

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV 2018 CHC 285

**I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE**

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of an appeal under section 120 of the Act

BETWEEN THE PRESERVATION COALITION TRUST

Appellant (ENV 2018 CHC 285)

AND DUNEDIN CITY COUNCIL

Respondent

**RESPONSE BY PRESERVATION COALITION TRUST (PCT) TO MINUTE DATED 6
DECEMBER 2019**

9 December 2019

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May it please the Court

1 Counsel refers to the Court's minute dated 9 December 2019. The Court directed that:

"PCT is to file a memorandum by 5pm, Friday 6 December 2019 clarifying whether it is seeking the extension of an ONCC overlay across land in respect of which the University of Otago has an interest;"

2 PCT instructs that:

- (a) PCT does not seek extension of an ONCC overlay across land in respect of which the University of Otago has an interest;
- (b) PCT's relief is identified in the List of Issues dated 16 April 2019. PCT is not now seeking relief for the ONF, SNL, ONCC, HNCC and NCC overlays. Accordingly Issue 8 of the List of Issues dated 16 April 2019 is amended to read:

- 8. Whether rural parts of Otago Peninsula and Harbour Basin should be identified and protected as ~~ONF~~, ONL, ~~SNL~~, ~~ONCC~~, ~~HNCC~~, ~~NCC~~ under the 2GP. The indicative extent is identified on the attached plan. The coastal waters associated with the peninsula and basin should also be identified, in a non-statutory map, as ONF, ONL (recognizing the relationship between land and water, but also that the district plan has no direct jurisdiction over the CMA). This issue relates to whether the Overlay gives effect to the NZCPS. [Footnote omitted]

3 Counsel regrets the delay in being unable to file this memorandum on Friday.

Dated this 9th December 2019



Rob Enright
Counsel for the Appellant (excluding appeal points 70 & 71)