŌTI TAIAO O AOTEAROA

ENV-2018-CHC-247

BETWEEN

PORT OTAGO LTD

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

NOTICE OF PARTIES' WISH TO BE PARTY TO PROCEEDINGS

KĀTI HUIRAPA RŪNAKA KI PUKETERAKI AND TE RŪNANGA O ŌTĀKOU

Dated 31 January 2019

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Notice of wish to be party to proceedings

Under section 274 of the Resource Management Act 1991

To The Registrar
 Environment Court
 Christchurch

1 Kāti Huirapa Rūnaka Ki Puketeraki and Te Rūnanga O Ōtākou
 ("Manawhenua"), wish to be parties to the following proceedings
 concerning the Proposed Second Generation Dunedin District Plan ("2GP"):

 ENV-2018-CHC-247 Port Otago Ltd v Dunedin City Council

2 Manawhenua made a submission about the subject matter of the
 proceedings.

3 The Kāi Tahu Rūnanga are Manawhenua within the Dunedin district and
 therefore also have an interest in the proceedings that is greater than the
 general public.

4 Manawhenua are not trade competitors.

5 Manawhenua are interested in all of the proceedings.

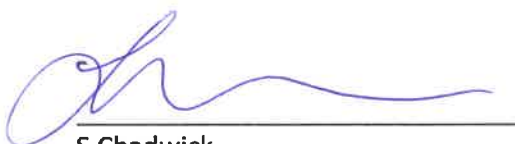
6 The ability of Kāi Tahu to provide for their cultural wellbeing is dependent
 on the protection of valued places, resources and landscapes, including wāhi
 tūpuna, and therefore Manawhenua are particularly interested in the
 following issues:

- a Any changes proposed in this appeal that have the potential to
 impact how the 2GP provides for and protects Kāi Tahu values in the
 Dunedin district.
- b Any changes to the 2GP relating to the 20m setback from coast rule
 for Port Activities.
- c Any changes to the 2GP relating to the activity status of earthworks
 in the Dunedin Port.

7 Kāti Huirapa Rūnaka Ki Puketeraki and Te Rūnanga O Ōtākou oppose the
 relief sought by the Appellant for the following reasons:

- a Kāi Tahu have interests in the protection of wāhi tūpuna areas and the wider district.
- b Manawhenua are particularly interested in the protection of waterways, mahika kai and access to the coast and freshwater.
- c The Dunedin harbour is a mapped wāhi tūpuna area.
- d Threats to wāhi tūpuna include structures, sedimentation created by earthworks and the earthworks themselves.
- e Strengthening the policy and assessment provisions in favour of port activities may have the effect of weakening protection of Manawhenua values and Manawhenua wish to ensure an appropriate policy balance is struck.
- f It is important that Manawhenua values are fully considered in consenting decisions, both through appropriate provisions in the rules and policy of the 2GP and through Manawhenua involvement in consenting processes.
- g Otago harbour is a mapped wāhi tūpuna area. There are high cultural values in the harbour and mahika kai is gathered there. Sedimentation from earthworks can affect water quality which could adversely affect Kāi Tahu values in the harbour.
- h The Appellant's proposed amendments do not promote sustainable management and do not adequately reflect or take account of the important matters in Part II of the Resource Management Act 1991, including sections 6(b), (e), 6(g), 7(a), 7(aa) and 8.

- 8 Manawhenua agree to participate in mediation or other alternative dispute resolution.



S Chadwick
Counsel for Kāti Huirapa Rūnaka Ki Puketeraki and Te Rūnanga O Ōtākou

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