

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

ENV-2024-CHC-35

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 **TRANSPower** **NEW**
ZEALAND LIMITED

Appellant

AND

OTAGO REGIONAL COUNCIL

Respondent

RMA, S 274 NOTICE BY MERIDIAN ENERGY LIMITED

DATED 7 JUNE 2024

Instructing counsel:

Eleanor Taffs
In-house counsel
287/293 Durham Street North
Christchurch Central Christchurch 8013
Ph: 03 357 9767
Email: Ellie.Taffs@meridianenergy.co.nz

Counsel acting:

John Maassen
— BARRISTER —

✉ john@johnmaassen.com
🌐 johnmaassen.com
☎ 04 914 1050
🖨 04 473 3179

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-35 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 generally. Meridian undertakes renewable electricity generation activities across the country and has a special interest in how the national direction under the NPS-REG is implemented.

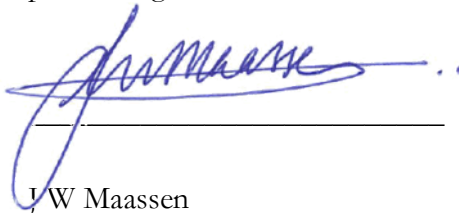
I am not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

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.



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:
Telephone: 03 357 9767
Fax/email: Ellie.Taffs@meridianenergy.co.nz
Contact person: Eleanor Taffs, In-house counsel

ATTACHMENT 1: SPECIFIC PROVISIONS OF TRANSPOWER NEW ZEALAND 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>SRMR – Significant resource management issues for the region</p>	<p>Include a new infrastructure-related issue in the SRMR chapter that addresses need to operate, maintain, develop and upgrade the National Grid as regionally important.</p> <p>The new issue does not necessarily have to be exclusive to the National Grid, but may also relate to other important infrastructure.</p> <p>This could be based on 'Rautaki Hanganga o Aotearoa New Zealand Infrastructure Strategy 2022- 2052'</p> <p>...</p> <p>Alternatively amend “SRMR – Significant resource management issues for the region” to provide greater recognition of the benefits of infrastructure.</p>	<p>Support in part</p>	<p>Meridian supports inclusion of a new infrastructure-related issue in the SRMR chapter that addresses the need to operate, maintain, develop and upgrade the national grid and other nationally significant infrastructure, such as renewable electricity generation infrastructure, however, the Appellant has not provided specific wording for the new SRMR issue.</p> <p>Further the Appellant's alternative relief (to amend SRMR – Significant resource management issues for the region) also does not provide specific wording for such amendments.</p> <p>In the absence of specific amendments, Meridian is not able to determine whether the relief sought supports their interests.</p>
<p>IM – P1 Integrated approach to decision making</p>	<p>Delete IM-P1</p> <p>Alternatively:</p> <p>Amend IM – P1 so that it does not apply to irreconcilable conflicts between provisions of the RPS and provisions of an NPS.</p>	<p>Supports first relief</p> <p>Opposes alternative relief</p>	<p>Meridian agrees that IM-P1 is not necessary and that the relationship between the provisions in the pORPS should be clear within the provisions themselves.</p> <p>The Appellant seeks, as an alternative to deletion of IM-P1, that IM-P1 be amended. In the absence of specific amendments being identified by the Applicant, Meridian opposes this relief on the basis that Meridian</p>

			is unable to determine the implications for their interests resulting from this relief.
CE – O5 Activities in the coastal environment	<p>Amend clause (3) to state:</p> <p>CE–O5 – Activities in the coastal environment</p> <p>Activities in the coastal environment:</p> <p>(1) make efficient use of space occupied in the coastal marine area,</p> <p>(2) are of a scale, density and design compatible with their location,</p> <p>(3) are only provided for within appropriate locations and limits acknowledging that some activities have a functional need <u>or operational need</u> to be located in the coastal environment, and</p> <p>(4) maintain or enhance public access to and along the coastal marine area, including for customary uses, such as mahika kai, except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.</p>	Support	Meridian considers that the relief sought better gives effect to the National Policy Statement for Renewable Electricity Generation 2011 (NPSREG).
EIT – INF – P15 – Protecting nationally or regionally significant infrastructure	<p>Amend Policy EIT – INF – P15 to require avoidance of activities that may result in adverse effects, including reverse sensitivity effects, on nationally significant infrastructure or regionally significant infrastructure.</p> <p>EIT–INF–P15 – Protecting nationally significant infrastructure and regionally significant infrastructure</p>	Support in part	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 such amendments are appropriate. At the same time, Meridian has supported (in part) the relief sought by other Appellants on EIT-INF-P15 and considers that rationalising common or similar relief sought is needed.

	<p>Protect the efficient and effective operation, <u>maintenance, upgrading and development</u> of nationally significant infrastructure and regionally significant infrastructure by:</p> <p>(1) avoiding managing activities, to <u>ensure that the extent reasonably practicable, that may give rise to an adverse effect on the functional needs or operational needs of the operation, maintenance, upgrading and development of</u> nationally significant infrastructure or regionally significant infrastructure <u>is not compromised</u>,</p> <p>(2) avoiding activities, to the extent reasonably <u>practicable possible, manage activities to avoid that may result in</u> reverse sensitivity effects on nationally significant infrastructure or regionally significant infrastructure, <u>and identify areas where sensitive activities are avoided and</u></p> <p>(3) avoid or minimise the effects of activities and development so that the opportunity to adapt, upgrade or extend existing nationally significant infrastructure or regionally significant infrastructure to meet future demand is not compromised.</p>		
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