

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

ENV-2019-WLG-000116

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

Between

Porirua City Council

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) *Porirua City Council v Greater Wellington Regional Council* – ENV-2019-WLG-000116.
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 2.2 – Definitions – ‘Upgrade’;
 - (b) Section 3.2 – Objective O13;
 - (c) Section 4.2 – Policy P12;
 - (d) Section 4.4.2 – Policy P24;
 - (e) Section 4.6.5 – Policy P48; and
 - (f) Section 4.8.9 - Policy P102.
6. Meridian is interested in the following particular issues:
 - (a) Amendments to the definition of ‘upgrade’;
 - (b) Amendments to Objective O13 so that it applies to wetlands;

- (c) Amendments to Policy P12 to expand the application of clause (d) of the policy to areas outside of the coastal marine area and the beds of lakes and rivers;
- (d) Amendments to Policy P24 to include a mitigation hierarchy to enable activities with adverse environmental effects on natural character in areas of the coastal marine area with outstanding natural character in some circumstances;
- (e) Amendments to Policy P48 to include a mitigation hierarchy to enable appropriate development in outstanding natural features and landscapes; and
- (f) Amendments to the Proposed Natural Resources Plan (the **PNRP**) to give effect to Policy P102.

7. Meridian opposes the relief sought in respect of issues (a) to (c) above, including for the following reasons:

- (a) It is appropriate that the definition of 'upgrade' is sufficiently flexible to enable the upgrade of renewable energy generation activities. The wording adopted by the Hearing Panel is consistent with the relief sought in Meridian's submission, and in other plans across New Zealand (e.g. the Horizons Regional Council One Plan);
- (b) Meridian prefers the relief sought by other Appellants to delete references to the 'coastal marine area' and 'beds of rivers of lakes' in Objective O13 to recognise that regionally significant infrastructure and renewable energy generation activities should be protected beyond the coastal marine area and the beds of lakes and rivers; and
- (c) Meridian considers that the proposed amendment to Policy P12 is likely to add confusion to plan users. Meridian prefers the relief sought by Transpower New Zealand Limited and First Gas Limited, which seeks that reference to the 'coastal marine area' and 'beds of rivers of lakes' is deleted.

8. Meridian supports in part the relief sought in respect of issues (d) and (e) above, including for the following reasons:
 - (a) Meridian agrees with the Appellant that Policies P24 and P48 are highly restrictive but prefers the relief sought in its appeal on the PNRP.

9. Meridian neither supports nor oppose the relief sought in respect of issue (f) above, including for the following reasons:
 - (a) Meridian is interested in any amendments to Policy P102 and the PNRP that may have an impact on the operation, maintenance, development or upgrade of regionally significant infrastructure.

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



A J L Beatson / L M Lincoln
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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.