

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**I MUA I TE KŌTI TĀIAU O AOTEAROA  
TĀMAKI MAKAURAU**

**ENV-2023-AKL-**

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

**AND**

**IN THE MATTER** of an appeal pursuant to Clause 14(1) of the First  
Schedule to the Act

**BETWEEN** **FEDERATED FARMERS OF NEW ZEALAND**

**Appellant**

**AND** **CENTRAL HAWKES BAY DISTRICT COUNCIL**

**Respondent**

---

**NOTICE OF PERSONS WISHING TO BE PARTY TO PROCEEDINGS**

---

---

**Govett Quilliam**  
THE LAWYERS

Lauren Wallace / Rebecca Eaton  
Phone: (06) 768 3700  
Fax: (06) 768 3701  
Private Bag 2013/DX NP90056  
NEW PLYMOUTH 4342  
[lauren.wallace@gqlaw.nz](mailto:lauren.wallace@gqlaw.nz)  
[rebecca.eaton@gqlaw.nz](mailto:rebecca.eaton@gqlaw.nz)

## NOTICE OF PERSONS WHO WISH TO BE PARTY TO PROCEEDINGS

### *Section 274 Resource Management Act 1991*

**TO:** The Registrar  
Environment Court  
Auckland

1. First Gas Limited (“First Gas”) wishes to be a party to the proceedings *Federated Farmers of New Zealand v Central Hawkes Bay District Council* (Environment Court reference to be advised). The proceedings concern an appeal against parts of the decisions of the Central Hawkes Bay District Council on the Proposed Central Hawkes Bay District Plan (the “Proposed Plan”).
2. First Gas is both:
  - 2.1 a person who made a further submission<sup>1</sup> about the subject matter of the proceedings; and
  - 2.2 a person who has an interest in the proceedings that is greater than the interest that the general public has, including for the following reasons:
    - 2.2.1 First Gas owns and operates high pressure gas transmission network within the Central Hawkes Bay district, which is regionally and nationally significant infrastructure;
    - 2.2.2 The provisions subject to appeal and relief sought may have implications on First Gas’ ability to safely, effectively and efficiently operate, maintain, upgrade, replace, remove and develop its regionally significant infrastructure; and
    - 2.2.3 First Gas was a further submitter on the Proposed District Plan.

---

<sup>1</sup> FS-3

### **Trade competition**

3. First Gas is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.

### **Interest in proceedings**

4. First Gas is interested in the following matters raised by the Appellant:
  - 4.1 Definitions: Earthworks, Gas Transmission Network and Gas Distribution Network, and Maintenance;
  - 4.2 EW-R2 and EW-R6;
  - 4.3 GRUZ-S12 and RPROZ-S14;
  - 4.4 SUB-S4; and
  - 4.5 HAZS-R1.

### **Position in respect of relief sought**

5. First Gas' position in respect of the relief sought is set out in Appendix 1.
6. Where applicable, First Gas opposes the relief sought by the Appellant for the following reasons:
  - 6.1 The relief sought will not promote the sustainable management of natural and physical resources.
  - 6.2 The relief sought will not give effect to high order planning documents.
  - 6.3 The relief sought will not provide for an appropriate regulatory framework for the safe, effective and efficient operation, maintenance, upgrade, replacement, removal and development of First Gas' regionally significant and nationally significant network.
7. Where applicable, First Gas supports the relief sought by the Appellant for the following reasons:

- 7.1 The relief sought will promote the sustainable management of natural and physical resources.
- 7.2 The relief sought will give effect to high order planning documents, including the National Planning Standards.
- 7.3 The relief sought will provide for an appropriate regulatory framework for the safe, effective and efficient operation, maintenance, upgrade, replacement, removal and development of First Gas' regionally and nationally significant network.

### **Mediation / Alternative Dispute Resolution**

8. First Gas agrees to participate in mediation or other alternative dispute resolution of the proceedings.

### **Signature**



---

**L P Wallace / R E Eaton**  
Counsel for First Gas Limited

**Date:** 28 July 2023

**Address for service:** Govett Quilliam  
25 Dawson Street  
Private Bag 2013  
DX NP90056  
New Plymouth

**Telephone:** (06) 768 3716

**Facsimile:** (06) 768 3701

**Email:** [lauren.wallace@gqlaw.nz](mailto:lauren.wallace@gqlaw.nz)  
[rebecca.eaton@gqlaw.nz](mailto:rebecca.eaton@gqlaw.nz)

**TO:** The Registrar of the Environment Court at Auckland

**AND TO:** Federated Farmers of New Zealand

**AND TO:** Central Hawkes Bay District Council

**APPENDIX 1: FIRST GAS POSITION IN RESPECT OF RELIEF SOUGHT**

<b>Plan Provision/ Reference</b>	<b>Relief sought by Appellant</b>	<b>First Gas Position</b>
Definition Earthworks	The Appellant seeks the retention of the definition for consistency with the National Planning Standards	Support in principle
Definition: Gas Transmission Network	The Appellant seeks the deletion of the definition for Gas Transmission Network and Gas Distribution Network	Oppose in principle
Definition: Maintenance	The Appellant seeks amendment of the definition	Oppose in principle
EW-R2	The Appellant seeks the amendment of ER-R2	Oppose in principle
EW-R6	The Appellant seeks the deletion of Rule EW-R6	Oppose in principle
GRUZ-S12 RPROZ-S14	The Appellant seeks the deletion of GRUZ-S12 and RPROZ-S14	Oppose in principle
SUB-S4	The Appellant seeks the amendment of SUB-S4	Oppose in principle
HAZS-R1	The Appellant seeks the deletion of HAZS-R1 and the addition of a new policy	Oppose in principle