

**BEFORE THE ENVIRONMENT COURT**

**ENV-2019-WLN-000115**

**AT WELLINGTON**

**I MUA I TE KOOTI TAIAO**

**O AOTEAROA**

**IN THE MATTER**

of an appeal under clause 14  
of Schedule 1 of the Resource  
Management Act 1991

**BETWEEN**

**Meridian Energy Limited**

*Appellant*

**AND**

**Wellington Regional  
Council**

*Respondent*

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**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS BY THE  
MINISTER OF CONSERVATION**

**Dated: 9 October 2019**

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Department of Conservation  
Solicitor acting: K Anton/M Downing  
Email: kanton@doc.govt.nz/mdowning@doc.govt.nz  
Telephone: 027 427 5900

## **Notice of person's wish to be a party to proceedings**

### **Section 274 Resource Management Act 1991**

To: The Registrar  
Environment Court  
WELLINGTON

1. The **Minister of Conservation** (the **Minister**) wishes to be a party to the following proceedings:
  - 1.1. Meridian Energy Limited v Wellington Regional Council,  
ENV-2019-WLN-000115.
2. The Minister made submissions and appeared at the Council hearing on the proposed Natural Resources Plan for the Wellington Region (proposed Plan). The Minister also has an interest greater than the interest the general public has, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement.
3. The Minister is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (RMA).
4. The Minister is interested in part of the proceedings.
5. The Minister is interested in the following particular issues:
  - 5.1. The definitions of "Biodiversity Mitigation and Biodiversity Offset", Policies P32 and P41, and Schedules G1 and G2;
  - 5.2. Policy P48 – protection of natural features and landscapes;
  - 5.3. Rule R101 – earthworks and vegetation clearance, discretionary activity;
6. The Minister partially supports the following relief sought because:
  - 6.1. The definitions of "Biodiversity Mitigation and Biodiversity Offset", Policies P32 and P41, and Schedules G1 and G2 – the Minister supports

the development of a clear effects management hierarchy that supports biodiversity offsetting in a manner consistent with the New Zealand Government's Good Practice Biodiversity Offsetting principles.

7. The Minister opposes or partially opposes the relief sought because:
  - 7.1. Rule R101 – earthworks and vegetation clearance, discretionary activity – discretionary activity status is more appropriate for earthworks and vegetation clearance as described in Rule R101. The matters of discretion proposed are inadequate to deal with effects that might arise.
  - 7.2. Policy P48 – protection of natural features and landscapes – the amendments sought are consistent with the New Zealand Coastal Policy Statement. However, at times it may be appropriate to apply the same effects management hierarchy to other outstanding natural features and landscapes in order to deliver on the directions in section 6(b) of the Act.
8. The Minister agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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Katherine Anton/May Downing  
Solicitor for the Minister of Conservation

9 October 2019

Address for service of person wishing to be a party:

**Minister of Conservation**  
Department of Conservation  
18 Manners Street, Wellington 6011

*Contact persons*

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**Advice**

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