

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2024-CHC-35

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an appeal pursuant to Clause 14(1) of
the First Schedule to the Act

BETWEEN

Transpower New Zealand Limited

Appellant

AND

Otago Regional Council

Respondent

**NOTICE OF REPRESENTATION AT PROCEEDINGS UNDER SECTION 274 OF THE RESOURCE
MANAGEMENT ACT 1991**

7 June 2024

**To: The Registrar
Environment Court
Christchurch**

1. Z Energy Limited, BP Oil New Zealand Limited, and Mobil Oil New Zealand Limited (the **Fuel Companies**) wish to be a party to the following proceedings:
 - 1.1 *Transpower New Zealand Limited vs Otago Regional Council* (ENV-2024-CHC-35) being an appeal under clause 14 of Schedule 1 of the Resource Management Act 1991 (**RMA**), against the decisions of the Otago Regional Council (**ORC**) on the non-freshwater planning instrument parts of the Proposed Otago Regional Policy Statement (**PORPS-NF**).
2. The Fuel Companies lodged submissions and further submissions on the PORPS-NF on the subject matter of the proceedings.
3. The Fuel Companies have an interest in the Appeal that is greater than the interest the general public has because:
 - 3.1 The Fuel Companies receive, store and distribute refined petroleum products. The core business of the Fuel Companies is the operation and management of retail fuel networks, commercial refuelling facilities and bulk storage (**terminal**) facilities. The Fuel Companies also supply petroleum products to individually owned businesses.
 - 3.2 The Dunedin Port provides the sole point of entry for ships carrying bulk petroleum products into the Otago Region.
 - 3.3 There are three terminal facilities operated by the Fuel Companies at the Port; Z Energy2015 Limited (previously Chevron New Zealand), 203 Fryatt Street; Z Energy Limited, 9-25 Wickliffe Street; and BP Oil New Zealand Limited, Parry Street. The terminals are infrastructure of regional and strategic importance and are critical to the functioning of the city and region as a whole.
4. The Fuel Companies are not trade competitors for the purposes of section 308C or 308CA of the RMA.

5. The Fuel Companies are interested in the parts of the Appeal that relate to the following PORPS-NF provisions:

5.1 The proposed amendment to PORPS-NF provision CE-O5 Activities in the Coastal Environment and supports the relief sought by the Appellant.

5.2 The proposed amendment to PORPS-NF provision EIT-INF-P15 to require avoidance of activities that may result in adverse effects, including reverse sensitivity effects, on regionally and nationally significant infrastructure and supports the relief sought by the Appellant.

6. The Fuel Companies agree to participate in mediation or other alternative dispute resolution of the proceedings.



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Gavin McCullagh
Principal Planner

Dated this 7th day of June 2024

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A copy of this notice has been served on the following parties:

Otago Regional Council

Hearings Administrator – hearingsadministrator@orc.govt.nz

Appellant

Sarah Jane Scott sarah.scott@simpsongrierson.com