

**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**

31 August 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 10 of the Regional Plan: Water for Otago (**RPW**) as a result of the decision of the Environment Court dated 14 June 2022¹ on the urban provisions of Plan Change 8 (**PC8 Urban**) and the provisions relating to that decision becoming operative.
- 2 As set out in the memorandum of counsel on behalf of the Otago Regional Council (**Council**) dated 16 June 2022, the Environment Court has made its decision on PC8 Urban, which proposed changes to Chapter 10. 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 provision is set out in the memorandum of counsel on behalf of the Council dated 16 June 2022.
- 3 The Council has resolved to make the provisions of PC8 Urban operative pursuant to clause 20 of Schedule 1 of the Resource Management Act 1991, and on 27 August 2022 the Council gave public notice that the provisions of PC8 Urban will become operative from 3 September 2022.

Dated this 31st day of August 2022



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

¹ *Re Otago Regional Council* [2022] NZEnvC 101.