

**Before the Environment Court
At Christchurch
I Mua I te Kōti Taiao
Ōtautahi Rohe
ENV-2024-CHC-091**

Under the Resource Management Act 1991

In the matter an appeal under clause 14 of the First Schedule of the Act concerning Plan Changes 23 and 26 to the Mackenzie District Plan

Between **The Royal Forest and Bird Protection Society of New Zealand Incorporated**

Appellant

And **Mackenzie District Council**

Respondent

Notice of Nova Energy Limited's wish to be party to proceedings under section 274 of the Resource Management Act 1991

Date: 16 October 2024



Solicitor on the Record Stephen Quinn stephen.quinn@dlapiper.com +64 4 474 3217
Contact solicitor Emma Manohar emma.manohar@dlapiper.com +64 4 918 3016

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To The Registrar, Environment Court, Christchurch

And to: The appellant, the Royal Forest and Bird Protection Society of New Zealand Incorporated

And to: The respondent, Mackenzie District Council

And to: The section 274 parties

- 1 Nova Energy Limited (**Nova**) wishes to be a party to the following proceeding: *The Royal Forest and Bird Protection Society of New Zealand Incorporated v Mackenzie District Council* ENV-2024-CHC-000091.
- 2 Nova made a submission and further submission about the subject matter of the appeal and has an interest in the appeal that is greater than the interest that the general public has. In particular, Nova is a renewable energy generator with interests in the district.
- 3 Nova is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 4 Nova is interested in part of the appeal. Specifically, Nova is interested in the following parts of the appeal:
 - 4.1 The relief sought in rows 2, 8 and 9 in Table 1 – PC23 – Part of Decision Appealed, Reasons for Appeal and Relief Sought; and
 - 4.2 All relief sought in Table 2 – PC26 – Part of Decision Appealed, Reasons for Appeal and Relief Sought, other than the relief that solely relates to hydro electricity being that contained in rows 14, 19-22 and 25 of the table.
- 5 Nova is interested in how the relief sought through the appeal relates to, and impacts on, requirements and higher order policy direction contained in the Resource Management Act 1991

(**RMA**), the National Policy Statement for Renewable Electricity Generation (**NPS-REG**) and Canterbury Regional Policy Statement (**CRPS**) regarding the recognition and provision for renewable electricity generation and transmission, its benefits and its contribution towards addressing the effects of climate change.

- 6 Nova opposes the relief sought by Forest and Bird as:
 - 6.1 it fails to give effect to the NPS-REG, CRPS and is contrary to Part 2 and the purpose of the RMA;
 - 6.2 it fails to recognise and provide for renewable electricity generation, its benefits and its contribution towards addressing the effects of climate change;
 - 6.3 the relief sought by the appellant is inconsistent with the relief sought by Nova Energy in its original and further submissions; and
 - 6.4 it will undermine the Mackenzie District Plan as amended by the decisions version of PC23 and PC26, Decisions Version of the Plan, which better recognises and provides for the benefits and needs of renewable electricity generation activities and its effects.
- 7 Nova agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date 16 October 2024



S F Quinn / E L Manohar
Counsel for Nova Energy Limited

This document is filed by Stephen Quinn of DLA Piper New Zealand, solicitor for Nova Energy Limited.

The address for service on Nova Energy Limited is at:

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Documents for service on Nova Energy Limited may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 2791, Wellington 6140, or
- emailed to the solicitor at both stephen.quinn@dlapiper.com and emma.manohar@dlapiper.com.

Please direct enquiries to:

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