

**In the Environment Court
Wellington Registry
I Mua I Te Kōti Taiao O Aotearoa
Te Whanganui-ā-Tara Rohe**

ENV-2019-WLG-000132

Under the Resource Management Act 1991
And in the matter of an application under Section 274 of the Act

Between

First Gas Limited

Appellant

and

Greater Wellington Regional Council

Respondent

**Notice of Meridian Energy Limited's wish to be party to
proceedings**

9 October 2019

BELL GULLY

BARRISTERS AND SOLICITORS
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To: The Registrar
Environment Court
Wellington

1. Meridian Energy Limited (**Meridian**) wishes to be a party to the following proceedings:
 - (a) *First Gas Limited v Greater Wellington Regional Council* – ENV-2019-WLG-000132.
2. Meridian made a submission and a further submission about the subject matter of the proceedings and has an interest in the proceedings that is greater than the interest that the general public has as a renewable energy generator and provider with interests in the Greater Wellington Region.
3. Meridian is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (the **RMA**).
4. Meridian is interested in part of the proceedings.
5. Meridian is interested in the following parts of the proceedings:
 - (a) Section 4.1 – Policy P4;
 - (b) Section 4.2 – Policy P12; and
 - (c) Section 4.10.2 – Policy P138.
6. Meridian is interested in the following particular issues:
 - (a) The proposed reinstatement of Policy P4 with amendment;
 - (b) Proposed amendments to Policy P12 to include reference to the best practicable option and financial implications of activities and to delete reference to the coastal marine area and beds of lakes and rivers; and

- (c) Proposed amendments to Policy P138 to ensure that regionally significant infrastructure within Scheduled Sites is able to be developed, operated, maintained and upgraded without undue constraint.
- 7. Meridian supports the relief sought in respect of issues (b) and (c) above, including for the following reasons:
 - (a) The requested deletion of the words “in the coastal marine area and beds of lakes and rivers” appropriately recognises that there are functional and operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure beyond the coastal marine area and the beds of lakes and rivers;
 - (b) Meridian is concerned that without the amendments to Policy P138 proposed by the Appellant, planned development, maintenance and upgrade of its renewable energy generation infrastructure may be compromised. The proposed amendments are required in order to provide for the development, operation, maintenance and upgrade of regionally significant infrastructure and would enable the effects and benefits of these activities to be appropriately assessed on a case by case basis;
 - (c) The relief sought would better give effect to the National Policy Statement for Renewable Electricity Generation 2011 (the **NPSREG**).
- 8. Meridian opposes the relief sought in respect of issues (a) and (b) above, including for the following reasons:
 - (a) Meridian supports the use of the ‘avoid, remedy and mitigate’ approach to managing effects directed by section 5 of the RMA and considers that it is not appropriate for the Proposed Natural Resources Plan (**PNRP**) to require “minimisation”. Meridian also agrees with the Hearing Panel that all policies in the PNRP should stand on their own without reliance on other policies for interpretation purposes;

(b) The requested amendments to Policy P12 have the potential to impose additional requirements on regionally significant infrastructure, and conflict with other requirements in the policy, including the need for renewable energy generation activities to locate where renewable energy resources exist.

9. Meridian agrees to participate in mediation or other alternative dispute resolution of the proceedings.



A J L Beatson / L M Lincoln
Counsel for Meridian Energy Limited

Dated 9 October 2019

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.