

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2018-CHC-289

UNDER	The Resource Management Act 1991 (Act)
IN THE MATTER	of an appeal under clause 14(1) of Schedule 1 of the Act
BETWEEN	LPG ASSOCIATION OF NEW ZEALAND Appellant
AND	DUNEDIN CITY COUNCIL Respondent

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

DATED 31 JANUARY 2019

 **Simpson Grierson**
Barristers & Solicitors

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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 the LPG Association of New Zealand (**LPG Association**) against a decision of the Dunedin City Council on the Dunedin 2GP District Plan (**2GP**).
2. Transpower is a person who made a submission about the subject matter of the proceedings (submissions 806 and 2453). Transpower either made a submission on the provisions appealed, or the appeal points concern the same topics 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 public generally for the reasons set out in its Appeal (ENV-2018-CHC-249) 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 is interested in the parts of the proceedings that may or will affect its ability to operate, maintain, develop and upgrade the National Grid, being those aspects of the appeal set out in **Appendix A**. Transpower's position on the amendments sought by the LPG Association is also set out in **Appendix A**.
6. The general reasons for Transpower's interest in the proceedings are set out in its Notice of Appeal at paragraphs 13 to 15. In addition and without limiting those reasons, the relief sought conflicts with the relief sought by Transpower in its appeal on Section 5.2 (specifically Transpower's relief seeking a new Policy 5.2.X.2), as well as conflicting with Rule 9.3.4. In addition, for safety reasons all hazardous substances with explosive or flammable properties should be setback at least 12m from National Grid transmission lines.

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

DATED this 31st day of January 2019



S J Scott / C J McCallum
Counsel for Transpower New Zealand Ltd

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Appendix A

Parts of the proceeding that Transpower is interested in

PROVISION APPEALED BY LPG ASSOCIATION	RELIEF SOUGHT BY LPG ASSOCIATION Additions shown with <u>underline</u> text and deletions shown with striketrough on the Decisions version of the 2GP.	POSITION ON RELIEF
Chapter 9 Public Health and Safety		
General relief	The LPG Association seeks that the storage and use of LPG be a permitted activity in all locations, and in any quantity, across the city.	Oppose.
Rule 9.3.4.2	Amend Rule 9.3.4.2 as follows: “The storage and use of hazardous substances with explosive or flammable properties must be set back 12m from the National Grid transmission lines, support structures and substations, except a. the storage and use of hazardous substances which comply with the residential zones hazardous substances quantity limits in Appendix A6.1; <u>and</u> b. <u>the storage and use of LPG, where that storage and use does not trigger a requirement to obtain a compliance certificate under the Health and Safety at Work Act (Hazardous Substances) Regulations 2017 or the Environmental Protection Authority Hazardous Substances (Hazardous Property Controls) Notice 2017.”</u>	Oppose.