

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-276

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	Blueskin Projects Limited and Others Appellant
And	Dunedin City Council Respondent

Consent Memorandum

22 April 2021

Residential zoning – site specific DCC appeal reference number 142

Respondent's solicitors:

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May it please the Court

- 1 This consent memorandum relates to one appeal point as follows:
 - (a) The Blueskin Projects Limited and Others appeal regarding the rezoning of 15 Church Street, Mosgiel to Inner City Residential (DCC Reference number 142).
- 2 This appeal sought to:

“Rezone 15 Church St, Mosgiel from General Residential 1 to Inner City Residential.”
- 3 The section 274 parties to this appeal are Construction Industry and Developers Association (support) and Gladstone Family Trust (support).
- 4 The parties have agreed the following amendments to the planning maps that are shown in **Appendix A**:
 - (a) Rezone 15 Church St, Mosgiel from General Residential 1 to General Residential 2;
 - (b) Apply an infrastructure constraint mapped area; and
 - (c) Apply a Mosgiel mapped area.
- 5 The rationale for the changes, and the assessment of the changes in terms of section 32, is explained in an affidavit of Emma Christmas, a senior policy planner at Dunedin City Council.
- 6 There is also a supporting affidavit of Dr Anna Louise Johnson the City Development Manager, Dunedin City Council that considers that the amendments have been drafted to be in keeping with the 2GP Style Guide.
- 7 This is a partial settlement of the appeal. The appeal reference points, topics and status of proceedings for the unresolved appeal points are as follows:
 - (a) Group 1 – Rural Strategic (DCC Reference numbers 153-157, 159, 160, 163, 164, 166, 168, 170, 171), resolution with Court;
 - (b) Group 1 – Non-Strategic (DCC Reference number 149), agreement reached at mediation, documents to be filed with Court;
 - (c) Group 3a Relocatable Buildings (DCC Reference number 381), not yet scheduled for mediation;

- (d) Group 3b Transportation rules (DCC Reference number 174), not yet scheduled for mediation;
- (e) Group 4a Residential zoning – Mosgiel (DCC Reference number 139), withdrawn; and
- (f) Group 4a Tree Rules (DCC Reference number 173), not yet scheduled for mediation.

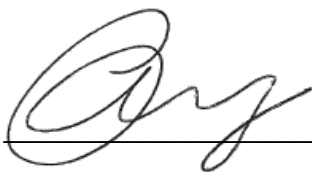
Directions sought

- 8 The parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the RMA, including Part 2 and request:
 - (a) That the amendments shown in **Appendix A** are made; and
 - (b) That the remaining parts of the appeal remain to be dealt with at a later date.
- 9 The parties agree that costs should lie where they fall and accordingly no order of costs is sought.

Dated this 22nd day of April 2021



Phil Page / Derek McLachlan
Counsel for the Appellant



Michael Garbett/Georgia Cassidy
Counsel for the Respondent



Phil Page / Derek McLachlan
Counsel for Construction Industry and Developers Association
Section 274 Party



Phil Page / Derek McLachlan
Counsel for Gladstone Family Trust
Section 274 Party

Appendix A

Amend the planning map to rezone 15 Church Street, Mosgiel to General Residential 2; and apply an infrastructure constraint mapped area and Mosgiel mapped area to the site, as shown below.

