

**In the Environment Court of New Zealand  
Christchurch Registry**

**I Te Kooti Taiao O Aotearoa  
Ōtautahi Rohe**

**ENV-2018-CHC-150**

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Under the Resource Management Act 1991 (the Act)

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

Between **Darby Planning Limited**  
Appellant

And **Queenstown Lakes District Council**  
Respondent

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**Notice of Transpower New Zealand Limited's wish to be party to  
proceedings**

Dated 10 July 2018

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To the Registrar  
Environment Court  
Christchurch

- 1 Transpower New Zealand Limited (**'Transpower'**) wishes to be a party to an appeal by Darby Planning Limited (**'Darby'**) against the decisions of the Queenstown Lakes District Council (**'Council'**) on Stage 1 of the Proposed Queenstown Lakes District Plan (**'Proposed Plan'**) (Court reference ENV-2018-CHC-150).
- 2 Transpower:
  - a made a submission about the subject matter of the proceedings.
- 3 Transpower is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4 Transpower is interested in part of the proceedings, being those aspects of the appeal that are set out below at paragraph 5 of this notice.
- 5 Transpower is interested in the following particular issues:
  - a The amendments sought to Chapter 3 of the Proposed Plan, specifically those changes to Strategic Objectives 3.2.2.1, 3.2.5.1, 3.2.5.2, and Policy 3.3.30<sup>1</sup>;
  - b The amendments sought to Chapter 4 of the Proposed Plan to change Objective 4.2.2.1<sup>2</sup>;
  - c The amendments sought to Chapter 6 of the Proposed Plan, specifically those changes sought to amend Policies 6.3.12<sup>3</sup>, 6.3.19<sup>4</sup>, and 6.3.26<sup>5</sup>.
  - d The amendments sought to Chapter 21 of the Proposed Plan, specifically those changes sought to amend Policy 21.2.4.2.
- 6 Transpower's position on the relief sought by Darby is for the reasons set out below:

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<sup>1</sup> Policy 3.3.30 is a new policy inserted into the decisions version of the Proposed Plan, as a result of submissions on what was Policy 3.2.5.1.1 of the notified version of the Proposed Plan.

<sup>2</sup> Policy 4.2.1.1 in the notified version of the Proposed Plan.

<sup>3</sup> Policy 6.3.1.3 in the notified version of the Proposed Plan.

<sup>4</sup> Policy 6.3.1.4 in the notified version of the Proposed Plan.

<sup>5</sup> Policy 6.3.5.2 in the notified version of the Proposed Plan.

- a Transpower conditionally supports the amendments sought by Darby to Strategic Objectives 3.2.5.1, 3.2.5.2 and 3.3.30, and Policies 6.3.12, 6.3.19 and 6.3.26, insofar as they go some way towards better managing the landscape and visual effects of activities (but also conditionally opposes this relief, particularly in relation to Policy 6.3.12, insofar as it would not be sufficient to give effect to the National Policy Statement on Electricity Transmission ('NPSET')).

Transpower seeks additional changes to these provisions to address the matters set out in its appeal and ensure the policies give effect to the NPSET.<sup>6</sup>

- b Transpower opposes the amendments sought to Objective 3.2.2.1 and Policies 4.2.2.1, on the basis that in relation to the National Grid they do not go far enough to give effect to the NPSET. As set out at paragraphs 20 and 21 of Transpower's notice of appeal, it is not sufficient to 'coordinate' or 'integrate' development with infrastructure or 'mitigate' the risk of reverse sensitivity effects: the NPSET requires that activities are managed to the extent reasonably possible so that reverse sensitivity effects on the National Grid are avoided and the Grid is not compromised.
- c Transpower supports the amendment sought to Policy 21.2.4.2, because it agrees that existing activities extend beyond farming and require protection from reverse sensitivity (the NPSET requires reverse sensitivity effects to be 'avoided').

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

**Dated** 10 July 2018



Nicola McIndoe/Ezekiel Hudspith

**Counsel for Transpower New Zealand Limited**

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<sup>6</sup> As directed by the Environment Court Transpower will lodge further particulars of the relief it seeks (including drafting) by 27 July 2018.

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