

**BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV-2021-CHC-046**

<b>IN THE MATTER</b>	Of an appeal pursuant to clause 14 of the First Schedule of the Resource Management Act 1991
<b>BETWEEN</b>	<b>BALLANTYNE PROPERTIES LIMITED</b>  Appellant
<b>AND</b>	<b>QUEENSTOWN LAKES DISTRICT COUNCIL</b>  Respondent

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

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**GALLAWAY COOK ALLAN  
LAWYERS  
DUNEDIN**

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**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: Ballantyne Properties Limited.

1. Aurora Energy Limited (**Aurora**), wishes to be a party to *Ballantyne Properties Limited V Queenstown Lakes District Council*, ENV-2021-CHC-046.
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. Aurora also owns and operates a Zone Substation<sup>1</sup> on an adjoining property (**Wanaka Substation**) which converts sub transmission voltage electricity to high voltage before it is supplied to the Wanaka. 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 all of the proceedings. In particular, Aurora is interested in that part of the proceeding which seeks to rezone the land in the area surrounding the Wanaka Substation.
6. Aurora conditionally opposes the relief sought because:
  - (a) Additional residential and/or commercial development in proximity to the Wanaka Substation risks the health and safety of the public and to amenity of occupants within buildings and must be managed.

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<sup>1</sup> Lot 1 Deposited Plan 12295 comprised in Record of Title OT5A/42.

- (b) Aurora, through its original submission on PDP Stage 3, obtained a Building Restriction Area (**BRA**) within 10 metres from the cadastral boundary of the Wanaka Substation. An additional rule (7.5.X) was inserted into Chapter 7 Lower Density Suburban Residential Zone such that any building seeking to locate in that area would be non-complying and particular regard would be had to notifying Aurora as an affected party.
  - (c) An amendment to the underlying zoning will have the effect of removing the effect of Rule 7.5.X and enabling buildings to locate within the BRA. The relief is conditionally supported to the extent that (subject to scope) a new rule is added to Chapter 16 Business Mixed Use Zone consistent with Rule 7.5.X.
  - (d) The Independent Hearing Panel commission has recommended that Aurora engage with the landowners subject to the BRA to acquire that part of their land and extend the boundary of its designation. Regardless of whether Aurora seeks to engage with that recommendation, the ongoing viability of the Wanaka Substation must be protected. Additionally, the risks posed to the public from the proximity of additional residential (and possibly commercial) development to the Wanaka Substation must be managed, primarily by way of measures to avoid adverse effects on persons.
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** this 15 June 2021

Address for service for

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CC: Queenstown Lakes District Council ([dpappeals@qldc.govt.nz](mailto:dpappeals@qldc.govt.nz))

CC: Ballantyne Properties Limited ([scott@edgarplanning.co.nz](mailto:scott@edgarplanning.co.nz))