

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2024-CHC-22

I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

IN THE MATTER

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

BETWEEN

Meridian Energy Limited
Appellant

AND

Otago Regional Council
Respondent

NOTICE OF WISH OF DIRECTOR-GENERAL OF CONSERVATION TUMUAKI AHUREI
TO BE A PARTY TO APPEAL

7 June 2024

Director-General of Conservation Tumuaki Ahurei

Solicitor Rōia: Ceri Warnock
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NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS

To:

The Registrar
Environment Court
Christchurch

1. The Director-General of Conservation Tumuaki Ahurei (D-G) wishes to be a party to the following proceedings:

Meridian Energy Ltd v Otago Regional Council
ENV-2024-CHC-22
2. The D-G received notice of this appeal on 14 May 2023 ('the appeal notice').
3. The D-G made a submission on the matters included in the proposed Otago Regional Policy Statement ('pORPS'). The D-G has an interest in this proceeding that is greater than that of the general public.
4. The D-G is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. The D-G is interested in all aspects of the appeal and has a particular interest in parts of the appeal relating to changes to:
 - a. the significant resource management issues for the region (by amending SRMR-111),
 - b. the objectives (by inserting NEW OM-O5),
 - c. the policies (including amending Policies ECO-P4, ECO-P6, EIT-EN-P6, HCV-WT-P2).
6. The D-G **opposes** the relief sought in relation to the matters listed. The D-G agrees with the Appellant's statement in the appeal notice that 'the Council's decisions on the Otago Regional Policy Statement adequately address the need to adapt to climate change' (Attachment 1, Column D). The D-G contends that the effect of the Council's decision is to strike an appropriate balance between the need to develop new renewable energy macro-generation, micro-generation and to implement demand side-measures to reduce greenhouse-gas emissions. Further, the D-G is

concerned that the changes sought by the Appellant would reduce protection of the natural environment compared to the Council's decision, and would not give effect to:

- a. the New Zealand Coastal Policy Statement 2010,
- b. the National Policy Statement for Freshwater Management 2020, and
- c. the National Policy Statement for Indigenous Biodiversity 2023.

7. Further, the relief sought would:

- a. be inconsistent with Part 2 of the Resource Management Act 1991 ('RMA'),
- b. not implement the Regional Council's functions under s 30 of the RMA, and,
- c. be contrary to s 32 of the RMA, in that it would not be the most appropriate way to achieve the purpose of the Act or objectives in the pORPS.

8. The D-G agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Ceri Warnock

Counsel for the Director-General of Conservation Tumuaki Ahurei

Dated 7 June 2024

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