

**In the Environment Court  
I Mua I Te Kōti Taiao  
Wellington Registry  
Te Whanganui-a-Tara Rohe**

**ENV-2020-WLG-000014**

Under the Resource Management Act 1991  
And in the matter of the direct referral of applications under Section 274 of the Act

Between

**Waka Kotahi NZ Transport Agency**

Applicant

and

**Manawatū-Whanganui Regional Council**

Regulatory Authority

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**Notice of Meridian Energy Limited's wish to be party to  
proceedings**

**16 June 2020**

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**To:**

The Registrar  
Environment Court  
Wellington

1. Meridian Energy Limited (**Meridian**) wishes to be a party to the direct referral of applications for resource consents for activities associated with Te Ahu a Turanga; Manawatū Tararua Highway Project to allow the construction and operation of the Manawatū Tararua Highway Project (ENV-2020-WLG-000014,) a new roading alignment from SH3 on the Western side of the Manawatū Gorge across the Ruahine Ranges to near Woodville (the **Project**) being regional consents to construct and operate the Project including:
  - (a) earthworks and vegetation clearance;
  - (b) discharges to water and land;
  - (c) discharges to air;
  - (d) takes, uses, and diversions of water, and bores;
  - (e) works in the beds of rivers; and
  - (f) enabling works to form access tracks and to abstract water from the Manawatū River to be stored in storage ponds for use in construction.
2. Meridian made a submission about the subject matter of the direct referral applications and has an interest in the proceedings, that is greater than the interest that the general public has, as the owner and operator of the Te Āpiti wind farm which is within the footprint of the Project.
3. Meridian is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (the **RMA**).
4. Meridian is interested in all of the proceedings to the extent it relates to operation, maintenance, development, and upgrading of the Te Āpiti wind farm.
5. Meridian is interested in the following particular issues:
  - (a) The Project bisects the Te Āpiti Windfarm which creates a number of issues including:
    - Geotechnical, earthworks, electrical infrastructure, temporary works, stormwater management, spoil sites, hydrology, flood effects, stream works and erosion and sediment control that all need specialist windfarm technical input to ensure a safe and hazard free environment and that ongoing operational and maintenance requirements for the Te Āpiti windfarm are satisfied;

- Meridian is interested that sufficient detailed design is carried out to ensure that the matters raised above are effectively addressed or ensured through conditions imposed on resource consents and that further evidence is provided to demonstrate that effects are no more than minor;
- Meridian is further interested in the potential effects of permanent earthworks in relation to turbine contingency zones and restrictions that the works may have on the windfarm in the future in relation to repower; and
- That any adverse effects on the Te Āpiti windfarm as it relates to the operation, maintenance, development, and upgrading are avoided as far as reasonably practicable.

(b) Reverse sensitivity effects, including bird strike:

- The biodiversity offsetting proposed and the extent of that offset planting that may create habitat for threatened or at-risk bird species that may be susceptible to bird strike from turbines; and
- Meridian is interested in the exclusion of the Te Āpiti windfarm site as an area for any offset mitigation planting or if there is planting that it be redesigned to include only plants and in locations and of an appropriate width and area that do not provide for bird habitat for Threatened or At-Risk indigenous bird species.

6. Meridian opposes the direct referral applications without appropriate conditions because the Project:

- (a) has the potential to compromise Meridian’s ability to effectively utilise this renewable energy resource. In particular Meridian is concerned with ensuring the ongoing operation, maintenance, development, and upgrading of the Te Āpiti windfarm and adverse effects arising.
- (b) it fails to give effect to the National Policy Statement for Renewable Electricity Generation 2011 (**NPSREG**) and is contrary to the objectives and policies which requires decision makers to have particular regard to the following matters:
  - (i) maintenance of the generation output of existing renewable electricity generation activities can require protection of the assets, operational capacity and continued availability of the renewable energy resource;
  - (ii) manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities; and
  - (iii) that even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output.

- (c) creates adverse effects on the Te Āpiti windfarm that are to be avoided as far as reasonably practicable in accordance with the One Plan being the Consolidated Regional Policy Statement, Regional Plan and Regional Coastal Plan for the Manawatū-Wanganui Region.
  - (d) would otherwise be contrary to the planning framework including Part 2 and the purpose of the RMA, namely to promote the sustainable management of natural and physical resources and to address climate change. Meridian seeks such relief that otherwise addresses the outcomes sought by Meridian as noted above.
7. Meridian agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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16 June 2020

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**Note to person wishing to be a party**

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

#### Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.