

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV-2020-CHC-000070**

**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** Te Runanga o Ngāti Kuia Trust  
**Appellant**

**AND** Marlborough District Council  
**Respondent**

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**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-000070, *Te Runanga o Ngati Kuia Trust 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 has an interest in the proceedings that is greater than the interest that the general public has. Trustpower owns and operates the Branch and Waihopai hydro-electric power schemes in the Marlborough Region. As an owner and operator of regionally significant infrastructure, Trustpower has an interest in ensuring the planning framework is workable and provides for the continued operation, maintenance and upgrade of its schemes.
3. Trustpower is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. Trustpower is interested part of the proceedings.
5. The part of the proceedings Trustpower is interested in is the appellant's reasons for appeal and relief sought with respect to:
  - (a) Volume 2, Chapter 25 Definitions – site of significance to Marlborough's tangata whenua iwi.
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 Trustpower's hydro-electric power schemes.

7. Trustpower neither supports or opposes the relief sought but wishes to monitor the relief sought, including for the following reasons:
- (a) The appellant seeks that the definition of “site of significance to Marlborough’s tangata whenua iwi” be amended to mean sites that have been identified by iwi through consultation or official recording and publication of such sites. The definition currently means sites as identified in Schedule 3 of Appendix 13 – Register of Significant Heritage Resources.
  - (b) If this relief is granted, then the protections in the Plan for identified sites will be extended to sites that are currently unidentified. This relief could have broad implications across the Plan, give rise to uncertain outcomes, and go further than the requirements of the Act.
  - (c) Trustpower therefore wishes to be a party to this appeal 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.
8. Trustpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Signature:**



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Vanessa Hamm  
Counsel for Trustpower Limited

**Date:** 8 June 2020

**Address for service of  
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*Advice*

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