

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE**

ENV-2023-CHC-022

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 **COLE BENNETTS**

Appellant

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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Solicitor: S J Anderson

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

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 Cole Bennetts dated 21 March 2023 being ENV-2023-CHC-022 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 a local authority.
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 interested in the following particular issues:
 - 5.1. natural hazards;
 - 5.2. three waters infrastructure; and
 - 5.3. adverse effects on freshwater.
6. The **OTAGO REGIONAL COUNCIL** opposes the relief sought because:
 - 6.1. the relief is not supported by adequate three waters infrastructure;
 - 6.2. the relief will result in adverse effects from discharges on freshwater;
 - 6.3. the site is subject to natural hazards, including ground instability and flooding;

- 6.4. the relief does not take account of the effects of climate change;
- 6.5. the relief does not give effect to and is not needed to give effect to the National Policy Statement on Urban Development;
- 6.6. the relief is contrary to and does not give effect to the National Policy Statement for Freshwater Management;
- 6.7. 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;
- 6.8. the relief does not give effect to the strategic objectives and strategic policies of 2GP;
- 6.9. the relief sought will result in unacceptable effects on the environment; and
- 6.10. 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

Name	Email Address
Dunedin City Council	2gpappeals@dcc.govt.nz
Cole Bennetts	derek.mclachlan@duncancancotterill.com and Katherine.forward@duncancotterill.com