

IN THE MATTER

of an appeal under clause 14(1) of the
First Schedule to the Resource
Management Act 1991

AND

IN THE MATTER

of the Proposed Second-Generation
Dunedin City Council District Plan

BETWEEN

**FEDERATED FARMERS OF NEW
ZEALAND INC**

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

**NOTICE ADVISING OF THE PARTIAL WITHDRAWAL OF
FEDERATED FARMERS OF NEW ZEALAND
INTERESTS IN SPECIFIED APPEAL PROVISIONS
AND s274 MATTERS**

DATED 29 July 2019

To: The Registrar
Environment Court
PO Box 2069
Christchurch 8013

Email: Karina.Kelly@justice.govt.nz

MAY IT PLEASE THE COURT

1. Federated Farmers is an appellant and section 274 party in the following proceedings:
 - a. *Federated Farmers v Dunedin City Council ENV-2018-CHC-254*
2. Federated Farmers gives notice that it withdraws the following specified points from its appeal, for the reasons provided in paragraphs 4-6 below:
 - i. Appeal point 186 relating to Earthworks provisions 8A.5.1.2 to 8A.5.1.4 (burying material infected with unwanted organisms);
 - ii. Appeal point 193 relating to High Class Soils
 - iii. Appeal point 207 relating to Rules 16.3.3.6 & 16.3.3.9
3. Federated Farmers also confirms it has no interest in the appeals on the following topic of the **Dunedin City Plan: Residential Zoning (broad)**. Federated Farmers thereby gives notice that it withdraws its interest on the Residential Zoning (broad) appeal points of the Preservation Coalition Trust appeal.
4. As above, Federated Farmers withdraws its issues identified and relief sought in its Notice of Appeal (appeal point 186) in relation to Earthworks provisions 8A.5.1.2 to 8A.5.1.4 (burying material infected with unwanted organisms). Following discussions with Council, we agree that our concerns have been adequately addressed elsewhere in the Plan. For the avoidance of doubt, Federated Farmers' s274 notice of interest in other earthwork provision appeals remain.
5. Federated Farmers also withdraws its appeal point 193 in relation to High Class Soils. We have undertaken discussions with Council and agree that these matters are best addressed at the point in time the Council gives effect to the National Policy Statement: Urban Development. Both Federated Farmers and Dunedin Rural Development (Murray Harris) will be expressing active interest in any consultation, draft and notified plan change review process in that regard.
6. Federated Farmers also wishes to withdraw appeal point 207 in relation to Rules 16.3.3.6 and 16.3.3.9. We accept that we have no scope in this regard. These matters and concerns are better raised and discussed when Council gives effect to any National Policy Statement on Indigenous Biodiversity.
7. Federated Farmers is not aware of any party having an issue as to costs associated with its withdrawal of the interests above, and does not anticipate any issues given the preliminary nature of proceedings.

Dated this 29th day of July 2019



Caroline Ryder
Senior Policy Advisor

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