

In the Environment Court  
At Christchurch

ENV-2024-CHC-39

I te Kōti Taiao o Aotearoa  
Ki Ōtautahi

**Under the** Resource Management Act 1991 (**Act**)

**In the matter** of an appeal under clause 14(1) of Schedule 1 of the Act

**Between** **Environmental Defence Society Incorporated**  
Appellant

**And** **Otago Regional Council**  
Respondent

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**NOTICE OF TRANSPower NEW ZEALAND LIMITED'S WISH TO BE PARTY TO  
PROCEEDINGS**

**7 June 2024**

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**To: The Registrar  
Environment Court  
Christchurch**

- 1.** Transpower New Zealand Limited (**Transpower**) gives notice that it wishes to be a party to the appeal by Environmental Defence Society Incorporated (**EDS**) against a decision of the Otago Regional Council on the proposed Regional Policy Statement (**pORPS**).
- 2.** Transpower is a person who made a submission about the subject matter of the proceedings (submissions 00314 and FS00314). Transpower either made a submission on the relevant provisions appealed, or the appeal points concern the same subject matter and issues that are prevalent throughout its submissions.
- 3.** Transpower is also a person who has an interest in the proceedings that is greater than the interest that the general public has for the reasons set out in its Appeal ENV-2024-CHC-35 at paragraphs 5 to 10.
- 4.** Transpower is not a trade competitor for the purposes of 308C or 308CA of the Resource Management Act 1991.
- 5.** Transpower's reasons for its position on the appeal is that parts of the proceedings may or will affect its ability to operate, maintain, develop and upgrade the National Grid, and may or will not give effect to the National Policy Statement on Electricity Transmission (**NPSET**). Transpower's reasons for its position also include that the relief sought in the proceedings may or will conflict with the relief included in its Appeal.
- 6.** The parts of the proceedings that Transpower' seeks to join, and its position on those appeals is set out in **Appendix A**.

7. Transpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 7<sup>th</sup> day of June 2024



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S J Scott  
Counsel for Transpower New Zealand Limited

**Address for service of interested party**

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**Appendix A: Parts of the proceeding that Transpower is interested in**

Provision appealed	Relief sought by EDS	Position on relief
<b>CE</b>		
CE-P9 – Activities on land within the coastal environment	<p>Amend clause (2A) as follows:</p> <p><i>The strategic and co-ordinated use of land within the coastal environment is achieved by:</i></p> <p>...</p> <p><i>(2A) recognising <u>there are activities that have a functional need to be located in the coastal marine area</u> <del>and providing for the functional needs and operational needs of infrastructure</del></i></p>	Oppose.
CE-P10 – Activities within the coastal marine area	<p>Amend clause 3 as follows:</p> <p><i>Use and development in the coastal marine area must:</i></p> <p>...</p> <p><i>(3) have a functional need <del>or operational need</del> to be located in the coastal marine area, or</i></p>	Oppose.
<b>EIT-INF</b>		
EIT-INF-O4 – Provision of infrastructure	<p>Reinstate <u>“within environmental limits”</u>:</p> <p><i>Effective, efficient, safe and resilient infrastructure, nationally significant infrastructure and regionally significant infrastructure enables the people and communities to provide for their social and cultural well-being, their health and safety, and supports sustainable economic development and growth in the region, <u>within environmental limits</u>.</i></p>	Oppose.

Provision appealed	Relief sought by EDS	Position on relief
EIT-INF-P12 – Upgrades and development	Add the following clause as follows:  <u><i>(x) adverse effects on indigenous biodiversity are managed in accordance with the respective ECO, CE, NFL, or LF chapters.</i></u>	Oppose to the extent that the change conflicts with Transpower’s proposed EIT-INF-Px and will not give effect to the NPSET.
EIT-INF-P13 – Locating and managing effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure outside the coastal environment	Amend to accurately reflect the effects management hierarchy of the NPS IB and NPS FM. Reinstate “(e) areas of high or outstanding natural character” under clause 1.	Oppose to the extent that the change conflicts with Transpower’s proposed EIT-INF-Px and will not give effect to the NPSET.