

**In the Environment Court
I Mua I Te Kōti Taiao
Wellington Registry
Te Whanganui-a-Tara Rohe**

ENV-2020-WGN-000014

Under the Resource Management Act 1991
And in the matter of an application under Section 274 of the Act

Between

Waka Kotahi NZ Transport Agency

Applicant

and

Manawatū-Whanganui Regional Council

Regulatory Authority

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

17 June 2020

BELL GULLY

BARRISTERS AND SOLICITORS

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To: The Registrar
Environment Court
Wellington

1. Transpower New Zealand Limited (**Transpower**) wishes to be a party to the following proceedings:

ENV-2020-WLG-000014 Waka Kotahi NZ Transport Agency v Manawatu-Whanganui Regional Council being the direct referral of an application for resource consents for activities associated with Te Ahu a Tuanga: Manawatū Tararua Highway Project, a proposed new road to replace the section of State Highway 3 through Manawatu Gorge (the **Application**).

2. Transpower made a submission about the subject matter of the proceedings and has an interest in the proceedings that is greater than the interest that the general public has. Transpower is the owner and operator of the National Grid which is affected by the Application.
3. Transpower is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (the **RMA**).
4. Transpower is interested in all of the proceedings.
5. Transpower is interested in the following particular issues arising from the application:
 - (a) The measures and conditions proposed in the Application to avoid, remedy or mitigate the potential effects of the proposal on National Grid assets, particularly on the Mangamaire – Woodville A (MGM-WDV A) line;
 - (b) The design process to meet requirements under the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (**NESETA**) for the raising of the poles on the MGM-WDV A line;

- (c) Compliance with minimum safe clearance distances set out in the New Zealand Electrical Code of Practice for Electrical Safe Distances – NZECP 34:2001 (**NZECP**);
 - (d) Compliance with Policy 3-2 of the Horizons One Plan given the current design presented in the Application (specifically the five-leg roundabout) is different to the one proposed in the Notice of Requirement phase (a four-leg roundabout);
 - (e) The apparent failure of the applicant to consider the extent to which and availability to Transpower of further authorisations and property rights which may need to be obtained where National Grid assets may need to be upgraded or otherwise relocated;
 - (f) The potential adverse effects of bulk earthworks, giving rise to dust nuisance effects, on National Grid assets; and
 - (g) Ongoing access arrangements to ensure Transpower can undertake maintenance on National Grid assets.
6. Transpower opposes the Application to the extent necessary to ensure the final design and conditions properly take account of and protect the National Grid assets affected by the Project on the basis:
- (a) The Application has the potential to adversely affect the maintenance, operation, upgrade, and development of the National Grid;
 - (b) The Application fails to give effect to the National Policy Statement on Electricity Transmission 2008, consider the NESETA and comply with the NZECP; and
 - (c) The Application sought is otherwise contrary to the planning framework, including Part 2 and the purpose of the RMA (namely to promote the sustainable management of natural and physical resources).

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



A J L Beatson / H G Watson
Counsel for Transpower New Zealand Limited

Dated 17 June 2020

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Advice

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