

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2021-CHC-055

IN THE MATTER Of an appeal pursuant to clause 14
of the First Schedule of the
Resource Management Act 1991

BETWEEN **KĀ RŪNAKA** (representing Te
Rūnaka o Moeraki, Kāti Huirapa
Rūnaka ki Puketeraki, Te Rūnanga
o Ōtākou and Hokonui Rūnanga)

Appellant

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**SECTION 274 NOTICE ON BEHALF OF AURORA ENERGY LIMITED TO
JOIN APPEAL**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

Solicitor on record: Bridget Irving

Solicitor to contact: Simon Peirce

P O Box 143, Dunedin 9054

Ph: (03) 477 7312

Fax: (03) 477 5564

Email: bridget.irving@gallawaycookallan.co.nz

Email: simon.peirce@gallawaycookallan.co.nz

**SECTION 274 NOTICE ON BEHALF OF AURORA ENERGY LIMITED TO
JOIN APPEAL**

TO: The Registrar, Environment Court, Christchurch Registry

AND TO: Queenstown Lakes District Council

AND TO: Kā Rūnaka (representing Te Rūnaka o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga)

1. Aurora Energy Limited (**Aurora**), wishes to be a party to *Kā Rūnaka v Queenstown Lakes District Council*, ENV-2021-CHC-055.
2. Aurora made a submission on the Queenstown Lakes District Council Proposed District Plan (Stage 3) (**PDP Stage 3**) on the subject matter of the proceeding (Original Submission 3153).
3. Aurora also has a greater interest than the public generally as it owns and operates an electricity distribution network in the Queenstown Lakes District. The relief sought will have a direct effect on Aurora's ability to carry out its function as a network utility operator in the District.
4. Aurora is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
5. Aurora is interested in part of the proceeding relating to rules 39.4.4 & 39.4.5 relating to the setback of any building from water.
6. Aurora opposes the relief sought because:
 - (a) Aurora owns and operates an electricity distribution network that supplies the Queenstown Lakes District with electricity.
 - (b) Aurora seeks to give effect to the Proposed Otago Regional Policy Statement (partially operative) which recognises and protects Aurora's Electricity Sub-transmission Infrastructure and Significant Electricity Distribution Infrastructure.
 - (c) The relief sought will impose restrictions on Aurora's ability to effectively upgrade, maintain and repair existing infrastructure to

increase the resilience of the network and to provide new electricity connections to customers.

- (d) The relief sought does not engage with the operation, maintenance, and upgrade of existing electricity distribution infrastructure.
- (e) The relief sought will not provide for the functional and operational needs of Aurora's electricity distribution network and risks the health, safety and wellbeing of communities.
- (f) Aurora has lodged an appeal on PDP Stage 3 (ENV-2021-CHC-026) seeking to clarify the meaning of rules 39.4.4 & 39.4.5 which creates a perverse outcome by appearing to control minor upgrading (except for the addition of new structures) but not other activities that would be permitted pursuant to Chapter 30 of the PDP.

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



B Irving / S R Peirce

Counsel for Aurora Energy Limited

Dated 15 June 2021

Address for service for

Aurora Energy Limited: Gallaway Cook Allan

Lawyers

123 Vogel Street

P O Box 143

Dunedin 9054

Telephone: (03) 477 7312

Fax: (03) 477 5564
Contact Person: Bridget Irving / Simon Peirce
Email: bridget.irving@gallawaycookallan.co.nz /
simon.peirce@gallawaycookallan.co.nz

CC: Queenstown Lakes District Council (dpappeal@qldc.govt.nz)

CC: Ka Rūnaka (michael@aukaha.co.nz; rob@publiclaw9.com)