

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

**I Te Kōti Taiao O Aotearoa
Te Whanganui-a-Tara Rohe**

ENV-2024-WLG-000036

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 **Fonterra Limited**
Appellant

And **Manawatū-Whanganui Regional Council**
Respondent

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

Dated 9 September 2024

DENTONS

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To The Registrar
 Environment Court
 Wellington

- 1 Transpower New Zealand limited (**'Transpower'**) wishes to be a party to an appeal by Fonterra Limited (**'Appellant'**) against the decisions of Manawatū-Whanganui Regional Council (**'Respondent'**) on Plan Change 3 (Urban Development) to the Manawatū-Whanganui One Plan (**'PC3'**).
- 2 Transpower:
 - a Has an interest in the proceedings that is greater than the interest that the general public has. This is because Transpower is the State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, and the Appellant's relief includes amendments to provisions that relate to these functions; and
 - b Made a submission (S1) 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 6 of this notice.
- 5 The parts of the proceedings Transpower is interested in relate to:
 - a Providing for the effective operation, maintenance, upgrading and development of the National Grid; and
 - b Managing the effects of third party activities on the operation, maintenance, upgrading and development of the National Grid.
- 6 Transpower is interested in the following particular issues:
 - a Objective UFD-O3; and
 - b Policy UFD-P4.
- 7 Transpower has set out its position in relation to the above provisions and the reasons for that position in **Appendix A** to this notice.
- 8 Transpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 9 September 2024



Nicky McIndoe

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Appendix A Transpower's positions

TRANSPOWER'S POSITIONS		
PROVISION	POSITION ON RELIEF SOUGHT	REASON
UFD-O3	Neutral	<p>The Appellant seeks that UFD-O3 recognises the relationship between RSI and well-functioning urban environments.</p> <p>Transpower is also seeking to amend UFD-O3. Where Fonterra is seeking to 'avoid [effects] as far as reasonably practicable', Transpower seeks that effects be managed, including reverse sensitivity effects, to ensure the infrastructure is not compromised. Both the Appellant and Transpower seek to ensure infrastructure is explicitly included.</p> <p>Transpower is neutral on the relief sought, provided that the amendments give effect to the NPSET.</p>
UFD-P4	Neutral	<p>The Appellant seeks that UFD-P4 is more directive as to a hierarchy of management response.</p> <p>The Appellant is appealing parts of UFD-P4 which Transpower is not itself appealing. Where Transpower seeks to amend UFD-P4(1)(f) and (2)(e) to remove the words 'to the extent reasonably possible', Fonterra is seeking to amend UFD-P4(2)(d) to replace 'manages adverse reverse sensitivity effects on land' with 'avoids as far as a practicable and otherwise mitigates'.</p> <p>Transpower is neutral on the relief sought, provided that the amendments give effect to the NPSET.</p>