

**I TE KŌTI O AOTEAROA
ŌTAUTAHI ROHE**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 RMA in relation to the non-freshwater parts of the Proposed Otago Regional Policy Statement 2021

BETWEEN **MERIDIAN ENERGY LIMITED**

Appellant

AND **OTAGO REGIONAL COUNCIL**

Respondent

**NOTICE OF THE ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED'S
WISH TO BECOME A PARTY TO PROCEEDINGS PURSUANT TO SECTION 274
RESOURCE MANAGEMENT ACT 1991**

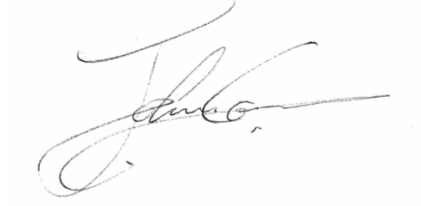
5 JUNE 2024

TO: The Registrar
Environment Court
CHRISTCHURCH

1. The Environmental Defence Society Incorporated (“**EDS**”) gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal by Meridian Energy Limited (“**Appellant**”) against a decision of Otago Regional Council (“**Respondent**”) in relation to the non-freshwater parts of the Proposed Otago Regional Policy Statement 2021 (“**pORPS**”) (“**Appeal**”).
2. EDS made a further submission on the pORPS in respect of matters raised in the Appeal, and has an interest in the proceedings that is greater than that of the public generally.
3. EDS is a not-for-profit national environmental advocacy group. It was established in 1971 with the objective of bringing together the disciplines of law, science and planning to advocate for better environmental outcomes in resource management matters. It has a long history of involvement with the Otago Regional Policy Statement, including in the Supreme Court case of *Port Otago Ltd v Environmental Defence Society Inc* [2023] NZSC 112.
4. The Appellant’s relief is wide-ranging and interconnected. EDS is interested in and opposes all aspects of the appeal but, and without limiting the foregoing, signals a specific interest in the following issues:
 - (a) the definition of “*the effects management hierarchy (in relation to indigenous biodiversity)*”;
 - (b) EIT-EN-P6(1);
 - (c) EIT-INF-P13;
 - (d) ECO-P4 and ECO-P6; andin particular, the need to ensure the relief sought:
 - (e) provides for sustainable management of natural and physical resources;
 - (f) protects areas of significant vegetation and significant habitats of indigenous fauna pursuant to s 6(c) of the RMA;
 - (g) provides for the Council’s functions under the RMA; and
 - (h) gives effect to the National Policy Statement for Indigenous Biodiversity 2023.
5. EDS is not a trade competitor for the purposes of section 308C of the RMA.

6. EDS agrees to participate in mediation or other alternative dispute resolution.

DATED at Auckland this 5th day of June 2024

A handwritten signature in black ink, appearing to read 'John Commissaris', is written over a faint rectangular stamp or watermark.

John Commissaris

Signed for and on behalf of the
**ENVIRONMENTAL DEFENCE SOCIETY
INCORPORATED** by its duly authorised agent

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