

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2020-CHC-000072

IN THE MATTER of the Resource Management Act
1991 (the **Act**)

AND

IN THE MATTER of an appeal under Clause 14(1) of
Schedule 1 of the Act

BETWEEN BP Oil New Zealand Limited, Mobil
Oil New Zealand Limited and Z Energy
Limited

Appellant

AND Marlborough District Council

Respondent

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
Section 274 of the Act


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TO: The Registrar
Environment Court
CHRISTCHURCH

1. **Trustpower Limited (Trustpower)** wishes to be a party to the following proceedings:
 - (a) ENV-2020-CHC-000072, *BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited v Marlborough District Council*, an appeal under Clause 14(1) of Schedule 1 of the Act on the Proposed Marlborough Environment Plan (the **Plan**).
2. Trustpower made a submission about the subject matter of the proceedings.
3. Trustpower is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. Trustpower is interested in all of the proceedings.
5. Trustpower is interested in the following particular issues:
 - (a) The parts of the decisions appealed and the appellant's reasons for appeal and relief sought insofar as it relates to matters which may impact Trustpower's hydro-electric power schemes, and changing the Plan in a manner which is inconsistent with Trustpower's submission and own appeal.
6. Trustpower neither supports nor opposes the relief sought but wishes to monitor the relief sought including for the following reasons:
 - (a) The appellant seeks amendments to rules in the Plan to ensure that water takes for its dewatering activities are permitted. Currently, the Plan only permits water takes for dewatering of a trench by a network utility operator or for regionally significant infrastructure.

- (b) Trustpower owns and operates the Branch and Waihopai hydro-electric power schemes in the Marlborough Region. As an owner and operator of regionally significant infrastructure, Trustpower may need to take water for dewatering activities as part of its maintenance activities.
- (c) Trustpower therefore wishes to be a party to this appeal so that it may be involved in the development of any specific amendments that may affect Trustpower's interests, in particular to ensure that any amendments are appropriate and workable for the continued operation of its hydro-electric power schemes.
7. Trustpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signature:



Vanessa Hamm
Counsel for Trustpower Limited

Date: 8 June 2020

**Address for service of
Trustpower Limited:**

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Advice

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