

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE

ENV-2023-CHC-025

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 **ROSS THOMAS MCLEARY**

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

Telephone: (03) 477 8046
Facsimile: (03) 477 6998
PO Box 1144, DX YP80015

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 Ross Thomas McLeary dated 21 March 2023 being ENV-2023-CHC-025 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 interested in the following particular issues:
 - 5.1. landscape and amenity;
 - 5.2. urbanisation of the rural environment;
 - 5.3. indigenous biodiversity;
 - 5.4. three waters infrastructure;
 - 5.5. protection of highly productive land;
 - 5.6. natural hazards;

- 5.7. water quality; and
 - 5.8. transport.
6. The **OTAGO REGIONAL COUNCIL** opposes the relief sought for all sites because:
- 6.1. the relief sought is not a strategic and coordinated form of urban growth and development;
 - 6.2. the relief does not constitute well-designed urban growth and development;
 - 6.3. the relief is sporadic urbanisation of the rural environment;
 - 6.4. the relief will result in adverse effects on landscape and amenity values;
 - 6.5. the relief will result in loss of highly productive land and diminish rural productivity;
 - 6.6. the relief is not support by adequate three waters infrastructure;
 - 6.7. there is potential for adverse effects from stormwater and wastewater discharges on the receiving environment which includes the Otokia Catchment which contains a regionally significant wetland and the Otokia Creek which is valued for contact recreation;
 - 6.8. at least part of the appeal sites are subject to ground stability;
 - 6.9. the relief will result in the loss of 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 is contrary to and does not give effect to the National Policy Statement for Highly Productive Land;
 - 6.12. the relief if contrary to and does not give effect to the National Policy Statement for Freshwater Management;

- 6.13. the relief does not give 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 does not give effect to the strategic objectives and strategic policies of 2GP;
- 6.15. the relief sought will result in unacceptable effects of the environment; and
- 6.16. the relief does not constitute 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.



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

Address for service:

Ross Dowling Marquet Griffin
Solicitors
Level 2, Savoy Building
50 Princes Street (PO Box 1144 or DX YP80015)
Dunedin

Telephone: (03) 477 8046
Fax: (03) 477 6998
Email: simon.anderson@rossdowling.co.nz
Contact person: Simon Anderson

List of Parties to be Served

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