



IN THE MATTER AND IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of Hearing of Submissions and Further
Submissions on the Proposed Gore
District Plan

Minute 35 of the Hearings Panel

Request from Transpower NZ Ltd

29 January 2025

Minute 35 Request From Transpower NZ Ltd

1. The Hearings Panel has received a memorandum from Sarah Scott, Counsel for Transpower NZ Ltd, dated 28 January 2025. A copy of the memorandum is attached.
2. The memorandum requests a response from the Hearings Panel regarding two matters related to the preparation of evidence and legal submissions for Hearing Stream 9A – Sites of Significance to Maori (SASM) and Ngai Tahu Cultural Values (NTCV).
3. **The first matter** is a request for a time extension for the lodging of evidence for the Hearing Stream 9A hearing until 30 January 2025. This evidence was due on 28 January 2025. The memorandum sets out an extensive workload of the expert witness preparing that evidence.
4. The Hearings Panel agrees to this request. The Panel recognises the desirability of having full and robust evidence prepared for the hearing.
5. **The second matter** is a request to extend the time for filing legal submissions regarding the Hearing Stream 9A topics until two working days following confirmation from the Hearings Panel that this hearing will proceed as set down on 18 February 2025.
6. The Hearings Panel continues to commit the time and resources to achieve the timetable for hearings set out in Minute 31 and will continue to do so until it determines, or is directed, otherwise. The Panel expects all submitters and Council advisers to do likewise. However, the Hearings Panel recognises the uncertainty that has arisen regarding the hearings timetable following the lodging of requests to pause the District Plan process.
7. The Hearings Panel undertakes to respond to the request to amend the hearings timetable from Federated Farmers of NZ, as discussed in Minute 33, no later than noon on 4 February 2025. Arising from the request of Transpower NZ Ltd, should the Panel confirm an intention to proceed with the hearing as set down, legal submissions shall be lodged no later than 1:00pm on 5 February 2025.
8. If the Hearings Panel was to agree to a two working day extension for lodging legal submission as requested, these would not then be lodged until 7 February 2025, given Waitangi Day is a public holiday. That would unfairly reduce the time available for the Council's legal advisor to prepare submissions for the Hearings Panel.

Any queries regarding this Minute, should be directed to the Planning Department of the Gore District Council, phone (03) 209 0330 or email hearings@goredc.govt.nz.



Keith Hovell
Hearings Panel Chair

**BEFORE THE HEARINGS PANEL
FOR THE PROPOSED GORE DISTRICT PLAN**

Under the Resource Management Act 1991

In the matter of submissions and hearings on the proposed Gore District Plan

**MEMORANDUM OF COUNSEL ON BEHALF OF TRANSPower NEW ZEALAND
LIMITED SEEKING EXTENSION FOR FILING LEGAL SUBMISSIONS**

Hearing Stream 9A - Sites and Areas of Significance to Māori / Ngai Tahu Cultural
Values

28 January 2025



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MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of Transpower New Zealand Limited (**Transpower**), in relation to Hearing Stream 9A – Sites and Areas of Significance to Māori (**SASM**) and Ngai Tahu Cultural Values (**NTCV**) – in the Proposed Gore District Plan (**PDP**). Transpower filed a submission (number 101) and further submission (number FS 30) on the PDP.
2. In accordance with the timetable directed by the Panel in relation to Hearing Stream 9A, submitters are required to file evidence and legal submissions today.¹ The purpose of this memorandum is to seek an extension to the:
 - (a) filing of Transpower’s evidence by two working days, and
 - (b) filing of Transpower’s legal submissions until two working days after the Panel confirms that the hearing will indeed go ahead.
3. The reasons for the request include:
 - (a) Transpower has only recently instructed Simpson Grierson to present legal submissions at Hearing Stream 9A on its behalf;
 - (b) Counsel and representatives for Transpower have been subject to a number of competing deadlines on various policy processes around New Zealand, meaning that Ms McLeod’s evidence has not been able to be finalised today. These include:
 - (i) Submissions on Mackenzie District plan changes 28-30, variations and designations, filed 22 January 2025;
 - (ii) Evidence on the Infrastructure and Subdivision, and Cultural Values, topic for the Proposed Timaru District Plan, filed 23 January 2025.
 - (iii) Evidence on the Natural Features and Landscapes, and Natural Character topic for the Gore PDP, filed 27 January 2025;
 - (iv) Evidence on the Natural Features and Landscapes topic for the Proposed Wairarapa Combined District Plan, filed 27 January 2025; and

1 As directed for in Minute 31 of the Hearings Panel – Hearings Timetable 2024 dated 16 December 2024 at page 2.

- (v) Evidence on the Energy and Network Utilities for the Proposed Wairarapa Combined District Plan, to be filed on 31 January 2025.
 - (c) Counsel, Ms McLeod and Ms Rebecca Eng (Technical Lead - Environmental Policy) are also involved in the Court assisted mediations on the proposed Otago Regional Policy Statement, including attendance at mediation of the Infrastructure topic from 27 to 31 January 2025 (including, today). Transpower also has deadlines to file position papers on other topics for upcoming mediations, this week.
- 4. In addition, the request by Southland Federated Farmers of New Zealand for a 'pause' to the timetable of hearings, as currently set down in Minute 31, until after the Council meeting of 18 February 2025, has caused some uncertainty to Transpower as to whether the hearing on the 18 February 2025 will even go ahead. The Panel has directed comments from other submitters and further submitters on this request by 31 January 2025.² As such, this request is still being considered by the Hearings Panel, with the Panel intending to respond in the week of 3 February 2025. While Transpower is content to file its evidence this week, it would seem inefficient to expend time and resources on legal submissions, when it is not known if the hearing will go ahead.
- 5. Due to these factors, Transpower respectfully requests an extension of time for filing its evidence on Hearing Stream 9A by two working days, and filing its legal submissions within two working days of the Panel confirming that the hearing will indeed go ahead (eg, presumably sometime in the week of 3 February 2025).
- 6. Transpower considers that an extension of two days for Ms McLeod's evidence, and approximately one week for legal submissions, will not result in any prejudice to the Panel, the Council or other submitters given that the hearing is not scheduled to start until 18 February 2025, and Transpower's material will still be available to

2 As directed for in Minute 33 of the Hearings Panel – Request to amend Hearings Timetable from Federated Farms of NZ dated 19 December 2024 at [3].

the Panel for a relatively extensive amount of time before the hearing commences, providing an appropriate amount of time for pre-reading.

DATED this 28th day of January 2025.

A handwritten signature in dark ink, appearing to read 'Scott', with a large initial 'S' and a cross at the end.

Sarah Scott
Counsel for Transpower New Zealand Limited