

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-281

Under	the Resource Management Act 1991 (RMA)
In the matter of	an appeal under clause 14(1) of the First Schedule of the RMA in relation to the proposed Second Generation Dunedin City District Plan (2GP)
Between	Wyber Appellant
And	Dunedin City Council Respondent

Reporting memorandum on behalf of Dunedin City Council in relation to Wyber appeal

10 July 2020

Respondent's solicitors:

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**anderson
lloyd.**

May it please the Court

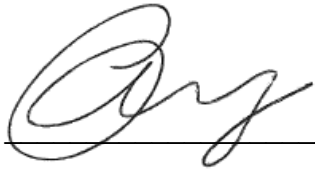
- 1 This reporting memorandum is filed on instruction from Dunedin City Council (**Council**) in response to the Minute of the Court dated 30 June 2020 where the Court directed that:

by **Friday 10 July 2020** the City Council is to report to the court as to settlement of issues within the scope of the Wyber appeal;
- 2 The Wyber appeal (ENV-2018-CHC-281; DCC reference 212, Residential strategic topic) sought the following relief:
 - (a) Amend Policy 2.6.1.1 to delete reference to Objective 2.2.4 or amend so that supporting Objective 2.2.4 is achieved if possible, but is not an absolute requirement.
 - (b) Amend Policy 2.6.2.1 to achieve the following:
 - (i) Increase the timeline during which adequate supply must be available to 15 years.
 - (ii) References to productive rural land should relate to highly productive land only.
 - (iii) Provide for identification of new residential zoned land to enable infrastructure planning to take place.
 - (iv) Recognise that new development will at times require extension of public transport.
 - (c) Reinstate Policy 2.6.3.2 with an amendment to clause b.i to allow the release of land based on projected land needs for a 15 year period.
 - (d) Amend Policy 2.7.1.1 to [ensure] infrastructure planning occurs to assist in providing adequate urban land.
 - (e) Delete Appendix 12B [*note this was deleted in the 2GP decisions*].
- 3 Together, these amendments are concerned with ensuring that there are no inappropriate constraints on providing sufficient residential land within the plan (including consideration of what is sufficient), and that provision of infrastructure is considered in association with the identification of, and provision for, residential capacity within the city.
- 4 Council has prepared an options paper and met with the appellant to discuss proposed amendments to the 2GP to resolve the appeal. These

amendments have been evaluated alongside other potential amendments to the 2GP that are likely to be included in Variation 2, to ensure compatibility and overall plan coherence. However, the two sets of amendments can be considered separately and one does not rely on the other.

- 5 Feedback has been received from the appellant and an amended options paper will shortly be circulated to all parties to the Wyber appeal (DCC reference 212).
- 6 Mediation on this topic is provisionally scheduled for 11 August 2020 (subject to confirmation).

Dated this 10th day of July 2020

A handwritten signature in black ink, appearing to be 'G. Cassidy', is written over a horizontal line.

Michael Garbett/Georgia Cassidy
Counsel for the Respondent