

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2019-CHC-076

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

BETWEEN **WAYFARE GROUP LIMITED**

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

To: The Registrar

Environment Court

Christchurch Registry

1. Aurora Energy Limited (**Aurora**), wishes to be a party to the following proceeding:
 - (a) WAYFARE GROUP LIMITED v QUEENSTOWN LAKES DISTRICT COUNCIL ENV-2019-CHC-076.
2. Aurora made a submission on the Queenstown Lakes District Council Proposed District Plan (Stage 1 and Stage 2) (**PDP Stage 2**)(OS2508; FS2707) on the subject matter of these proceedings. Aurora also has an interest in the proceedings that is greater than the public generally as it:
 - (a) Owns and operates an electricity distribution network in the Queenstown Lakes District.
 - (b) Is an appellant in relation to PDP Stage 1 – ENV-2018-CHC-108.
 - (c) Sought relief through it's PDP Stage 1 Appeal to protect the Regionally Significant parts of its network through corridor protection rules. That part of its appeal was assigned to Stage 1 Topic 17 which has recently been the subject of Court Assisted Mediation. The parties to that appeal have reached agreement to resolve the relevant part of Aurora's appeal. The relief agreed through Topic 17 proposes to insert new assessment matters into Chapter 25 (Earthworks). Wayfare Group Limited's appeal on Stage 2 seeks relief in relation to the assessment matters in Chapter 25 that may affect the relief agreed through the Stage 1 – Topic 17 mediation and as such affect Aurora's interests.
3. Aurora is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Aurora is interested in part of the proceedings.

5. Aurora is interested in the following particular issues:
 - (a) Relief which seeks to delete 25.8 Assessment Matters from Chapter 25 (Earthworks).

6. Aurora oppose the relief sought because:
 - (a) Aurora operates electricity distribution infrastructure which supplies customers within the District.
 - (b) Aurora has an interest in protecting and managing its infrastructure and enabling the development of it to support new development within the District.
 - (c) Aurora has an interest in ensuring that earthworks that take place in proximity to its infrastructure do not cause health and safety hazards that could result in harm to persons.
 - (d) Aurora has an interest in maintaining the resilience of its infrastructure in the District.
 - (e) Aurora is involved in the PDP Stage 1 and has an interest in maintaining consistency between the provisions agreed to as a result of that mediation and Chapter 25 Earthworks.
 - (f) The relief sought will void the relief agreed to as part of mediations on PDP Stage 1.

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

A handwritten signature in blue ink, appearing to read "Graeme Lewis". The signature is written in a cursive style with a large initial 'G'.

B Irving / S R Peirce

Counsel for Aurora Energy Limited

Dated this 23rd day of September 2019

Cc: Wayfare Group Limited by its Solicitor

maree.baker-galloway@al.nz

Queenstown Lakes District Council

dpappeals@qldc.govt.nz; heidi.baillie@qldc.govt.nz

Section 274 parties to Wayfare Group Limited appeal

Address for service

for Interested Party: Gallaway Cook Allan

Lawyers

123 Vogel Street

P O Box 143

Dunedin 9054

Telephone: (03) 477 7312

Fax: (03) 477 5564

Email: bridget.irving@gallawaycookallan.co.nz;
simon.peirce@gallawaycookallan.co.nz

Contact Person: B Irving / S R Peirce