

**Matter Description**    ENV006/199 – Lake Hayes

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**FURTHER SUBMISSIONS OF MINISTER FOR THE ENVIRONMENT  
ON BEHALF OF THE CROWN**

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## **Introduction**

1. Before Mr Gleadow provides his further supplementary statement of evidence to this Court, I thought that it may be useful given the change in Government since submissions were last presented on behalf of the Minister for the Environment for counsel to confirm the Crown's position.
2. Government policy has not changed and nor has the Crown's position in relation to the proposal before this Court.

## **Actions taken**

3. Although there has been no change in the Crown position there have been some actions taken which may be considered by some as related to this proceedings. I have outlined some of these actions below, but reiterate that none of these actions have changed the Crown's position for the purposes of this case.
4. A select committee was established in early December 2008 to review the Emissions Trading Scheme and related climate change matters. This committee is chaired by the Hon Peter Dunne. The select committee has called for submissions and the closing date is 13 February 2009. There is nothing in the establishment of this select committee which impacts on present government policy at this time.
5. The Electricity (Renewable Preference) Repeal Bill was introduced and completed all stages on 16 December 2008. The effect of the Act is to repeal Part 6A of the Electricity Act 1992, which had introduced a ten year restriction on new baseload fossil-fuelled thermal electricity generation capacity. Although this repeal does allow for non-renewable energy to fuel electricity generation plants, this does not mean that renewable energy sources are no longer supported. The Crown still supports the use of renewable energy.
6. On 19 December 2008 the Minister for the Environment announced the "call in" of the Turitea wind farm proposal near Palmerston North. That proposal will be considered by a board of inquiry chaired by Environment Judge Thompson. The submission period will close on 23 February 2009. Although the call in is a process matter, the call in does signify that the Minister for the

Environment does consider that applications for some wind farms are a matter of national significance.

7. In early December the Government agreed to the continuation of the Minister for the Environment presenting a submission on behalf of the Crown to the Rangitikei District Council, Ruapehu District Council and Horizons Regional Council supporting Meridian Energy Limited's resource consent applications for a wind farm known as "Central Wind". The underlying reason for support was that the windfarm will make an important contribution to meeting the government's energy and climate change policy initiatives, including international obligations such as the Kyoto Protocol to reduce greenhouse gases.
8. Finally, I note that the Crown has continued to participate in this proceedings which, I submit, confirms that there has been no change in the approach of the Crown as a result of a change of government in relation to the issues before you.

29 January 2009

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B H Arthur  
Counsel for the Minister for the Environment  
on behalf of the Crown