

**BEFORE THE INDEPENDENT COMMISSIONER
HEARING PANEL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER an application by Dunedin City Council for various permits
for the purpose of the construction and operation of a
landfill at Smooth Hill, Dunedin (RM20.280).

**MEMORANDUM OF COUNSEL ON BEHALF OF OTAGO REGIONAL
COUNCIL**

5 July 2022

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MAY IT PLEASE THE PANEL:**Introduction**

- 1 This memorandum is filed for the purpose of updating the Hearing Panel of changes to some of the provisions of Chapter 7 of the Regional Plan: Waste for Otago (**Waste Plan**) as a result of the decision of the Environment Court dated 30 May 2022¹ and the provisions relating to that decision becoming operative.
- 2 As set out in the memorandum of counsel dated 31 May 2022, the Environment Court has made its decision on Plan Change 1 to the Waste Plan (**PC1**), which proposed changes to Chapter 7. Some of these changes are relevant to the application before the Hearing Panel by Dunedin City Council for various permits for the purpose of the construction and operation of a landfill at Smooth Hill (RM20.280). The relevant provisions are set out in the memorandum of counsel on behalf of the Otago Regional Council (**Council**) dated 31 May 2022.
- 3 The Council has resolved to make the provisions of PC1 operative pursuant to clause 20A of Schedule 1 of the Resource Management Act 1991, and on 2 July 2022 the Council gave public notice that the provisions of PC1 will become operative from 9 July 2022.

Dated this 5th day of July 2022



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M A Mehlhopt / T A Wadworth
Counsel for Otago Regional Council

¹ *Re Otago Regional Council* [2022] NZEnvC 91.