

IN THE MATTER of a resource consent application under
Section 87C(1) of the Resource
Management Act 1991 (**the Act**)

BETWEEN MERIDIAN ENERGY LIMITED
(ENV-2011-CHC-000090)

Applicant

AND HURUNUI DISTRICT COUNCIL
CANTERBURY REGIONAL COUNCIL

Respondents

BEFORE THE ENVIRONMENT COURT

Court: In chambers, at Auckland
Environment Judge M Harland

Date: 16 August 2012

**MINUTE OF THE ENVIRONMENT COURT
IN RELATION TO DECLARATION OF INTEREST
BY COMMISSIONER SUTHERLAND**

[1] It has been drawn to my attention that Commissioner Sutherland's adult son has
been employed by Meridian for a 4-5 year period as a hydro-engineer. I am advised that
Commissioner Sutherland's son is one of a number of hydro-engineers employed by



Meridian, and that he is not involved in any aspect of Meridian's business to do with wind generation or project development in this field.

[2] Since Commissioner Sutherland's son has been employed by Meridian Commissioner Sutherland has, with the consent of all parties, sat as a member of the bench on two cases before the Environment Court which have involved Meridian as the applicant, one concerning the proposed wind farm on the Lammermoor Range in Central Otago,¹ and another concerning Northbank Tunnel, part of the Waitaki River Scheme.²

[3] My tentative view is that no conflict of interest arises. Commissioner Sutherland has considerable experience on the Court and the nature of his expertise is relevant to the matters that will be considered in this hearing. As is typical with our cases, the members of the Court do not and will not discuss any aspect of the case in which they are involved prior to, during, or after the hearing with others, (including family members), to ensure the integrity of the process.

[4] Nonetheless, my view is a tentative one and I invite the parties' input into my final decision on this issue. Because the hearing is due to commence on 27 August, the parties are to respond to the Court with their views no later than midday Monday 20 August. Thereafter a decision will be made by me on the papers and communicated to the parties.

DATED at Auckland this 16th day of August 2012



M Harland
Environment Judge



Munipoto Environmental Society Inc & ors v Central Otago District & Regional Councils, Decision No. C-03/2009
Lower Waitaki River Management Society Inc v Canterbury Regional Council, [2010] NZEnvC 257