

IN THE ENVIRONMENT COURT
CHRISTCHURCH

ENV-2018-CHC-251

I MUA I TE KOOTI TAIAO
I ŌTAUTAHU ROHE

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

AND

IN THE MATTER of Clause 14(1) of Schedule 1 of the RMA

BETWEEN **FONTERRA CO-OPERATIVE GROUP LIMITED**

Appellant

AND

DUNEDIN CITY COUNCIL

Respondent

**NOTICE OF PARTIAL WITHDRAWAL OF FONTERRA CO-OPERATIVE GROUP
LIMITED'S APPEAL**

1 APRIL 2022

**Russell
McAugh**

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MAY IT PLEASE THE COURT:

1. Fonterra Co-Operative Group Limited ("**Fonterra**") lodged an appeal against parts of the decision of the Dunedin City Council ("**Council**") on the Second Generation Dunedin City District Plan ("**2GP**") on 19 December 2018.
2. One part of Fonterra's appeal sought amendments to Rule 19.5.6 in Industrial Chapter of the 2GP. This aspect of Fonterra's appeal was placed in the Group 3B – Transportation Rules topic. It is the only aspect of Fonterra's appeal that is part of Group 3B.
3. Fonterra's appeal sought an amendment to Rule 19.5.6 Minimum Car Parking by adding a new activity of "*Industrial (Fonterra Mosgiel Site)*" with a minimum carparking requirement of "*all car parking must be contained on-site and meet all dimensions and manoeuvring standards of Chapter 6*".
4. Since Fonterra lodged its appeal, Dunedin City Council ("**Council**") has removed the minimum parking requirements in all zones, including in the Industrial Zone, as required by the National Policy Statement on Urban Development 2020. Following discussions with Council, Fonterra has agreed to withdraw this appeal point.
5. Fonterra therefore wishes to withdraw that part of its appeal relating to Rule 19.5.6. There are no other parties to this part of Fonterra's appeal.
6. The Council has confirmed that Fonterra is able to withdraw this appeal point without any issues as to costs.

DATED: 1 April 2022



D J Minhinnick / N T Harris
Counsel for Fonterra Limited