

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

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ENV-2024-CHC-30

*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*

**CAIN WHĀNAU**

Appellant

*AND*

**OTAGO REGIONAL COUNCIL**

Respondent

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

**DATED 5 JUNE 2024**

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**Instructing counsel:**

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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-30 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;

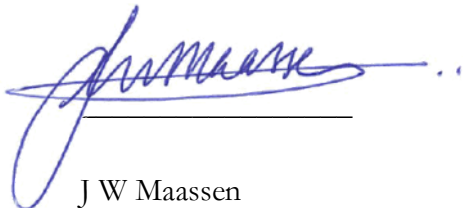
I am not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

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. I seek the relief necessary to achieve my position and address my reasons given 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 5 June 2024

Address for service of person wishing to be a party:  
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Contact person: Eleanor Taffs, In-house counsel

**ATTACHMENT 1: SPECIFIC PROVISIONS OF CAIN WHĀNAU 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>MW-P4 and any other provisions in the PORPS that may directly or indirectly restrict owners of Māori land from being able to utilise their land. Examples of such provisions may include IM-P1, IM-P14, CE-O1, CE-O3, CE-O5, CE-P4, CE-P5, CE-P6, CE-P9, CE-P10, CE-P12, CE-M2, CE-M3, CE-M4, LF-FW-P13, ECO-01, ECO-03, ECO-P1, ECO-P12, ECO-M1, ECO-M9, EIT-INF-P12, EIT-INF-P14, EIT-INF-P15, EIT-INF-P16, EIT-INF-P17, EIT-EN-M1, EIT-EN-M2, HAZ-NH-P2, HAZ-NH-P3, HAZ-NH-P7, HAZ-NH-P10, HAZ-NH-M1, HAZ-NH-M4, NFL-P1, NFL-P2, NFL-M1, NFL-M3, UFD-P4</b></p>	<p>Include one or more provisions elsewhere in the PORPS (i.e. beyond MW-P4) that gives primacy (or priority) to MW-P4 and any other provision(s) that support the intention of the above relief.</p> <p>OR</p> <p>Amend any other provision, as necessary, to ensure owners of Māori land can protect, occupy, subdivide, develop, and use their resources (inclusive of land, freshwater, coastal water and coastal marine area) to benefit their social, economic, cultural, educational, recreational, and environmental well-beings.</p>	<p>Oppose in part.</p>	<p>Many of the provisions listed in the Appellant's appeal impact renewable electricity generation activities.</p> <p>Beyond the specific amendments to MW-P4 that are sought by the Appellant, the Appellant's alternative relief is too vague to determine the implications for Meridian's interests.</p>
<p><b>MW-M1 – Collaboration with Kāi Tahu</b></p>	<p>Amend MW-M1 by inserting the following:</p> <p><u>(5) require Te Ao Kāi Tahu paradigms, methodologies, and mātauraka to be included in and/or determine the method and expertise employed for landscape assessments</u></p> <p><u>(6) ensuring landscape assessments involve the identification or management of places, areas, landscapes, waters, taoka and other elements of cultural, spiritual or traditional</u></p>	<p>Oppose in part</p>	<p>Meridian considers that the Appellant's (5) and (6) are too directive. That is, a policy of "collaboration" should not lead to a requirement that "Te Ao Kāi Tahu paradigms, methodologies, and mātauraka" determine "the method and expertise employed for landscape assessments"; and should not lead to a requirement that such paradigms and methodologies be 'given priority'</p>

	<u>significance give priority to Te Ao Kāi Tahu paradigms and mātauraka over western paradigms and methodologies, including Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'</u>		over western paradigms and methodologies for assessing landscapes.
<b>NFL-P1 – Identification</b>	<p>Amend NFL-P1 as follows:</p> <p>NFL-P1 – Identification</p> <p>Identify the areas and values of outstanding natural features and landscapes in accordance with 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022, <u>except where this does not recognise and provide for or is inconsistent with Te Ao Kāi Tahu paradigms, methodologies, and mātauraka, including Āpiti Hono Tātai Hono: Ngā Whenua o Ngāi Tahu ki Murihiku.</u></p>	Oppose in part.	The amendment sought leads to an 'exception' to NFL-P1 but does not state the approach to be applied when the 'exception' is in effect. In the absence of such editing, the Appellant's alternative relief is too vague to determine the implications for Meridian's interests.