

**BEFORE THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2019-WLG-000126

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 Federated Farmers of New Zealand
Appellant

AND Greater Wellington Regional Council
Respondent

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

To: The Environment Court Registrar
PO Box 5027
Wellington

1. Powerco Limited (“Powerco”) wishes to be a party to the following proceedings:
 - 1.1 ENV-2019-WLG-000126 between Federated Farmers of New Zealand (“Appellant”) and Greater Wellington Regional Council (“Respondent”) in relation to the respondent’s decisions on submissions to the Proposed Wellington Regional Plan (“the Proposed Regional Plan”).
2. Powerco lodged submissions on the Proposed Regional Plan on the subject matter of the proceedings.
3. Powerco is New Zealand’s second largest gas and electricity distribution company. In the Wellington Region, Powerco operates both gas and electricity networks. This comprises an electricity network within the Wairarapa, covering the area from south of Eketahuna to Cape Palliser and a gas network covering Wellington City, Hutt Valley and Porirua.
4. Powerco is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. Powerco is interested in the following matters raised by the Appellant:
 - 5.1 Rule 99: Earthworks (Item 4)
 - 5.2 Rule 100: Vegetation Clearance on erosion prone land (Item 5)
6. The reasons for Powerco’s interest in these matters are as follows:
 - 6.1 Powerco seeks to ensure that the provisions of the Proposed Regional Plan continue to provide appropriate recognition and provision for Powerco’s assets; and do not unreasonably and/or unnecessarily restrict Powerco’s development and maintenance activities. Powerco also seeks to ensure that the Appellant’s appeal does not prevent the outcomes sought in Powerco’s own appeal from being achieved.
 - 6.2 Powerco supports the concern raised by the Appellant around inclusion of clauses (e) and (c) in Rules R99 and R100, respectively, which introduce a 5-metre setback requirement from surface water bodies. This requirement has the effect of requiring consent for activities that are otherwise permitted under the plan, including in relation to Rule 117 which permits new structures fixed in, on, under or over the bed of any river or lake, subject to conditions.

6.3 Powerco has numerous gas line crossings under the Hutt River as well as various other river crossings across the region and as such the 5 metre setback rule has potentially significant implications on Powerco's ability to maintain and provide infrastructure. Powerco wishes to be privy to any further amendments to ensure that the operation, maintenance and upgrade of its assets are appropriately provided for.

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



.....
David le Marquand
Principal Planning and Policy Consultant
4Sight Consulting Limited

Dated this 9th day of October 2019

Address for Service:

4Sight Consulting Limited
PO Box 911 310
Victoria Street West
AUCKLAND 1142
Attention: David le Marquand
and Kahlia Thomas

Ph: 021 122 3429
E-Mail: davidl@4sight.co.nz;
kahliat@4sight.co.nz

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

Greater Wellington Regional Council
Via email: RegionalPlanAppeals@gw.govt.nz

Federated Farmers of New Zealand
Elizabeth McGruddy
Senior Policy Advisor
PO Box 715
Wellington 6140

Ph: 0800 327 646
Email: emcgruddy@fedfarm.org.nz