

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE

ENV-2023-CHC-027

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 **ROGER AND JANINE SOUTHBY**

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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**NOTICE BY THE OTAGO REGIONAL COUNCIL OF ITS WISH TO BE A
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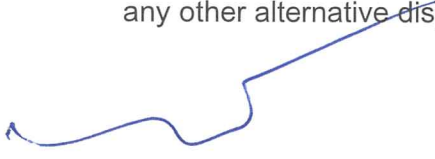
To the Registrar
Environment Court
Christchurch

1. The **OTAGO REGIONAL COUNCIL** wishes to be a party to the following proceedings:
 - 1.1. the appeal by Roger and Janine Southby dated 21 March 2023 being ENV-2023-CHC-027 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. urban development;
 - 5.3. three waters infrastructure;
 - 5.4. protection of highly productive land; and
 - 5.5. natural hazards and in particular flooding.
6. The **OTAGO REGIONAL COUNCIL** opposes the relief sought because:

- 6.1. the relief 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 proposes undesirable sporadic urban development;
- 6.4. the relief will result in adverse effects on landscape and amenity values;
- 6.5. the relief will result in the loss of highly productive land and diminish rural productivity;
- 6.6. the relief is not supported by adequate three waters infrastructure;
- 6.7. there is the potential for adverse effects from stormwater and wastewater discharges on the receiving environment, including ground water and surface water;
- 6.8. there will be adverse effects on the Otago Regional Council drainage and flood protection assets and their effective management;
- 6.9. the relief does not have regard to the effects of climate change;
- 6.10. the appeal site is subject to potential ground instability, fault lines and liquefaction;
- 6.11. the relief does not give effect to and is not needed to give effect to the National Policy Statement on Urban Development;
- 6.12. the relief is contrary to and does not give effect to the National Policy Statement for Highly Productive Land;
- 6.13. the relief is contrary to and does not give effect to the National Policy for Freshwater Management;
- 6.14. 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;

- 6.15. the relief does not give effect to the strategic objectives and strategic policies of 2GP;
- 6.16. the relief sought will result in unacceptable 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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Roger and Janine Southby	derek.mclachlan@duncancancotterill.com and Katherine.forward@duncancotterill.com