

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER	of the Resource Management Act 1991
AND	of an appeal under clause 14(1) of the First Schedule of the Act
BETWEEN	THE PRESERVATION COALITION TRUST (ENV-2018-CHC-285) Appellant
AND	DUNEDIN CITY COUNCIL Respondent

**MINUTE OF THE ENVIRONMENT COURT
(28 January 2020)**

Introduction

[1] This minute is issued for the purpose of case management, in response to memoranda filed by:

- (a) The Preservation Coalition Trust dated 20 January 2020;
- (b) Dunedin City Council dated 24 January 2020;
- (c) counsel for The Preservation Coalition Trust dated 24 January 2020; and
- (d) email of counsel for Dunedin City Council dated 27 January 2020.

[2] Mr Rob Enright confirms he has been instructed by the Preservation Coalition Trust (PCT) to act in relation to Topics B and C.¹ Mr Enright seeks further directions allowing the substitution of a memorandum² filed earlier by his client. The directions sought follow:³

¹ Memorandum of counsel for PCT dated 24 January 2020 at [3].

² Dated 20 January 2020.

³ Memorandum of counsel for PCT dated 24 January 2020 at [5].



- (a) PCT to file, by 31 January 2020, a memorandum in substitution of the memorandum dated 20 January 2020; and
- (b) the parties to confer and propose directions in relation to Topic C matters raised by this appeal by 7 February 2020.

[3] While the City Council agrees to the directions proposed, it notes that changes sought to the strategic direction policies identified by the appellant in its memorandum dated 20 January 2020 overlap with relief sought on the Wyber appeal (ENV-2018-CHC-281).⁴ The City Council proposes to report to the court on the outcome of its discussions in relation to the Wyber appeal⁵. A pre-hearing conference may be required to address the position of PCT if its position on these provisions is unclear.⁶

[4] In the circumstances, I consider that the course of action suggested by the parties' is sensible and I will make directions accordingly.

Directions

[5] I direct that:

- (a) by **Friday 31 January 2020**:
 - (i) PCT is to file a memorandum⁷ identifying changes proposed to the strategic direction policies for rural residential zoning in the 2GP;
 - (ii) the City Council is to file a memorandum reporting on the outcome of discussions in relation to the Wyber appeal, addressing also the relief proposed by PCT on the same provisions;
- (b) by **Friday 7 February 2020** counsel will confer and propose directions in relation to the Topic C matters raised by this appeal.



⁴ Memorandum of counsel for DCC dated 24 January 2020 at [1].

⁵ Memorandum of counsel for DCC dated 24 January 2020 at [5].

⁶ Memorandum of counsel for DCC dated 24 January 2020 at [4].

⁷ In substitution for the PCT memorandum dated 20 January 2020.

[6] Leave is reserved for any party to apply for further (or other) directions.

