

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHĪ**

ENV-2018-CHC-290

In the Matter

Of an appeal pursuant to
clause 14 of the First
Schedule of the Resource
Management Act 1991 in
relation to the proposed
Second Generation
Dunedin City District Plan
(2GP)

Between

**OTAGO REGIONAL
COUNCIL**

Appellant

And

DUNEDIN CITY COUNCIL

Respondent

**SECTION 274 NOTICE ON BEHALF OF GORDON ROAD SPILLWAY
RESIDENTS GROUP**



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SECTION 274 NOTICE

To: The Registrar

Environment Court

Christchurch Registry

1. Gordon Road Spillway Residents Group (**GRSRG**), wishes to be a party to the following proceeding: *Otago Regional Council v Dunedin City Council, ENV-2018-CHC-290*
2. GRSRG made a submission on the Dunedin City Council Second Generation Plan dated 6 April 2023, submitter reference number 19.
3. GRSRG has an interest in the proceedings that is greater than the public generally as the members of the Group will be directly and adversely affected by rezoning the North Taieri (Gordon Road) Floodway from Hazard 1 (Flood) Overlay Zone to Hazard 1A (Flood) Overlay Zone (**Rezoning**).
4. GRSRG are not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
5. GRSRG are interested in all of the proceedings.
6. GRSRG are interested in the following particular issues:
 - (a) Adverse effects of the Rezoning on residents in the North Taieri (Gordon Road) Floodway.
 - (b) Adverse effects resulting from the Rezoning on residents' ability to apply for consent for natural hazard sensitive activities.
7. GRSRG oppose the relief sought because:
 - (a) Lack of district planning documentation has put GRSRG in an unfair position. GRSRG members had carried out their due diligence when purchasing properties on the Floodway without knowledge of the Floodway.

- (b) GRSRG members own the residential properties in the Hazard 1 Flood Overlay Zone. The Rezoning will prevent GRSRG from carrying out activities to take proactive actions to mitigate flood risk within their properties and protect their assets.
 - (c) The Hazard 1A Overlay is unnecessary and inefficient in terms of risk avoidance. The outcome sought by the Rezoning can be achieved with the existing rules and without the prohibited activity status.
 - (d) It is feasible to design houses to enable residential activities to safely withstand modelled flood events. Prohibited activity status is inappropriate.
 - (e) The Gordon Road Spillway has not been maintained to work as designed and for which rates are collected. This has resulted in members being exposed to flood events more frequently than they should be.
8. GRSRG agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page

Solicitor for Gordon Road Spillway Residents Group

Dated this: 17th August 2023

Address for service

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