

BEFORE THE RPS HEARING PANEL

UNDER the Resource Management Act 1991
AND
IN THE MATTER of the proposed Otago Regional Policy
Statement

**MEMORANDUM OF COUNSEL ON BEHALF OF
TRANSPOWER NEW ZEALAND LIMITED SEEKING DIRECTIONS IN RELATION TO
HEARING ARRANGEMENTS**

9 December 2022

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MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of Transpower New Zealand Limited (**Transpower**) in accordance with the directions set out in the Notice of Hearing dated 30 November 2022.
2. The Notice of Hearing confirms that hearings will proceed based on topics (being the Chapter Headings of the pORPS) and that submissions will be heard under these topics. The Notice of Hearing gives leave for any submitter on topics in more than one group, to seek leave to be heard only once, or to be heard via a zoom presentation.
3. Transpower has lodged submissions (and evidence in support) that we understand will be allocated to seven separate hearings. The briefs of evidence filed are from:
 - 3.1 Ainsley McLeod (planning); and
 - 3.2 Roy Noble (transmission engineering).
4. Transpower has submission points on Part 1 of the pORSP (ie Interpretation / definitions). It is not entirely clear from the Notice of Hearing when they will be heard.

Energy, Infrastructure & Transport topic / hearing

5. A significant number of Transpower's submission points are allocated to the Energy, Infrastructure & Transport topic / hearing. In relation to that hearing, Transpower's intention is to present legal submissions and to call Mr Noble and Ms McLeod¹ (all in person).
6. Mr Noble's evidence sets out the nature of Transpower's activities in the Otago region and provides context to inform the panel as to why Transpower is seeking specific changes to the pORPS. While Mr Noble's evidence is relevant to all of Transpower's submission points across the pORPS topics, Transpower would like to call Mr Noble at the Energy, Infrastructure & Transport hearing only – as that is where a significant number of Transpower's issues with the pORPS will be advanced. It would also be most efficient for both Transpower, and for the Hearings Panel, to just hear Mr Noble's evidence once.

1 Ms McLeod's evidence addresses submission points relevant to this hearing at: Sections 4, 5, 8.18 – 8.81.

Transpower therefore seeks leave for Mr Noble to just present his evidence once (in person) at the Energy, Infrastructure & Transport hearing.

7. In relation to the other hearings that Transpower has submission points allocated to, Transpower seeks a specific direction that Mr Noble be excused, and that Ms McLeod be heard via a zoom presentation as follows:

Hearing
Preliminary Matters; Council Opening; Kai Tahu opening, Part 2 (RMIA & MW;)
Part 2 (SRMR); Integrated Management; Part 3 Air ²
Urban Form & Development; Historical & Cultural Values
Coastal Environment
Hazards & Risks, Ecosystems & Indigenous biodiversity
Natural Features & Landscapes; Land & Freshwater

8. Transpower's current intention is that legal counsel will only appear at the first hearing³ and the Energy, Infrastructure & Transport hearing.

DATED 9 December 2022



S J Scott / S B Hart
Counsel for Transpower New Zealand Limited

2 It is assumed the reference to the Air Domain being in Part 4, to be a typo.

3 Preliminary Matters; Council Opening; Kai Tahu opening, Part 2 (RMIA & MW;) Part 1, Part 2 (SRMR).