

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2020-CHC-000068

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

AND

IN THE MATTER of an appeal under Clause 14(1) of
Schedule 1 of the Act

BETWEEN Transpower New Zealand Limited
Appellant

AND Marlborough District Council
Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 of the Act


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TO: The Registrar
Environment Court
CHRISTCHURCH

1. **Trustpower Limited (Trustpower)** wishes to be a party to the following proceedings:
 - (a) ENV-2020-CHC-000068, *Trustpower New Zealand Limited v Marlborough District Council*, an appeal under Clause 14(1) of Schedule 1 of the Act on the Proposed Marlborough Environment Plan (the **Plan**).
2. Trustpower made a submission on the Plan about the subject matter of the proceedings.
3. Trustpower is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. Trustpower is interested in part of the proceedings.
5. The parts of the proceedings Trustpower is interested in are the appellant's reasons for appeal and relief sought with respect to:
 - (a) Objective 4.2 and Policy 4.2.2;
 - (b) Policies 6.2.1 and 6.2.3;
 - (c) Policies 7.2.5 and 7.2.6; and
 - (d) Any further, alternative or consequential relief to address the reasons for appeal or give effect to the relief sought in relation to these matters.
6. Trustpower is interested in the following particular issues:

- (a) The parts of the decision appealed and the appellant's reasons for appeal and relief sought insofar as it relates to matters which may impact the operation of Trustpower's hydro-electric power schemes, and changing the Plan in a manner which is inconsistent with Trustpower's own appeal and submission.
7. Trustpower supports the relief sought with respect to Policy 7.2.5, including for the following reasons:
- (a) The appellant seeks amendments to Policy 7.2.5 to clarify that the policy does not apply to activities covered by Policy 7.2.6. This relief is consistent with relief sought in Trustpower's own appeal. Trustpower notes for completeness that in addition to these amendments, it also seeks that Policy 7.2.5 provides for mitigation as it is inappropriate to remove the option to mitigate adverse effects for regionally significant infrastructure.
8. Trustpower otherwise neither supports or opposes the relief sought but wishes to monitor the relief sought including for the following reasons:
- (a) The appellant seeks a series of amendments to the Plan relating to regionally significant infrastructure. Trustpower owns and operates the Branch and Waihopai hydro-electric power schemes in the Marlborough Region. As a hydro-electricity generator, Trustpower has a particular interest in the planning framework for regionally significant infrastructure.
 - (b) The provisions appealed are also subject to Trustpower's submission, and some are subject to Trustpower's own appeal.
 - (c) For example, the appellant seeks amendments to Policy 7.2.6 to enable the development, maintenance and upgrade of the National Grid. Trustpower has also appealed this policy, seeking minor amendments to what it considers are technical errors in order to provide greater clarity on its application to regionally significant infrastructure.

(d) Trustpower therefore wishes to be a party to the proceedings so that it may be involved in the development of any amendments that may affect Trustpower's interests and to ensure that any relief granted is appropriate and consistent with its submission and own appeal.

9. Trustpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signature:



Vanessa Hamm
Counsel for Trustpower Limited

Date: 8 June 2020

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.