

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE

ENV-2023-CHC-015

UNDER the Resource Management Act 1991

IN THE MATTER of an appeal under Clause 14(1) of Schedule 1 of the
Resource Management Act 1991

BETWEEN **DANIELLE CLAIRE NICOLSON, SORREL O'CONNELL
MILNE and TIM LEQUEUX**
Appellants

AND **DUNEDIN CITY COUNCIL**
Respondent

**NOTICE BY THE OTAGO REGIONAL COUNCIL OF ITS WISH TO BE A
PARTY TO PROCEEDING**

Section 274 Resource Management Act 1991

Dated 13 April 2023

ROSS DOWLING MARQUET GRIFFIN
SOLICITORS
DUNEDIN

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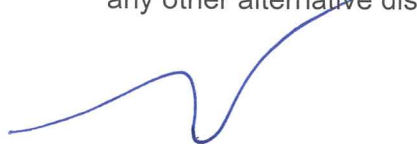
To the Registrar
Environment Court
Christchurch

1. The **OTAGO REGIONAL COUNCIL** wishes to be a party to the following proceedings:
 - 1.1. the appeal by Danielle Claire Nicolson, Sorrel O’Connell Milne and Tim Lequeux dated 15 March 2023 being ENV-2023-CHC-015 from the Dunedin City Council’s (“DCC”) decisions on Variation 2 to its proposed Dunedin City District Plan (“2GP”).
2. The **OTAGO REGIONAL COUNCIL** is:
 - 2.1. a local authority; and
 - 2.2. a person who made a submission about the subject matter of this proceeding.
3. The **OTAGO REGIONAL COUNCIL** is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (“the Act”).
4. The **OTAGO REGIONAL COUNCIL** is interested in all of the proceedings.
5. Without derogating from Paragraph 4, the **OTAGO REGIONAL COUNCIL** is particularly interested in:
 - 5.1. the expansion of urban development into a currently rural environment;
 - 5.2. the protection of indigenous biodiversity;
 - 5.3. the protection of a regionally significant wetland;
 - 5.4. the effects on rural character and amenity;
 - 5.5. the effects on the character of the coastal environment; and
 - 5.6. the susceptibility of the site to natural hazards.

6. The **OTAGO REGIONAL COUNCIL** opposes the relief sought because:
- 6.1. the relief sought will enable residential activities in an inappropriate location;
 - 6.2. the relief will, if granted, result in urbanisation of a rural environment;
 - 6.3. the relief will detract from the setting of the regional significant wetland, the Tomahawk Lagoon;
 - 6.4. the relief sought will derogate from existing rural character and rural amenity;
 - 6.5. the relief sought will compromise existing coastal character of the appeal site and its surrounds;
 - 6.6. the relief will create risks from natural hazards including, ground instability, liquefaction, contaminated land, and coastal hazards and does not take account of climate change;
 - 6.7. the relief will impact adversely on the values and setting of the Tomahawk Lagoon;
 - 6.8. the relief will compromise the ecology and water quality of the Tomahawk Lagoon and constrain efforts to restore the values of the Lagoon;
 - 6.9. the rezoning has the potential to adversely affect indigenous biodiversity;
 - 6.10. the relief does not give effect to and is not needed to give effect to the National Policy Statement on Urban Development;
 - 6.11. the relief does not give effect to the National Policy Statement for Freshwater Management;
 - 6.12. the relief does not give effect to the New Zealand Coastal Policy Statement;
 - 6.13. the relief does not give effect to the partially operative Regional Policy Statement 2019 and does not have regard to the proposed Otago Regional Policy Statement 2021;

- 6.14. the relief is not consistent with the Regional Plan: Water nor the Regional Coastal Plan;
- 6.15. the relief does not give effect to the strategic objectives and strategic policies of 2GP;
- 6.16. the relief sought will result in unacceptable adverse effects on the environment; and
- 6.17. the relief does not promote sustainable management and is contrary to part 2 of the Act.

- 7. The **OTAGO REGIONAL COUNCIL** agrees to participate in mediation or any other alternative dispute resolution of the proceedings.



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S J Anderson
(for Otago Regional Council)
Date: 13 April 2023

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List of Parties to be Served

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Dunedin City Council	2gpappeals@dcc.govt.nz
Danielle Claire Nicolson, Sorrel O'Connell and Tim Lequeux	dani.nicolson@gmail.com