

**BEFORE THE ENVIRONMENT COURT**

**I MUA I TE KOOTI TAIAO O AOTEAROA**

**AT CHRISTCHURCH**

**ENV – 2018 – CHC – 000038**

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of an appeal under clause 14(1) of the First Schedule of  
the Act in relation to the Proposed Southland Water and  
Land Plan

**BETWEEN**

**Meridian Energy Limited**

Appellant

**AND**

**Southland Regional Council**

Respondent

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**NOTICE OF WISH OF DIRECTOR-GENERAL OF CONSERVATION**

**TO BECOME A PARTY TO PROCEEDINGS**

Section 274 Resource Management Act 1991

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**Department of Conservation**

Planning, Permissions and Land

Department of Conservation

Private Bag 4715

Christchurch 8140

Phone: 03 371 3700

Solicitor: Pene Williams

**To:** The Registrar  
 Environment Court  
 Christchurch

1. I, Lou Sanson, Director-General of Conservation (the Director-General) wish to be a party to an appeal against part of the decision of the Southland Regional Council on the Proposed Southland Water and Land Plan (the proposed Plan) by Meridian Energy Limited (the appellant), ENV – 2018 – CHC – 000038 (the notice).
2. I made a submission on the proposed Plan<sup>1</sup>, in particular on Objective 10<sup>2</sup>, and a further submission, in particular in relation to new Rule 52A<sup>3</sup>.
3. I am not a trade competitor for the purposes of section 308C or section 308CA of the Resource Management Act 1991 (RMA).
4. I am interested in part of the appeal.
5. My interests are as follows:

Objective 10

- 5.1. In paragraphs 7 – 11 of its notice, the appellant appeals the decision dealing with Objective 10 and seeks amendments to recognise the Manapōuri Hydro-electric Generation Scheme (the Scheme) as part of the existing environment and to allow for the enhancement of the Scheme.

New Rule 52A – Manapouri Hydro-electric Generation Scheme  
 and proposed new Rule 52B

- 5.2. In paragraphs 31 – 40 of its notice, the appellant appeals that part of the decision inserting new Rule 52A and seeks that new Rule 52A is amended to ensure the volume and rate of water take, use, diversion or discharge for a replacement resource consent for the Scheme is retained as currently consented and is not subject to any future limits set as required by the National Policy Statement for Freshwater Management 2014 (as amended 2017) (NPSFM).
- 5.3. The appellant seeks further that applications for an activity that is part of the Scheme that fail to meet one or more of the requirements for a controlled

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<sup>1</sup> Submitter Number 210

<sup>2</sup> Submission Point 210.31

<sup>3</sup> Further submission on Meridian Energy Ltd Submission Point 562.15  
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activity under Rule 52A, be considered as a discretionary activity under a proposed new Rule 52B.

6. I oppose the relief sought in the appeal with respect to Objective 10 and new Rules 52A and 52B. The reasons for opposing the relief sought are as follows:

Objective 10

- 6.1 I opposed the appellant's submission on Objective 10 in my further submission<sup>4</sup>.
- 6.2 The relief sought by the appellant:
- 6.2.1 fails to give effect to NPSFM as required by section 67(3) of the RMA, in particular: Objective B2.
- 6.2.2 fails to give effect to the Southland Regional Policy Statement 2017 (SRPS) as required by section 67(3) of the RMA, in particular: Objective WQUAN.2, and Policy WQUAN.3.

New Rules 52A (and 52B)

- 6.3 I opposed the appellant's submission seeking the insertion of new Rule 52A in my further submission.<sup>5</sup>
- 6.4 The relief sought by the appellant:
- 6.4.1 is contrary to Part 2 of the RMA by not achieving the sustainable management purpose in section 5; and failing to recognise and provide for matters of national importance including: section 6(a) natural character of wetlands, lakes, rivers and their margins; and section 6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- 6.4.2 fails to give effect to NPSFM as required by section 67(3) of the RMA, in particular: Objectives B1 and B4, and Policy B5.
- 6.4.3 fails to give effect to SRPS as required by section 67(3) of the RMA, in particular: Objective WQUAN.2, and Policies WQUAN.1 and WQUAN.2.

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<sup>4</sup> Further submission on Meridian Energy Ltd Submission Point 562.1

<sup>5</sup> Further submission on Meridian Energy Ltd Submission Point 562.15

7. I agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated the 22<sup>nd</sup> of June 2018



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Aaron Fleming, Director Operations, Southern South Island Region  
Pursuant to delegated authority from the Director-General of Conservation<sup>6</sup>

*Address for service of interested party:*

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Planning, Permissions and Land  
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<sup>6</sup> A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18-32 Manners Street, Wellington 6011  
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