

IN THE ENVIRONMENT COURT OF NEW ZEALAND  
I MUA I TE KŌTI TAIAO O AOTEAROA

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ENV-2024-CHC-40

*IN THE MATTER* of the Resource Management Act  
1991 (“Act”)

*AND*

*IN THE MATTER* of an appeal under clause 14 Schedule  
1 of the Act concerning the **Proposed  
Otago Regional Policy Statement  
2021**

*BETWEEN*

**QUEENSTOWN AIRPORT  
CORPORATION LIMITED**

Appellant

*AND*

**OTAGO REGIONAL COUNCIL**

Respondent

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**RMA, S 274 NOTICE BY MERIDIAN ENERGY LIMITED**

**DATED 7 JUNE 2024**

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**Instructing counsel:**

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— BARRISTER —

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To The Registrar  
Environment Court  
Christchurch

I, **Meridian Energy Limited**, wish to be a party to the following proceeding:

- (a) The Environment Court appeal reference ENV-2024-CHC-40 concerning an appeal against Otago Regional Council decisions on the Proposed Otago Regional Policy Statement.

I am—

- (a) A person who made a submission about the subject matter of the proceeding, and
- (b) A person with an interest greater than the public because Meridian Energy Limited is a State-owned enterprise undertaking renewable electricity generation activities, and I have a special interest in implementing national direction under the NPS-REG;

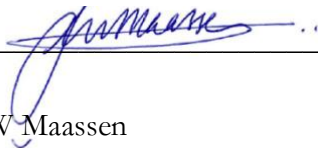
I am not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

I am directly affected by an effect of the subject of the appeal that—

- (a) Adversely affects the environment and
- (b) Does not relate to trade competition or the effects of trade competition.

I am interested in those parts of the proceeding identified in **Attachment 1** concerning the issues identified in Attachment 1, and I seek the relief in Attachment 1 and any ancillary relief to that identified in Attachment 1.

I agree to participate in mediation or other alternative dispute resolution of the proceedings.



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J W Maassen  
Counsel authorised to sign on behalf of Meridian Energy Limited

Date 10 June 2024

Address for service of person wishing to be a party:  
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**ATTACHMENT 1: SPECIFIC PROVISIONS OF QUEENSTOWN AIRPORT CORPORATION LIMITED APPEAL IN WHICH MERIDIAN HAS AN INTEREST**

Provision in which Meridian has a s274 interest	Relief sought by the appellant	Meridian supports or opposes the appellant's relief sought	Reason for Meridian's support or opposition
<p><b>New EIT-INF objectives</b></p> <p><b>EIT-EN-O4 - Provision of infrastructure</b></p>	<p>Insert the following new EIT-INF objectives:</p> <p>“EIT-INF-OX: The adverse effects arising from the development or operation of regionally significant infrastructure and nationally significant infrastructure are avoided, remedied or mitigated to the extent practicable, given their operational and location constraints.”</p> <p>“EIT-INF-OXX: Regionally and nationally significant infrastructure is protected from incompatible subdivision, use and development and reverse sensitivity effects”.</p> <p>OR insert as new limbs in EIT-INF-O4.</p>	<p>Support in part</p> <p>Oppose in part</p>	<p>Meridian generally supports inclusion of EIT-INF-OX and EIT-INF-OXX, however with respect to renewable electricity generation activities the National Policy Statement for Renewable Electricity Generation 2011 (NPSREG) includes offsetting and compensation in the methods to be applied to the management of potential effects resulting from such activities. On this basis, Meridian considers that it is necessary to reflect this in EIT-INF-OX.</p> <p>Concerning the relief seeking amendments to EIT-INF-O4, no changes to this provision have been set out by the Appellant meaning Meridian is not able to determine the potential consequences for Meridian's interests. On this basis, Meridian opposes this part of the relief sought.</p>
<p><b>EIT-INF-O5 - Integration</b></p>	<p>Delete EIT-INF-O5-Integration</p>	<p>Support</p>	<p>Meridian considers that it is unclear how the direction for ‘development’ to be undertaken in a ‘coordinated manner’ would be applied at the same time as having regard to the need to locate renewable electricity generation activities where the renewable energy resource is available.</p>

<p><b>EIT-INF-P13 - Locating and managing effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure outside the coastal environment</b></p>	<p>AMEND EIT-INF-P13 by inserting a new clause (3) as follows:</p> <p>EIT-INF-P13 – Locating and managing effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure outside the coastal environment</p> <p>....</p> <p><u>(3) in other areas outside the areas listed in (1) above, avoid, remedy or mitigate adverse effects of regionally or nationally significant infrastructure.</u></p> <p>OR insert a new policy to the same effect.</p>	<p>Oppose</p>	<p>Meridian considers that the Appellant’s new clause (3) to EIT-INF-P13 is inconsistent with the purpose of EIT-INF-P13 and should it be adopted, it fails to provide for use of offsetting and compensation as part of the package for managing potential adverse effects of regionally and nationally significant infrastructure.</p> <p>Concerning the relief seeking insertion of a new policy, the Appellant has not set out the wording of such a policy. For this reason, Meridian is not able to determine the potential consequences for Meridian’s interests and therefore opposes this part of the relief sought.</p>
<p><b>EIT-INF-P15 – Protecting nationally significant infrastructure and regionally significant infrastructure</b></p>	<p>Delete EIT-INF-P15 and replace it with the following:</p> <p><u>EIT-INF-P15 – Protecting nationally significant infrastructure and regionally significant infrastructure</u></p> <p><u>Protect the efficient and effective operation of nationally significant infrastructure and regionally significant infrastructure by:</u></p> <p><u>(1) avoiding activities that may give rise to an adverse effect on the functional needs or operational needs of nationally significant infrastructure or regionally significant infrastructure,</u></p> <p><u>(2) avoiding activities that may result in reverse sensitivity effects on nationally significant infrastructure or regionally significant; and</u></p>	<p>Support</p>	<p>Meridian understands that the relief sought removes references in EIT-INF-P15 to managing reverse sensitivity “to the extent reasonably practicable” and to “minimise” potential for reverse sensitivity. Meridian considers that these amendments are appropriate.</p>

	<u>(3) avoiding activities and development that foreclose an opportunity to adapt, upgrade or develop nationally significant infrastructure or regionally significant infrastructure to meet future demand.</u>		
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