

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

ENV-2019-WLG-000117

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

Between

Wellington International Airport 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) *Wellington International Airport Limited v Greater Wellington Regional Council* – ENV-2019-WLG-000117.
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 3.2 – Objective O12;
 - (b) Section 4.1 – Policy P4;
 - (c) Section 4.2 – Policy P12; and
 - (d) Section 4.5 – Policy P32.
6. Meridian is interested in the following issues:
 - (a) Amendments to Objective O12 and Policy P12 so that regionally significant infrastructure, renewable energy generation activities and the utilisation of mineral resources are provided for;
 - (b) Amendments to the Proposed Natural Resources Plan (**PNRP**) so that the plan reflects the obligation to “avoid, remedy or mitigate” adverse effects on the environment; and

- (c) Amendments to Policy P32 to remove the word “minimise”.
7. Meridian supports the relief sought in respect of issues (a) and (b) above, including for the following reasons:
- (a) The relief sought to insert ‘and provided for’ in Objective O12 and Policy P12 is appropriate given the importance of regionally significant infrastructure and renewable energy generation activities, it is consistent with the relief sought in Meridian’s appeal and will ensure appropriate linkages exist between the objective and policy;
 - (b) 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 PNRP to require “minimisation”. The requested replacement of the term ‘minimise’ throughout the PNRP with the phrase ‘avoid, remedy or mitigate’ establishes an appropriate mitigation hierarchy for the management of adverse effects;
 - (c) Meridian agrees with the Hearing Panel that all policies in the PNRP should stand on their own without reliance on other policies for interpretation purposes;
 - (d) The relief sought would better give effect to the National Policy Statement for Renewable Electricity Generation 2011 (the **NPSREG**);
 - (e) The relief sought would better achieve Part 2 and the purpose of the RMA being to promote the sustainable management of natural and physical resources.
8. Meridian supports in part the relief sought in respect of issue (c) above, including for the following reasons:
- (a) For the reasons outlined in its appeal on the PNRP, Meridian supports replacement of the word “minimise” in Policy P32 with an ‘avoid, remedy or mitigate’ hierarchy as contemplated by Part 2 of the RMA and the NPSREG, but seeks that the Policy also

enables the use of environmental compensation without
constraint as to its location.

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.