



THE PROPOSED
**SECOND
GENERATION
DISTRICT PLAN**

Dunedin City Council, 50 The Octagon, Dunedin 9016
PO Box 5045, Moray Place, Dunedin 9058

Website: www.dunedin.govt.nz/2gp

PROPOSED VARIATION 2 (ADDITIONAL HOUSING CAPACITY) TO THE 2GP

MINUTE 19

Reconvened hearing: Legal submissions on the new NPS-HPL

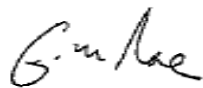
From: The Chairperson, Variation 2 (Additional Housing Capacity) Hearing Panel

To: All Submitters on Hearing 4 and Reporting Officers

Date: 17 October 2022

1. The Panel has received a number of responses to Minute 17 and 18 on the sites affected by the ne NPS-HPL.
2. Having reviewed the responses the Panel now confirms it does have some questions for the legal counsel representing the following parties:
 - Dunedin City Council – Mr Garbett;
 - Gladstone Family Trust – Mr Page/Ms Crawford;
 - Otago Regional Council – Alistair Logan
 - Outram Developments Limited/Peter Doherty/CC Otago Ltd – Mr McLachlan (a submission is expected to be received on 18 October 2022).
3. As advised in Minute 17 we have set aside 21 October 2022 (this Friday), to ask questions on those responses. The counsel listed above will be sent an invitation to join the reconvened hearing via Zoom, commencing at **9.30am on 21 October 2022**.
4. Any submitter or party may view the reconvened hearing, however we will only have questions for the legal counsel outlined above. Arrangements are still being made for the live streaming of the hearing. Please check the Council website for the live stream link to the meeting <https://www.dunedin.govt.nz/council/council-meetings>.
5. Some specific questions that we are likely to ask are as follows:
 - How sites that may have a small percentage of HPL should be assessed.
 - The meaning of "*strategic planning document*" and responses with respect to the suggestions of Patterson Pitts Group, page2, 2nd and 3rd paragraphs.

- The purpose or intent of the NPS-HPL to assist with determining whether land is not required to be identified by Council to fit within the plan change exception.
 - The use of the words "*subject to*" rather than say "*included within*" or "*part of*" and, whether our earlier determinations as to scope have meaning in relation to its interpretation.
 - The ORC's comments regarding "*relevant considerations*" and "*strong considerations*".
6. The Panel will, in the week commencing 25 October 2022, issue a determination of which sites it considers are affected by the NPS-HPL and will issue instructions on evidence to be provided (as part of Stage 2 of the process outlined in Minute 18). We may then further reconvene the hearing.
 7. Following that, we will consider all of the submissions and evidence received from all parties on the NPS-HPL as part of our overall deliberations for Hearing 4.
 8. If you have any questions regarding this Minute please phone Jenny Lapham on 477-4000 or 0212296166.



Gary Rae,

Chairperson

on behalf of the Variation 2 Hearing Panel

17 October 2022