

In the Environment Court of New Zealand
Wellington Registry

I te Kōti Taiao o Aotearoa
Ki te Whanganui-a-Tara

ENV-2025-WLG-000015

Under	clause 14 of Schedule 1 to the Resource Management Act 1991 ("RMA")
In the matter of	an appeal against decisions of the Wellington City Council on the Proposed Wellington District Plan
Between	The Royal Forest and Bird Protection Society of New Zealand Incorporated Appellant
And	Wellington City Council Respondent

Notice of Meridian Energy Limited's wish to be party to proceedings pursuant to section 274 of the RMA

8 September 2025

Section 274 party's solicitors:

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**anderson
lloyd.**

To the Registrar

Environment Court

Wellington

- 1 Meridian Energy Limited gives notice it wishes to be party to the following proceedings:

Royal Forest and Bird Protection Society of New Zealand Incorporated v Wellington City Council (ENV-2025-WLG-000015) being an appeal under clause 14 of Schedule 1 of the Resource Management Act 1991 (**RMA**), against decisions of the Wellington City Council (**WCC**) on the Proposed Wellington District Plan (**PWDP**).

- 2 Meridian Energy Limited:
 - (a) made a submission and a further submission about the subject matter of the proceedings; and
 - (b) is a person with an interest in the proceedings which is greater than the general public, being a Crown majority-owned publicly listed company undertaking renewable electricity generation activities, and with a special interest in implementing national direction under the National Policy Statement for Renewable Electricity Generation (**NPS-REG**).
- 3 Meridian Energy Limited is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 4 Meridian Energy Limited is interested in those parts of the proceeding identified in Attachment 1, concerning the issues identified in Attachment 1.
- 5 Meridian Energy Limited agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 8th day of September 2025



Michael Garbett/Rebecca Kindiak
Counsel for the Meridian Energy Limited

This document is filed by Michael Garbett, solicitor for the Section 274 party,
of the firm Anderson Lloyd.

The address for service of the Section 274 party is
Level 12, Otago House, 477 Moray Place, Dunedin 9016.

Documents for service on the filing party may be left at that address for service
or may be:

- (a) posted to the solicitor at Private Bag 1959, Dunedin 9054; or
- (b) left for the solicitor at a document exchange for direction to DX Box
YX10107 Dunedin; or
- (c) transmitted to the solicitor by fax to + 64 3 477 3184; or
- (d) emailed to michael.garbett@al.nz and ellie.taffs@meridianenergy.co.nz.

Advice

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

Attachment 1: Meridian Energy Limited's interest in the appeal of Royal Forest and Bird Protection Society of New Zealand Incorporated

Provision in which Meridian has a s274 interest		Relief sought by the appellant	Meridian's position	Reason for Meridian's support or opposition
REG Chapter				
Appeal Point				
21	<p>REG Chapter Introduction</p> <p>The introduction is silent on potential adverse effects of REG on indigenous biodiversity, landscape and natural character values and needs to be amended to provide for these matters.</p>	<p>The provisions of the Infrastructure chapter and subchapters that disapply other chapters should be deleted, so as to ensure a proper evaluation of renewable energy projects.</p> <p>Other relevant chapters, including Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment apply to all Renewable Electricity Generation provisions.</p> <p>The "Other Relevant District Plans Provisions" section that was deleted in the decision should be reinstated.</p>	Oppose	<p>Managing REG through a standalone chapter is consistent with national direction, and with meeting the sustainable management outcomes in the Act. Meridian has supported the REG chapter being a self-contained, stand-alone chapter throughout this planning process.</p> <p>The effect of a standalone chapter is that the objectives, policies and rules of other chapters do not apply to decision-making on REG activities unless specifically referred to in the REG chapter.</p> <p>This is consistent with Meridian's submissions on the Proposed Plan and its evidence presented at hearing. Meridian sought, and achieved, clarification of the how a standalone chapter for REG operates in explanatory text throughout the PDP, including in the 'Other Relevant District Plan Provisions' text.</p>

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				The self-contained chapter directs how REG will be managed in the context of Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and the Coastal Environment.
22	REG Introduction The disapplying of "Other relevant District Plan provisions" means that there are no objectives other than to support infrastructure. The protective element of sustainable management is missing at the objective level, despite this being required by Part 2.	The amendment to delete the "Other relevant District Plan provisions" from the sub-chapters be reversed, and the notified version reinstated.	Oppose	Meridian supports the REG Chapter being a self-contained, stand-alone chapter. Deletion/disapplication of the "Other relevant district plan provisions" text is consistent with this. Managing REG through a bespoke chapter is consistent with national direction, and with meeting the outcomes in the Act with regards to sustainable management.
23	Objectives REG-O1 to O4 The objectives do not provide any protection for indigenous biodiversity, natural character, landscapes or the coastal environment. This is particularly problematic as the relevant chapters have been disappplied and the only relevant provisions are those contained in the Infrastructure chapter and subchapters. The only reference to adverse effects is that	As sought above, the provisions of the Infrastructure chapter and subchapters that disapply other chapters should be deleted, so as to ensure a proper evaluation of renewable energy projects. Alternatively, the objectives need to be amended to include the protective elements of the RMA, as set out in the Part 2 and national direction.	Oppose	Meridian supports the REG Chapter being a self-contained, stand-alone chapter. Deletion/disapplication of the "Other relevant district plan provisions" text is consistent with this. The objectives and policies provide appropriate direction as to expected outcomes and effects management responses for the development of REG in the Wellington District.

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	they should be effectively managed. This is not adequate.			
24	<p>Policies REG-P1 and REG-P2</p> <p>This policy appears to be an overarching policy that would apply to all decisions made under this chapter's provisions. However, it is completely silent on the need to protect natural values. Given that the objectives and policies of the Natural Environment Values and Coastal Environment chapters are not intended to apply to this chapter, this policy needs to be amended to include clauses requiring that natural and coastal values are protected.</p>	<p>As sought above, the provisions of the Infrastructure chapter and subchapters that disapply other chapters should be deleted, so as to ensure a proper evaluation of renewable energy projects.</p> <p>Alternatively, the policies are amended to include the protective elements of the RMA, as set out in Part 2 and the NZCPS.</p>	Oppose	<p>Meridian supports the REG Chapter being a self-contained, stand-alone chapter. Deletion of the provisions which disapply other chapters in the "Other relevant district plan provisions" text is inconsistent with this.</p> <p>The PDP provisions distinguish between REG activities within or outside the coastal environment and within or outside identified areas (outstanding natural features and landscapes, significant natural areas, coastal areas with high natural character, and special amenity landscapes). Meridian considers that this is appropriate.</p> <p>The objectives and policies provide appropriate direction as to expected outcomes and effects management responses for REG development in the Wellington District.</p>
25	<p>Policy REG-P9</p> <p>The policy does not appropriately recognise that renewable electricity generation can have significant adverse effects outside overlays. The direction in Clause 5 to provide</p>	<p>Amend 'provide for' to 'consider providing for'.</p> <p>Amend Clause to delete the reference to "minimise" adverse effects and replace</p>	Oppose	Meridian's position is that large scale REG activities should be provided for in the General Rural Zone, within and outside identified areas and the coastal environment.

Provision in which Meridian has a s274 interest		Relief sought by the appellant	Meridian's position	Reason for Meridian's support or opposition
	for large scale generation activities where effects are minimised is contrary to the requirement in s5(2)(c) that effects are avoided, remedied or mitigated. Effects might be 'minimised' but still be very significant. Amend to include more appropriate direction to create the least amount of effects, while also avoiding, remedying or mitigating.	<p>with to "avoid remedy or mitigate" adverse effects</p> <p>Amend Clause 4(c) to give effect to Policies 11,13, and 15 of the NZCPS</p> <p>Amend Clause 4(d) to "Ecology and biodiversity values, including effects on terrestrial ecology and avifauna <u>in accordance with Policy ECO-P6 and P8 and Policy 11 of 13 NZCPS;</u>"</p>		Meridian considers that the requested amendments are unnecessary and are inconsistent with the NPSREG 2011.
26	<p>Policies REG-P10 and REG-PX</p> <p>It is appropriate to direct renewable energy generation away from significant overlays.</p>	<p>Reinstate notified version and delete PX.</p> <p>If PX is to be retained then Clause 9(g) is amended to provide "Ecological and biodiversity effects, including adverse effects on terrestrial ecology and avifauna in accordance with ECO-P2- P5 and, ECO-P8 where there are effects outside overlays in accordance with Policy ECO-P6 and P8 and Policy 11 of NZCPS;"</p>	Oppose	<p>Meridian's position is that large scale REG activities should be provided for in the General Rural Zone, within and outside identified areas and the coastal environment.</p> <p>Meridian considers that new large scale REG in overlay areas and the coastal environment is better addressed in the new policy REG-PX, and supports the deletion of these references from policy REG-P10.</p>

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27	REG-R2 Matter of discretion 4 should not have been deleted.	Reinstate Matter of discretion 4 in Rule REG-R2.3 and include ECO-P8: "4. <u>The matters in ECO-P2, ECO-P3, ECO-P4, ECO-P7, ECO P8 NFL-P2, NFL-P4 and NFL-P5;</u> "	Oppose	Meridian does not consider that the vegetation trimming standard proposed to be included in the matters of discretion for REG-R2.3 is relevant.
INF Chapter				
Appeal Point				
1	INF Chapter Introduction Approach is flawed because there are no objectives in the Infrastructure Chapter to provide for other matters of national importance and national direction.	Delete the parts that exclude the operation of other chapters in relation to infrastructure, so that other chapters also apply to infrastructure (including the sub-chapters). The objectives of relevant chapters, including Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment apply to all infrastructure provisions.	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
2	INF Objectives The objectives do not adequately address important matters, such as the protection of indigenous	The objectives of the relevant chapters, including Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.

Provision in which Meridian has a s274 interest		Relief sought by the appellant	Meridian's position	Reason for Meridian's support or opposition
	<p>biodiversity, natural character, landscapes and the coastal environment. It is not enough to say that effects on these matters of national importance have to be 'managed'.</p> <p>The INF sub-chapters similarly do not have objectives that provide for these matters. This is contrary to Part 2 in not recognising and providing formatters of national importance, and does not give effect to national direction or accord with the planning standards.</p>	<p>and Landscapes, and Coastal Environment apply to all Infrastructure provisions.</p> <p>Alternatively, a comprehensive set of objectives is included into the Infrastructure chapter to provide for these matters, mirroring the objectives of the chapters that no longer apply as per the Introduction.</p>		
3	<p>Policy INF-P6 Consideration of the adverse effects of infrastructure</p> <p>F&B consider INF-P6 conflicts with the policies in the INF sub-chapters.</p>	Delete Policy INF-P6	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
Sub-Chapter INF-CE				
Appeal Point				
6	<p>INF-CE</p> <p>The provisions in the INF-CE chapter should mirror the Coastal Environment provisions, with the</p>	Make the CE Chapter apply to infrastructure in the coastal environment.	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.

Provision in which Meridian has a s274 interest		Relief sought by the appellant	Meridian's position	Reason for Meridian's support or opposition
	amendments made as sought by F&B in respect of that chapter.	Alternatively, amend the INF-CE chapter to make sure it is no less stringent than the CE chapter, including changes sought in this appeal.		
7	INF-CE Introduction The disapplying of "Other relevant District Plan provisions" means that there are no objectives other than those that support infrastructure. The protective element of sustainable management is missing at the objective level, despite this being required by Part 2.	Reverse the deletion of the "Other relevant District Plan provisions" from the sub-chapters, and reinstate the notified version.	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
8	INF-CE P16, P18, P19, P21, P22, P24 and P13-P17 The policies do not implement NZCPS Policy 13. The requirement to protect natural character applies regardless of zoning.	Add the following clause to each policy: <u>'Any significant adverse effects on natural character are avoided and any other adverse effects on the natural character are avoided, remedied or mitigated.'</u>	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
Sub-Chapter INF-ECO				
Appeal Point				
10	INF-ECO Introduction	1. Amend chapter to give effect to Part 2, notably s 6(c), s 31, the NPSIB or the NZCPS	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect

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<p>The introduction to this sub-chapter states that the objectives of the Infrastructure chapter apply. Further, this sub-chapter applies in addition to the Infrastructure chapter. That means that both the policies in the Infrastructure chapter as well as those in this sub-chapter will apply to use and development in SNAs. However, the ECO Chapter does not apply. This creates a gap as objectives providing for s6(c) are not considered under the INF provisions.</p> <p>Under Clause 3.11(1)(a)(i) only "specified infrastructure" as defined in under the NPSIB is exempt from Clause 3.10. Specified infrastructure includes Regionally Significant Infrastructure but not other infrastructure. The INF-ECO chapter applies this to all infrastructure, which is not appropriate.</p> <p>The decision does direct effects on SNAs to be managed in accordance with the effects management hierarchy in ECO-P5.</p>	<p>2. The ECO Chapter applies to the Infrastructure Chapter and all infrastructure sub-chapters, including -INF-NG, and the REG Chapter. Alternatively, amend the INF-ECO chapter to make sure it is no less stringent than the ECO chapter, with the amendments sought in this appeal, including the addition of objectives.</p> <p>3. Add the equivalent of ECO-P8 into the ECO-INF chapter</p> <p>4. Clarify that effects on indigenous biodiversity in the coastal environment are part of this subchapter for consistency with the ECO/CE split.</p>		<p>REG activities, and its interests in the REG chapter.</p>

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	Effects on indigenous biodiversity in the coastal environment are not adequately addressed by that amendment. That would require ECO-P6 to be considered.			
11	INF-ECO Introduction The disapplying of "Other relevant District Plan provisions" means that there are no objectives other than to support infrastructure. The protective element of sustainable management is missing at the objective level, despite this being required by Part 2.	The amendment to delete the "Other relevant District Plan provisions" from the sub-chapters is reversed, and the notified version is reinstated with an amendment to include ECO, NATC, NFL and CE chapters.	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
Sub-chapter INF-NFL				
Appeal Point				
15	INF-NFL The provisions in the INF-NFL chapter should mirror the NFL provisions, with the amendments made as sought by F&B in respect of that chapter.	The NFL Chapter apply to infrastructure. Alternatively, amend the INF-NFL chapter to make sure it is no less stringent than the NFL chapter, with the amendments sought in this appeal included	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.

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16	INF-NFL Introduction There are no objectives other than to support infrastructure. The protective element of sustainable management is missing at the objective level, despite this being required by Part 2.	The amendment to delete the reference to other relevant "Part 2: District-Wide chapters" from the sub-chapters be reversed, and the notified version reinstated with an amendment to include ECO, NATC, NFL and CE chapters.	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
17	INF-NFL all Policies There is some poor drafting throughout the policies in this chapter. The reference to respecting landscape values is problematic, as it is not clear how you respect identified values. This is not language used anywhere in the RMA. The word used in the RMA is protect. The reference to managing adverse effects is meaningless without any reference point to determine what it is being managed to achieve.	Amend the policies to add the words "to protect landscape values" to the end of Clause 2. Replace "respects" with "protects" wherever it appears. Replace all reference to "managed" with "avoided remedied or mitigated".	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.

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ECO Chapter (Ecosystems and Indigenous Biodiversity)				
Appeal Point				
30	Objective ECO-O1 Section 6(c) does not include reference to 'inappropriate subdivision, use and development'.	ECO-03 is amended as follows: "Significant Natural Areas, including those within the coastal environment, are protected, from inappropriate subdivision, use and development and where appropriate, restored."	Neutral	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter.
32	Policy ECO-P1 The policy does not give effect to Policy 11 of the NZCPS.	Amend ECO-P6: "Significant natural areas Indigenous biodiversity within the coastal environment Only allow activities within significant natural areas <u>or indigenous vegetation clearance outside significant natural areas</u> , in the coastal environment where it can be demonstrated that they:..."	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter. In particular it is not clear how the NPS-IB 1.3 (3) exemption for REG is provided for, in the context of the appellant seeking that the ECO Chapter policies apply to REG.
34	Policy ECO-P8 This policy is generally supported but would be improved by providing for an ecological assessment to identify significant biodiversity values.	Amend ECO-P8 as follows: "1. Manage any adverse effects of new <u>subdivision</u> , use and development on indigenous biodiversity outside of significant natural areas by:1. applying the effects management hierarchy at	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG activities, and its interests in the REG chapter. In particular it is not clear how the NPS-IB 1.3 (3) exemption for REG is provided for, in

Provision in which Meridian has a s274 interest		Relief sought by the appellant	Meridian's position	Reason for Meridian's support or opposition
		ECO-P5.1 through ECO-P5.6 where there are significant adverse effects; and 2. Minimising other adverse effects; and 3. <u>Where appropriate, providing for an assessment to identify additional areas of significant indigenous vegetation or significant habitats of indigenous fauna, and managing any effects on those areas in accordance with ECO-P3 and ECO-P4 above.</u>		the context of the appellant seeking that the ECO Chapter policies apply to REG.
35	<p>New Rule</p> <p>The plan's provisions do not fulfil the Council's requirement to maintain indigenous biodiversity. Regulating activities only in SNAs falls short of this function.</p> <p>In its submission, Forest & Bird sought a rule to manage indigenous vegetation clearance outside of SNAs. This rule is fundamental given the deletion of the residential SNAs. The planning officer, Mr McCutcheon considered the Forest & Bird submissions and</p>	<p>The rule recommended by Mr McCutcheon (Appendix 1 to this Notice of Appeal), should be included in the plan with appropriate amendments. In particular</p> <ul style="list-style-type: none"> • The amount of permitted clearance should be reduced from 3000 m2, particularly in the coastal environment; • The word or at the end of (a) and (b) should be replaced with "and" • The reference to rule ECO-R5.2(b) should be replaced to 	Oppose	<p>Meridian is interested in this provision to the extent that the relief sought might affect REG, and its interests in the REG chapter.</p> <p>In particular it is not clear how the NPS-IB 1.3 (3) exemption for REG is provided for, in the context of the appellant seeking that the ECO Chapter policies apply to REG.</p>

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	recommended that a rule be included in the plan. The Panel disagreed with this recommendation and did not include a rule in the plan. In doing so, the Council failed to fulfil its obligations under s 6(c) and 30 of the RMA.	<p>exclude removal Tree's larger than those in Schedule 9;</p> <ul style="list-style-type: none"> • The word "continued" should be removed from the clause for enabling operation and maintenance of quarries for aggregate extraction; • The matters of discretion should include ECO-P1 and ECO-P6 • The provisions excluding public notification should be deleted 		
District Wide Matters – Coastal Environment				
Appeal Point				
40	<p>Policy CE-P8</p> <p>The policy is inappropriate insofar as it generally provides generally for vegetation removal outside of high natural character areas. The policy is inappropriate insofar as it provides for exotic vegetation removal in high natural character areas. Exotic vegetation can contribute to natural character and can also have ecosystem and habitat values.</p>	Delete Clauses 1 and 2	Oppose	Meridian is interested in this provision to the extent that the relief sought might affect REG, and its interests in the REG chapter. If applicable to REG, as sought by the appellant, Policy CE P8 and the changes sought to it would be highly limiting to REG activities in the coastal environment.