

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

I TE KŌTI MATUA O AOTEAROA
TE WHANGANUI-A-TARA ROHE

CIV-2023- 485-771

UNDER the Fair Trading Act 1986

BETWEEN **CONSUMER NZ INCORPORATED** a duly incorporated society having its registered office at Level 5, 17 Whitmore Street, Wellington.

First Plaintiff

THE ENVIRONMENTAL LAW INITIATIVE a charitable trust board having its registered office at 75 Taranaki Street, Wellington

Second Plaintiff

LAWYERS FOR CLIMATE ACTION NZ INCORPORATED a duly incorporated society having its registered office at Level 13, 70 Shortland Street, Auckland

Third Plaintiff

AND **Z ENERGY LIMITED** a duly incorporated company having its registered office at 3 Queens Wharf, Wellington

Defendant

STATEMENT OF CLAIM
24 November 2023

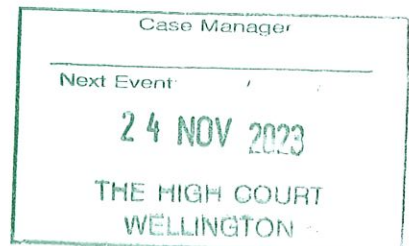
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THE PLAINTIFFS BY THEIR SOLICITORS SAY:

Parties

- 1 The defendant, Z Energy Limited (**Z Energy**), is a company incorporated in Aotearoa New Zealand, carrying on business as, among other things, an importer, distributor, and retailer of petroleum products including petrol, diesel, aviation gasoline and aviation kerosene.
- 2 Z Energy is, and was at all relevant times:
 - (a) the largest retailer of petroleum products in Aotearoa New Zealand; and
 - (b) Aotearoa New Zealand's second largest emitter of CO₂ and equivalent emissions.¹
- 3 The first plaintiff is an incorporated society whose principal aim is to protect and empower consumers. It was incorporated on 22 November 1988, replacing the Consumers' Institute first established by the Finance Act 1959.
- 4 The first plaintiff has as its purpose, amongst other things, the protection and promotion of the interests of consumers of goods and services by whatever lawful means appear to it expedient, and by such actions encourages the improvement and development of industry and commerce.
- 5 The second plaintiff is a charitable trust board. It was incorporated under the Trusts Act 2019 on 17 October 2019.
- 6 The second plaintiff was established for charitable purposes, including to:
 - (a) preserve, conserve, protect and enhance natural and cultural resources, and to protect them against harm, misuse, depletion, unsustainable use, and destruction;
 - (b) take action that will positively reduce or mitigate against the impacts of human-induced climate change; and
 - (c) promote and encourage environmental laws and policies for the conservation, protection, and enhancement of the natural or cultural environment.

¹ As explained at paragraph 30, in accordance with Greenhouse Gas (**GHG**) emission reporting standards, this includes direct GHG emissions, and indirect GHG emissions, including the upstream (e.g., extraction and refining) and downstream (e.g., use in vehicles) emissions of petroleum products sold by Z Energy.

- 7 The third plaintiff is an incorporated society of lawyers who seek to ensure more effective action against climate change in Aotearoa New Zealand. It was incorporated on 23 May 2019.
- 8 The third plaintiff was established to help protect the environment and society from the potential impacts of climate change, including by:
- (a) raising public awareness and understanding of the threat of climate change and measures that are available to reduce or mitigate the impacts of climate change, based on the accepted scientific evidence;
 - (b) advocating for legislation and policies to ensure Aotearoa New Zealand:
 - (i) meets or exceeds its obligations to reduce greenhouse gas emissions under the Paris Agreement and international law generally; and
 - (ii) achieves net zero greenhouse gas emissions as soon as possible and no later than 2050; and
 - (c) bringing legal proceedings in the name of the Society in relation to climate change issues.
- 9 The plaintiffs have no private interest in the issues at stake in this proceeding. This proceeding is brought in the public interest, having regard to the serious threat that the climate crisis poses to all New Zealanders.

THE CLIMATE CRISIS

- 10 The Intergovernmental Panel on Climate Change (**IPCC**) is the United Nations body tasked with assessing the science related to climate change.
- 11 The Synthesis Report of the IPCC Sixth Assessment Report was published in March 2023 (**2023 Synthesis Report**).
- 12 The findings of the 2023 Synthesis Report include that:
- (a) human activities, principally emissions of greenhouse gases, have caused global warming;
 - (b) global surface temperatures have increased by approximately 1.1°C on average above pre-industrial levels;
 - (c) climate change is a threat to human well-being and planetary health;
 - (d) human-caused climate change has already had adverse consequences around the world including extreme weather patterns leading to droughts and flooding, sea level rises and loss of biodiversity;

- (e) there is a rapidly closing window of opportunity to secure a liveable and sustainable future for all;
- (f) deep, rapid, and sustained reductions in emissions this decade are required in order to limit warming to 1.5°C with no or limited overshoot; and
- (g) every increment of global warming will intensify multiple and concurrent hazards.

13 These findings have been part of the scientific consensus for at least the last decade.

14 The standard reference for what is required to limit global warming to 1.5°C is the IPCC's 2018 Special Report on Global Warming of 1.5°C (**2018 Special Report**).

15 The pathways analysed in the 2018 Special Report show that reducing greenhouse gas emissions (**emissions**) this decade is crucial to whether the global average temperature increase can be limited to 1.5°C.

16 As a rule of thumb, global net emissions in 2030 must be half of what they were in 2010 to limit warming to 1.5°C.

17 Specifically, the 2018 Special Report concludes that in 2030 net CO₂ emissions should be 40 to 58 per cent below 2010 levels to have a 50 to 66 per cent chance of limiting warming to 1.5°C with limited or no overshoot.

Aotearoa New Zealand's emission reduction targets

18 Aotearoa New Zealand is a party to the United Nations Framework Convention on Climate Change (**UNFCCC**).

19 Aotearoa New Zealand signed the UNFCCC on 4 June 1992 and ratified it on 16 September 1993. The UNFCCC came into force on 21 March 1994.

20 The Paris Agreement is an international agreement under the UNFCCC (**Paris Agreement**).

21 Aotearoa New Zealand signed the Paris Agreement on 22 April 2016 and ratified it on 4 October 2016. The Paris Agreement came into force on 4 November 2016.

22 The central aim of the Paris Agreement is to strengthen the global response to the threat of climate change including by holding the increase in the global average temperature to well below 2°C above pre-industrial levels and by pursuing efforts to limit the temperature increase to 1.5°C.

- 23 In order to meet Aotearoa New Zealand's commitments, including under the Paris Agreement, the New Zealand government passed the Climate Change Response (Zero Carbon) Amendment Act 2019 (**Zero Carbon Act**), which came into force on 13 November 2019.
- 24 The Zero Carbon Act amended the Climate Change Response Act 2002 (**CCRA**) to set a target for Aotearoa New Zealand to:
- (a) reduce net accounting emissions of all greenhouse gases (except biogenic methane) to zero by 2050; and
 - (b) reduce emissions of biogenic methane to 24 to 47 per cent below 2017 levels by 2050, including to 10 per cent below 2017 levels by 2030.
- 25 The CCRA requires the Minister of Climate Change to set emissions budgets which must state the total emissions that will be permitted for the relevant emissions budget period, expressed as a net quantity of carbon dioxide equivalent.
- 26 On 9 May 2022, the Minister of Climate Change published Aotearoa New Zealand's first emissions budgets, covering the period 2022 to 2035:
- (a) the emissions budget for the 2022 to 2025 emissions budget period is 290 million tonnes of carbon dioxide equivalent (Mt CO₂-e) (equivalent to 6.041 Mt CO₂-e per month);
 - (b) the emissions budget for the 2026 to 2030 emissions budget period is 305 Mt CO₂-e (equivalent to 5.083 Mt CO₂-e per month); and
 - (c) the emissions budget for the 2031 to 2035 emissions budget period is 240 Mt CO₂-e (equivalent to four Mt CO₂-e per month).

Z ENERGY'S GROWING EMISSIONS

- 27 Z Energy has, at all relevant times, carried on business in Aotearoa New Zealand as, among other things, an importer, distributor, and retailer of petroleum products.
- 28 The combustion of petroleum products causes CO₂ to be emitted.
- 29 The CO₂ emissions from a litre of fuel varies depending on the fuel type, with:²
- (a) aviation gasoline generating around 2.3kg per litre;

² The amount of carbon dioxide that is produced from burning a fuel weighs more than the amount of the fuel itself, because during complete combustion, each carbon atom in the fuel combines with two oxygen atoms in the air to make CO₂.

- (b) petrol generating around 2.5kg per litre;
- (c) aviation kerosene generating around 2.6kg per litre; and
- (d) diesel generating around 2.7kg per litre.

30 Z Energy at all relevant times was and is the second largest emitter of CO₂ and equivalent emissions in Aotearoa New Zealand.

- (a) Greenhouse Gas Protocol: A Corporate Accounting and Reporting Standard, Revised Edition (**GHG Protocol**) is a widely accepted methodology for organisational carbon accounting.

Particulars

- (i) The GHG Protocol has been incorporated into Aotearoa New Zealand Climate Standard 1, Climate-related disclosures (**NZ CS 1**); and
 - (ii) The GHG Protocol has been used by Z Energy in its climate-related disclosures.
- (b) The GHG Protocol categorises emissions into three types:
- (i) Scope 1 covers the direct GHG emissions from sources owned or controlled by the entity.
 - (ii) Scope 2 covers the indirect GHG emissions from the entity's consumption of purchased electricity, heat, or steam.
 - (iii) Scope 3 covers indirect GHG emissions, not covered in scope 2, that occur in the value chain of the reporting entity, including upstream and downstream GHG emissions.
- (c) The GHG Protocol Scope 3 definition includes emissions from use of sold products, which for Z Energy includes its sold fuel, and this definition is used by Z Energy in its climate-related disclosures in accordance with NZ CS 1.

31 Over the period 2019 to 2023, Z Energy's total emissions increased on a per month basis:

- (a) In financial year 2019:
 - (i) the petroleum products sold by Z Energy resulted in 10,459,104 tonnes of CO₂ equivalent emissions, or 871,592 tonnes per month;

- (ii) the Z Energy offices, terminals, and retail sites resulted in 12,134 tonnes of CO₂ equivalent emissions, or 1,011 tonnes per month; and
 - (iii) Z Energy's total emissions were 11,958,268 tonnes, or 996,522 tonnes per month.
- (b) In financial year 2020:
 - (i) the petroleum products sold by Z Energy resulted in 9,990,103 tonnes of CO₂ equivalent emissions, or 832,509 tonnes per month;
 - (ii) the Z Energy offices, terminals, and retail sites resulted in 10,519 tonnes of CO₂ equivalent emissions, or 877 tonnes per month; and
 - (iii) Z Energy's total emissions were 11,582,773 tonnes, or 965,231 tonnes per month.
- (c) In financial year 2021:
 - (i) the petroleum products sold by Z Energy resulted in 8,039,840 tonnes of CO₂ equivalent emissions, or 669,987 tonnes per month;
 - (ii) the Z Energy offices, terminals, and retail sites resulted in 8,742 tonnes of CO₂ equivalent emissions, or 729 tonnes per month; and
 - (iii) Z Energy's total emissions were 9,405,371 tonnes, or 783,781 tonnes per month.
- (d) In financial year 2022:
 - (i) the petroleum products sold by Z Energy resulted in 8,760,150 tonnes of CO₂ equivalent emissions, or 730,013 tonnes per month;
 - (ii) the Z offices, terminals, and retail sites resulted in 8,865 tonnes of CO₂ equivalent emissions, or 739 tonnes per month; and
 - (iii) Z Energy's total emissions were 10,041,008 tonnes, or 836,751 tonnes per month.
- (e) In financial year 2023, for the nine months until 31 December 2022:
 - (i) the petroleum products sold by Z Energy resulted in 7,605,026 tonnes of CO₂ equivalent emissions, or 845,003 tonnes per month;
 - (ii) the Z offices, terminals, and retail sites resulted in 5,742 tonnes of CO₂ equivalent emissions, or 638 tonnes per month; and

(iii) Z Energy's total emissions were 8,987,442 tonnes, or 998,605 tonnes per month.

32 In financial year 2023 petroleum products sold by Z Energy produced on average 0.845 Mt CO₂-e per month, which is equivalent to 14 per cent of Aotearoa New Zealand's emissions budget.³

Z ENERGY'S RELEVANT INITIATIVES

Z Energy's biodiesel production facility

33 On a date unknown to the plaintiffs, but on or about 1 December 2015, Z Energy opened a biodiesel production facility at Wiri, South Auckland.

34 Biodiesel is commercially produced by chemically modifying a renewable feedstock of fat or oil, such as tallow or used cooking oil, and then separating out the resulting biodiesel from the other byproducts.

35 On a date unknown to the plaintiffs, but on or about 12 May 2020, Z Energy ceased production at the biodiesel production facility.

36 On 25 July 2022, Z Energy announced the permanent closure of its biodiesel production facility.

Z Energy's electric vehicle charging stations

37 At all relevant times Z Energy operated a retail network of over 550 retail fuel sites, including Z, Challenge and Caltex branded sites, where petroleum products were available for purchase.

38 On a date unknown to the plaintiffs, but in or about 2011, Z Energy announced its intention to install six electric vehicle charging stations in Auckland, Wellington, and Christchurch.

39 By no later than March 2016, Z Energy had seven electric vehicle charging stations at its retail fuel sites.

³ As noted at paragraph 26(a) above, Aotearoa New Zealand's 2022 to 2025 emissions budget is 290 Mt CO₂-e, or 6.041 Mt CO₂-e per month if evenly distributed over the budget period. 0.845 MT CO₂-e represents approximately 14 per cent of 6.041 Mt CO₂-e.

40 Z Energy has received significant funding from Government to install electric vehicle charging stations at 17 of its retail fuel sites.

Particulars

- (a) In July 2021, the Energy Efficiency and Conservation Authority (**EECA**) granted Z Energy funding for electric vehicle charging stations at an additional retail fuel site in Rolleston.
- (b) In February 2022, EECA granted Z Energy funding for electric vehicle charging stations at seven additional retail fuel sites in Warkworth, Hautapu, Kumeu, Wiri, Bethlehem, and Hamilton (x2).
- (c) In November 2022, EECA granted Z Energy, in conjunction with others, funding for electric vehicle charging stations at its Waiouru retail fuel site.
- (d) On a date unknown to the plaintiff, but no later than 1 October 2023, EECA granted Z Energy funding for electric vehicle charging stations at additional retail fuel sites in Culverden, Taipa, Wairoa, Ngatea, and Stratford.
- (e) On a date unknown to the plaintiff, but no later than 1 October 2023, EECA granted Z Energy funding for electric vehicle charging stations at additional retail fuel sites in Bombay, Masterton, and Tūrangi.
- (f) Further particulars, including the amounts of Government funding, will be provided after discovery.

41 At the time of filing, Z Energy had electric vehicle charging stations at 28 of its retail fuel sites.

Z Energy's free fuel with electricity rewards

42 On or about 1 January 2021, Z Energy launched Z Electric, a residential electricity offering that provided free fuel rewards to consumers, including through its website zelectric.z.co.nz.

43 The Z Electric power offering provided consumers with:

- (a) 50L of free petrol or diesel if they signed up to Z Electric;
- (b) alternatively, 75L of free petrol or diesel if they signed up to Z Electric using a referral code from an existing account member;
- (c) alternatively, 100L of free petrol or diesel if they signed up to Z Electric during promotional periods; and, in any case
- (d) 5L of free fuel for every \$100 spent on electricity.

- 44 On a date unknown to the plaintiffs, but between 25 April 2023 and 28 August 2023, the Z Electric bundle was replaced with the Z Energy “Fuel back home plan” on substantially the same terms.

Z Energy investment

- 45 Z Energy claims it will have invested approximately \$46 million in relation to low carbon initiatives in the years leading up to the end of 2023.

Particulars

Particulars of Z Energy's past investments will be provided after discovery.

- 46 Z Energy's parent company, Ampol Limited (**Ampol**), as a condition of acquiring Z Energy, has committed to spending \$50 million on future energy initiatives in Aotearoa New Zealand between 2023 and 2029 as part of its decarbonisation strategy.

Particulars

Particulars of Z Energy's planned investments will be provided after discovery.

- 47 In the nine months to 31 December 2022, Z Energy's revenue was \$6.005 billion, it made an after tax net profit of \$108 million, and it paid \$230 million in dividends to shareholders.
- 48 As at 31 December 2022, Z Energy had assets of \$3.862 billion, and net assets of \$1.380 billion.

Membership of professional associations

- 49 The Sustainable Business Council (**SBC**) is a membership organisation with over 130 business members. Its stated purpose is to mobilise Aotearoa New Zealand's most ambitious businesses to build a thriving and sustainable future for all.
- 50 The SBC has adopted a Strategy for 2023 to 2027, in which it states that:
- (a) one of its three pillars is “Action on Climate and Nature”;
 - (b) its objective under this pillar is accelerating the transition to a future that is zero emissions, resilient, and nature regenerative; and
 - (c) the outcomes it seeks include that SBC members are collectively demonstrating meaningful progress in reducing emissions, leading out on the ambition set out in the CCRA, Emissions Budgets, the Emission Reductions Plan, and the National Adaptation Plan.

- 51 At all relevant times Z Energy has been a member of the SBC.

- 52 The SBC supports the Climate Leaders Coalition (**CLC**), a CEO-led organisation with 90 corporate members that has the stated aim of leading the response to climate change through collective, transparent, and meaningful action on mitigation and adaptation.
- 53 In June 2022, the CLC published a new “Statement of Ambition” containing the following targets that CLC members must meet within two years of signing, or September 2025, whichever is earlier:
- (a) measuring emissions, having them independently verified, and reporting them publicly;
 - (b) adopting short-and-long-term gross absolute science aligned targets for scope 1, 2, and 3 emissions to support the delivery of substantial reductions needed to limit future warming to 1.5°C;
 - (c) assessing climate change risks and opportunities (including in the value chain), setting objectives and/or target(s) to reduce these risks and maximise opportunities, and publicly disclosing them;
 - (d) proactively enabling employees, board members, customers, and suppliers to reduce their emissions and reduce their climate change risks;
 - (e) embedding business plans to accelerate climate action across mitigation, adaptation, and transition, and incorporate te ao Māori perspectives; and
 - (f) preparing for the next frontier of climate action, including considering the assessment of nature-based risks and long-term climate positive targets.
- 54 At all relevant times since 2018 Z Energy has been a member of the CLC.

Z ENERGY’S STATEMENTS

- 55 At all relevant times Z Energy operated:
- (a) a Twitter/X account using the handle @zenergynz and the name Z Energy;
 - (b) a LinkedIn account using the name Z Energy NZ;
 - (c) a Facebook account using the name Z Energy; and
 - (d) a website at the address z.co.nz.

56 These accounts and website reached a significant audience of the Aotearoa New Zealand public.

Particulars

Particulars of the audience reach will be provided following discovery.

57 Where, as referred to below:

- (a) Z Energy posts a news post on the z.co.nz website it also releases a media release with substantially the same information, resulting in further dissemination of any statements Z Energy has made; and
- (b) the plaintiffs refer to the z.co.nz website and they rely on the website content and any subsequent dissemination as if it were pleaded in full

58 At all relevant times, Z Energy also purchased a range of advertising services including:

- (a) traditional advertising, including print media, television, radio, and outdoor advertising; and
- (b) digital advertising including paid search advertising, digital display advertising, and native advertising.

Moving with the Times advertisements

59 On a date unknown to the plaintiffs, but no later than March 2022, Z Energy commenced an advertising campaign called "Moving with the Times" to promote to the public of Aotearoa New Zealand, including consumers of petroleum products, a series of messages about the characteristics of Z Energy and the products it supplied, which included:

- (a) a collaboration with musician Rob Ruha, known for his environmental credentials, to use a new song "That's where I'll be", whose message was optimism about the journey Z Energy and Aotearoa New Zealand were on;
- (b) "We're in the business of getting out of the petrol business" as a key slogan and message in the campaign; and
- (c) an emphasis on four areas where Z Energy was said to be making significant change:
 - (i) reduction of Z Energy's emissions;
 - (ii) a biofuel manufacturing plant;
 - (iii) electric vehicle chargers; and

(iv) investment in an electricity retailer.

60 On 24 March 2022, the Spinoff website published sponsored content created by, for, or with Z Energy with the heading “The view from the forecourt of NZ’s biggest fuel supplier” which contained statements that:

- (a) “the goal for Z will be to move away from its reliance on selling fossil fuels and become a true ‘transport energy company’”;
- (b) “[Z Energy CEO Mike] Bennetts remains committed to Z’s ambition to create a more sustainable future for New Zealand transport. The headline of the Moving With the Times campaign is a provocative challenge to the organisation to live up to its promises: ‘Z is in the business of getting out of the petrol business’”; and
- (c) “[Z Energy CEO Mike] Bennetts believes the [sale of Z Energy to Ampol] is the best outcome for the company’s pursuit of its macro ambition. He says it will not only help improve fuel supply security but also allow it to scale up its ambitions around transitioning to a low carbon future.”
- (d) The plaintiffs rely on the sponsored content as if it were pleaded in full.

61 On 3 April 2022, Z Energy caused an advertisement to be published in the Sunday Star Times newspaper containing:

- (a) a Z Energy logo, an image of a Z Energy station, and the heading “We’re in the business of getting out of the petrol business” in a large, coloured font; and
- (b) the following text in a smaller black font:

We know we all need to move on from fossil fuels.

It’s one of the surest ways to reduce our carbon footprint.

But it’s not simple. And it won’t happen as fast as many of us want.

New Zealand’s and the world’s economies, communities and welfare heavily rely on it.

The alternatives aren’t straight forward. But we all still need to get on with it.

Many Kiwis and organisations already are.

They’re buying fuel-efficient, hybrid and electric vehicles.

They’re commuting by public transport, biking and walking.

And we’re all for it.

We are well on track to achieving our carbon reduction targets.

We’ve already built a biofuel manufacturing plant.

We’re putting fast EV chargers into our stations.

We've become a home electricity supplier.

And we've got a lot more plans and ideas in the... er.. pipeline.

We want to do all we can to help New Zealand transition to cleaner energies.

Māori wisdom says 'I orea te tuatara ka patu ki waho.'

Solutions will be found with creative thinking, adaptability and perseverance.

Z is more than 2000 proud New Zealanders who care deeply for this country.

We see you moving with the times Aotearoa.

And so, we're moving too.

Z is for New Zealand.

62 On or about 4 April 2022, Z Energy published on its website a news post entitled "Moving with the times to get out of the petrol business", which included the following statements:

- (a) "Z is already on its low carbon journey with ambitious emissions reductions targets and is committed to actively choosing to invest in low-carbon revenue streams that are better for both our customers and the planet."
- (b) "We believe electrons, hydrogen and biofuels will all play a role in the transition out of fossil fuels, and we want to grow strategic partnerships with government and others in the industry to help us get there."
- (c) "Z is playing in some of these spaces already. We were the first fuel company to introduce an EV charger at a retail service station, and recent co-funding from the Energy Efficiency and Conservation Authority (EECA) will see us scale up our network of EV charging infrastructure between Auckland, Hamilton and Tauranga. We are also working at pace to bring biofuels to the domestic market in line with the Government's Biofuels Mandate that comes into place April next year."
- (d) The plaintiffs rely on the news post as if it were pleaded in full.

63 On 4 April 2022, the @zenergynz Twitter/X account posted a tweet that included:

- (a) the text "'We're in the business of getting out of the petrol business' is a pretty provocative statement for a fuel company to be making. Find out more about how Z is 'Moving with the times'";
- (b) a link to the page on Z Energy's website referred to at paragraph 62 above; and

- (c) the same image, heading, and text published in the Sunday Star Times referred to at paragraph 61 above.
- 64 On 4 April 2022, Z Energy published a LinkedIn post that included:
- (a) the text “‘We’re in the business of getting out of the petrol business’ is a pretty provocative statement for a fuel company to be making. While it won’t happen overnight, we know the Z of 2030 and 2050 needs to look very different to today. Our latest brand campaign is an opportunity to celebrate the diversity of Aotearoa and talk about the direction we are heading to achieve a low carbon Aotearoa. You’ll see how Z is ‘Moving with the times’ on billboards, TV commercials, in print and on social. Find out more about this campaign in our latest statement”;
 - (b) a link to the page on Z Energy’s website referred to at paragraph 62 above; and
 - (c) the same image, heading, and text published in the Sunday Star Times referred to at paragraph 61 above.
- 65 On 4 April 2022, Z Energy published a Facebook post that included:
- (a) the text “Z is for the future of energy”;
 - (b) a 15 second video which displayed the following statements:
 - (i) “We’re in the business of getting out of the petrol business”;
 - (ii) “We’re all for electric vehicles”;
 - (iii) “We’re looking to the future of energy”;
 - (iv) “And becoming an electricity provider”; and
 - (v) “We’re for moving with the times.”
- 66 On or about 4 April 2022, Z Energy amended the “Our Story” website page accessed from the “About Z” menu on the z.co.nz landing page to include:
- (a) the statement “As an energy provider, we see Aotearoa moving every day. That’s why we’re in the business of getting out of the petrol business”, under the heading “We’re moving with the times”; and
 - (b) a link to the page on Z Energy’s website referred to at paragraph 62 above.

67 On a date unknown to the plaintiffs, but in or after April 2022, one of the digital advertisements published by or on behalf of Z Energy was an advertisement on the Stuff.co.nz website which included:

(a) the statement "We're in the business of getting out of the petrol business"; and

(b) the Z Energy logo, together with the phrase "Z is for New Zealand".

68 On a date unknown to the plaintiffs, but in or after April 2022, one of the digital advertisements published by or on behalf of Z Energy was an advertisement played during or before a podcast hosted by the Spinoff and included the following statement:

At Z, we're all about moving with the times, and now it's time to be part of the climate change solution and move on from fossil fuels.

As a New Zealand company providing fuel to people all over the country, we also know that we have a real opportunity to lead that change.

We're committed to keep Aotearoa moving, by providing the right energy for everyone. We believe that innovation in fuel, and how it's used, can make a huge difference to our planet. Find out more at Z.co.nz.

69 From on or about 4 April 2022, on dates and times unknown to the plaintiff, Z Energy published, or caused to be published, other advertising that substantially repeated the key messages from the advertising listed at paragraphs 59 to 68 above.

Particulars

Particulars of the other advertising will be provided following discovery.

70 From a date unknown to the plaintiff, Z Energy used an advertising agency trading as Saatchi & Saatchi to conduct the Moving with the Times campaign.

71 On behalf of Z Energy, and with its consent or agreement, Saatchi & Saatchi promoted the Moving with the Times campaign, including:

(a) on its website at saatchi.co.nz, at the address <https://www.saatchi.co.nz/work/moving-with-the-times> where it made the statement "Z Energy is a company that is moving with the times. This platform allows them to talk about how. And why they are in the business of getting out of the petrol business"; and

(b) in industry publications including stoppress.co.nz and campaignbrief.co.nz, which substantially repeated the "We're in the

business of getting out of the petrol business” advertisements, including video advertisements, and key messages.

Particulars

- (i) The print advertisement referred to in paragraph 61 above.
- (ii) A video advertisement entitled “Fast Chargers” that included the following voice over: “We see you moving to electric. And so, so are we. We’re installing fast chargers in our Z stations. Z is for New Zealand.”

72 As a consequence of the Moving with the Times campaign, Z Energy:

- (a) improved its reputation with consumers, including in relation to its impact on climate change;
- (b) was rated as Aotearoa New Zealand’s most preferred fuel brand; and
- (c) increased its sales of petroleum products.

Other public statements

73 From a date unknown to the plaintiffs, but on or before 1 January 2022, the SBC website published information about Z Energy with the consent of Z Energy, which included the following statement:

It goes without saying that we're committed to doing the right thing by New Zealand. We're a transport energy company, not an oil company – and that means we're not wedded to fossil fuels. In fact, we reckon we're in a unique position to move from being part of the problem to being at the heart of the solution.

To do that, we've made a commitment to shifting the dial in the areas where it matters most. That means using less and wasting less in our own business, reducing the carbon intensity of our customers, reducing New Zealand's reliance on fossil fuels, and supporting New Zealand businesses and communities.

We've also made a commitment to help our customers reduce carbon emissions from the fuels we sell by making biodiesel available to New Zealanders. Our biodiesel production plant in Wiri, Auckland, is the result of more than four years of careful planning and design, enabling us to bring a high quality biodiesel, Z Bio D, to New Zealand.

74 On a date unknown to the plaintiffs, but on or about April 2022, the z.co.nz website included a series of webpages that were accessible from a “Sustainability” drop down menu on the z.co.nz landing page.

- 75 One of these webpages was labelled “Our sustainability goals”, which included the following statements:
- (a) “How we’re all using the planet’s resources isn’t sustainable. At Z, we know we’re part of the problem. It’s a no brainer that we should be part of the solution.”
 - (b) Under the heading “So how are we doing?” the statements:
 - (i) “We’ve reduced our carbon emissions by 30% and we offset those we are unable to avoid.”
 - (ii) “We’ve reduced waste to landfill year-on-year from our operations (offices, terminals and Z retail sites) continuing to move towards being zero waste.”
 - (c) Under the Heading “Evolution” and the subheading “Goal: Use less, waste less” the statement, “We’ve economised our resources and as a result the environmental footprint of our direct operations has reduced. We’re not wasteful – we’ve done more with less, and taken the full environmental cost of our activities into account across our business.”
 - (d) Under the Heading “Evolution” and the subheading “Carbon (SDG 13)”, the statement “We’ve reduced our carbon emissions by 18% since FY17 against a target of 30% by FY21. Each year we have voluntarily offset the emissions we can’t avoid. A total of 160,465 tonnes of CO₂e has been offset in permanent forests since FY17. For a full breakdown of Z’s carbon emissions take a look at our GHG Inventory.”
- 76 On a date unknown to the plaintiff, but between August 2022 and January 2023, Z Energy substantially amended the page, removing some of the statements at paragraph 75, and included the following statements:
- (a) Under the heading “So how are we doing”, the statement “We’ve reduced our operational emissions by 6.8% against our new base year of FY20 and are on track to achieve our 2030 target of a 42% emissions reduction target off a 2020 baseline by the end of next reporting year.”
 - (b) Under the heading “Our goals”, and the subheading “Lead transition”, the statement “We will take bold action in response to climate change to reduce our own impact, work with our customers, suppliers, and partners to reduce theirs and provide solutions that will enable New Zealanders to join us on the path to a low carbon future.”

- 77 On a date unknown to the plaintiffs, but no later than April 2022, Z Energy amended the "Our Story" website page accessed from the "About Z" menu on the z.co.nz landing page to include the statement "We've invested in creating New Zealand's largest biodiesel manufacturing facility (currently in hibernation)."
- 78 On 25 July 2022, Z Energy announced the permanent closure of its biodiesel plant.
- 79 On or about 6 December 2022, Z Energy published on its website a news post entitled "Z puts the foot down on EV charging network", which included the following statements about the range of its proposed electric vehicle charging network:
- (a) "Z Energy (Z) is opening five new EV chargers before Christmas – and is committed to installing EV chargers across more than 40 percent of its network by 2025"; and
 - (b) "By the end of 2023 we plan to have EV charging available at one in five of our Z sites. Within three years, we plan this to increase to see EV chargers show up at two in five Z sites."
- 80 Z Energy has repeated these claims since December 2022 through further news posts on its website.

Particulars

- (a) 8 February 2023 news post entitled "Partnering in game-changing EV charging solution";
 - (b) 27 April 2023 news post entitled "Z launches pay-as-you-go for EV charging"; and
 - (c) 18 May 2023 news post entitled "120m for EV Charging a real win says Z Energy".
 - (d) Further particulars of the other statements will be provided following discovery.
- 81 On a date unknown to the plaintiff, but no later than 31 March 2023, Z Energy amended the "Corporate centre" website page accessed from the "About Z" menu on the z.co.nz landing page to include:
- (a) the statement "Z is committed to transparent reporting on environmental, social and governance issues. Our Annual Report uses the principles of integrated reporting to ensure we openly and consistently report on the issues that matter most for our stakeholders each year. This includes

financial performance in addition to climate-related disclosures, diversity and inclusion, safety and wellbeing and environmental sustainability”;

- (b) a link to a PDF document described as the “Greenhouse Gas Inventory Report FY2023” (the **2023 GHG Report**); and
- (c) a link to a page containing Z Energy’s annual reports, including a PDF document described as the “Annual Report for the nine months to 31 December 2022” (the **2023 Annual Report**).
- (d) The plaintiffs rely on the 2023 GHG Report and 2023 Annual Report as if they were pleaded in full.

82 The 2023 GHG Report included statements that:

- (a) Z “Operational Emissions” are defined as including Type 1, Type 2, and some Type 3 emissions, namely those arising from:
 - (i) Z offices, terminal, and retail sites; and
 - (ii) “NZ Supply”, which includes “AGO Bunker fuel”, “HFO Bunker fuel”, “Diesel for Awanuia”, and “Diesel for trucking deliveries”,

(together, the **Z Operational Emissions**);
- (b) by implication, Z Operational Emissions exclude some Type 3 emissions, namely:
 - (i) “Flick Electric”, “JVs”, “Line losses”, and “Z DEC”;
 - (ii) “Share of Refinery”;
 - (iii) “International supply”, which includes crude extraction and transportation to Aotearoa New Zealand, offshore production of refined products, refined product transportation to Aotearoa New Zealand, and “Upstream Electricity”; and
 - (iv) “End Use”, which includes sold fuel and sold electricity,

(together, the **Z Excluded Emissions**);
- (c) the Z Operational Emissions were:
 - (i) 39,742 tonnes CO₂-e (or 3,312 tonnes CO₂-e per month) in financial year 2020;⁴ and

⁴ This figure is the stated total in the 2023 GHG Report, which appears to contain an error. Adding the line items in the report suggest the actual emissions were 39,563 tonnes CO₂-e (or 3,297 tonnes CO₂-e per month).

- (ii) 15,570 tonnes CO₂-e (or 1,730 tonnes CO₂-e per month) in financial year 2023 (which was for a period of nine months); and
- (d) the Z Excluded Emissions:
 - (i) were 11,543,211 tonnes CO₂-e (or 961,934 tonnes CO₂-e per month) in financial year 2020;
 - (ii) were 8,971,869 tonnes CO₂-e (or 996,874 tonnes CO₂-e per month) in financial year 2023 (which was for a period of nine months); and
 - (iii) included 282,012 tonnes CO₂-e for refined product transportation to Aotearoa New Zealand (which was for a period of nine months).

83 The 2023 Annual Report included the statement:

We have successfully transformed the country's transport energy supply chain, exited the crude oil supply chain and around one million tonnes of CO₂-e has been cut from the transport energy sector through the closure of the Marsden Point refinery.

84 According to the 2023 GHG Report, the Z Excluded Emissions included a significant increase in emissions for offshore production of refined products that was greater than the combined reduction from crude processed at "NZRC"⁵ and crude extraction and transportation to Aotearoa New Zealand.

85 On 13 May 2022, the Stuff website published sponsored content created by or with Z Energy with the heading "Why Z Energy and Ampol are better together" which contained the following statements:

- (a) "Both Z and Ampol have committed to investing in a low-carbon future, and joining together enables us to accelerate progress towards this."
- (b) "Both Z and Ampol recognise the urgent need to transition away from fossil fuels – it's what our customers expect and is a key part of our joint aspiration."
- (c) "The integration of Z into Ampol means we can be better, stronger and more ambitious together. The combined business becomes the largest trans-Tasman fuel player with the scale and capabilities to significantly shift the decarbonisation dial."

(d) The plaintiffs rely on the sponsored content as if it were pleaded in full.

86 On a date unknown to the plaintiffs, but on or after September 2022, a "Community and Environmental Sustainability Strategy 2030" was added by

⁵ NZRC is not defined in the 2023 GHG Report but appears to refer to New Zealand Refining Company Limited, which owned and operated the Marsden Point oil refinery.

Z Energy to the Our Sustainability Goals webpage on the z.co.nz website, which included the following statements:

- (a) “We will take bold action in response to climate change to reduce our own impact, work with our customers, suppliers, and partners to reduce theirs and provide solutions that will enable New Zealanders to join us on the path to a low carbon future”; and
- (b) under the heading “Outcomes” the statements:
 - (i) “Our operational emissions are reduced in line with the Paris agreement to limit warming to 1.5 degrees C”; and
 - (ii) “Science aligned target: 42% reduction by 2030”.
- (c) The plaintiffs rely on the Community and Environmental Sustainability Strategy 2030 as if it were pleaded in full.

87 On or about 21 June 2023 Z Energy published on its website a news post entitled “Powering Aotearoa New Zealand’s future”, which included the statement, “we’re not saying, ‘Let’s use fossil fuels for as long as we can’. We are 100 percent committed to a low-carbon future.”

Z Energy’s Carbon Offset Application

88 On a date unknown to the plaintiffs, but on or after 1 February 2020, Z Energy updated its online application that is available for iPhone and Android phones to include a feature called Carbon Count.

89 Carbon Count provided users with the ability to:

- (a) calculate the carbon emissions from fuel they have purchased; and
- (b) make a payment to Z Energy for it to offset those carbon emissions through investment in Permanent Forests NZ Limited.

90 On a date unknown to the plaintiffs, but between on or about 7 February 2020 and no later than 20 May 2022, the z.co.nz website included a series of webpages that were accessible from a “Sustainability” drop down menu on the z.co.nz landing page.

91 One of these webpages was labelled “Tackling carbon emissions”, which included the following statement:

Aotearoa, we have a problem

Between us — you buying fuel, us selling it — we emit around nine million tonnes of carbon into the atmosphere every year. That’s about 9% of Aotearoa New Zealand’s total emissions. And those emissions are contributing to the escalating impacts of climate change.

Yep, we're giving nature some serious gas.

So what's the answer?

The solution to all the excess carbon is pretty straightforward: we need to reduce how much fossil fuel we use.

We know that's hard – we're selling the stuff. None of us is perfect, but we all need to try. The moment to start is now. And we can help.

The first step you can take is understanding your personal transport emissions. Then you can make the choice to offset.

92 On or about 19 February 2020, Z Energy made statements to media to the effect that:

- (a) it hoped that users of Carbon Count would purchase offsets for up to four per cent of the carbon emissions from fuel purchases;
- (b) offsets were not a substitute for emissions reduction; and
- (c) Z Energy needed to transition away from fossil fuels to combat climate change.

INCREASED SALES

93 Between 2019 and 2023 Z Energy has increased both its total retail sales of petroleum products and its retail market share.

94 The statements referred to above have contributed to Z Energy's increased retail sales.

Particulars

Particulars of the relationship between Z Energy's increased retail sales and the statements referred to above will be provided after discovery.

ONGOING CONDUCT BY Z ENERGY

95 As at the date of filing, Z Energy, or agents acting on behalf of Z Energy, continues to make the statements in paragraphs 60, 62 to 66, 71, 73, 76 to 77, 79 to 83, 85 to 87 and 91 above.

FIRST CAUSE OF ACTION – EMISSIONS REDUCTION REPRESENTATIONS

96 The plaintiffs repeat paragraphs 1 to 95 above.

97 The statements and related images made by Z Energy referred to at paragraphs 59 to 92, individually and collectively conveyed the impression that:

- (a) Z Energy was making changes to its business that would materially reduce the emissions created by it, including from the fuel that it sells;

- (b) Z Energy had set targets to materially reduce its total emissions, including from the fuel that it sells;
- (c) Z Energy was acting with a sense of urgency commensurate with the scale of the climate crisis and the role of fossil fuels in causing climate change;
- (d) Z Energy had made significant financial investments in reducing its total emissions, including from the fuel that it sells;
- (e) Z Energy was materially reducing its total emissions, or global emissions, through:
 - (i) the sale of biodiesel, including through Z Energy's construction of a biodiesel production facility;
 - (ii) the operation of Z Energy's Carbon Count offset program; and
 - (iii) investment in Flick Electricity;
- (f) Z Energy's total emissions, including from the fuel it sold, were approximately nine million tonnes per annum, representing around nine per cent of Aotearoa New Zealand's emissions;
- (g) Z Energy had made substantial progress in reducing its total emissions, including from the fuel that it sells;
- (h) Z Energy would be substantially reducing its total emissions, including from the fuel that it sells; and/or
- (i) Z Energy would be substantially reducing its total emissions in line with the pathways analysed in the 2018 Special Report that are consistent with limiting warming to 1.5°C with limited or no overshoot,

(the Emissions Reduction representations).

98 The Emissions Reduction representations were made in trade.

99 The Emissions Reduction representations were and continue to be misleading or deceptive or likely to mislead or deceive members of the public because:

- (a) Z Energy was not making any changes that would materially reduce its total emissions, including from the fuel that it sells;
- (b) Z Energy set targets that made material reductions only to its Operational Emissions, and not its total emissions, including from the fuel that it sells;
- (c) Z Energy's financial investments in emissions reductions were a non-material part of its overall business;

- (d) Z Energy had ceased to operate the biodiesel production facility;
- (e) Z Energy's sales and planned sales of biodiesel would not materially reduce its total emissions;
- (f) Z Energy's investment in Flick Electricity would not reduce its total emissions, or global emissions;
- (g) the use of Z Energy's Carbon Count offset programme would not materially reduce its total emissions, or global emissions;
- (h) Z Energy's total emissions, including from the fuel it sold:
 - (i) were:
 - (1) 11.96 million tonnes per annum in the 2019 financial year;
 - (2) 11.58 million tonnes per annum in the 2020 financial year;
 - (3) 9.41 million tonnes per annum in the 2021 financial year;
 - (4) 10.04 million tonnes per annum in the 2022 financial year; and
 - (5) 8.99 million tonnes in the first nine months of the 2023 financial year; and
 - (ii) represented between 11.98 and 15.92 per cent of Aotearoa New Zealand's emissions;
- (i) Z Energy's total emissions, including from the fuel that it sells, were increasing;
- (j) Z Energy has no plans (or, in the alternative, no meaningful plans) to make changes to reduce its total emissions, including from the fuel that it sells; and/or
- (k) Z Energy has no plans (or, in the alternative, no meaningful plans) to make changes to reduce its total emissions, including from the fuel that it sells, in line with the pathways analysed in the 2018 Special Report that are consistent with limiting warming to 1.5°C with limited or no overshoot.

Relief in respect of first cause of action

100 For these reasons, the plaintiffs seek:

- (a) a declaration that the defendant's conduct in making the Emissions Reduction representations breached s 9 of the Fair Trading Act 1986 (**Fair Trading Act**);

- (b) a mandatory injunction against the defendant directing the defendant to publish corrective advertising:
 - (i) in a similar manner and form to that in which the Emissions Reduction representations were published; and
 - (ii) with the same prominence that the Emissions Reduction representations were given;
- (c) an order under s 41 of the Fair Trading Act preventing the defendant from making the Emissions Reduction representations; and
- (d) costs.

SECOND CAUSE OF ACTION – GETTING OUT REPRESENTATIONS

- 101 The plaintiffs repeat paragraphs 1 to 95 above.
- 102 The statements and related images made by Z Energy referred to at paragraphs 59 to 71, individually and collectively conveyed the impression that:
- (a) Z Energy intended to cease selling petroleum products, including petrol;
 - (b) Z Energy had begun taking meaningful steps to reduce its sales of petroleum products, including petrol;
 - (c) Z Energy was acting with a sense of urgency commensurate with the scale of the climate crisis and the role of fossil fuels in causing climate change; and/or
 - (d) Z Energy had reduced its sales of petroleum products, including petrol, (the **Getting Out representations**).
- 103 The Getting Out representations were made in trade.
- 104 The Getting Out representations were and continue to be misleading or deceptive or likely to mislead or deceive members of the public because:
- (a) Z Energy intended to sell petroleum products for as long as there was consumer demand for petroleum products;
 - (b) Z Energy had not taken any steps (or, in the alternative, any meaningful steps) to reduce its sales of petroleum products; and/or
 - (c) Z Energy had increased both its sales of petroleum products and its market share.

Relief in respect of second cause of action

105 For these reasons, the plaintiffs seek:

- (a) a declaration that the defendant's conduct in making the Getting Out representations breached s 9 of the Fair Trading Act;
- (b) a mandatory injunction against the defendant directing the defendant to publish corrective advertising:
 - (i) in a similar manner and form to that in which the Getting Out representations were published; and
 - (ii) with the same prominence that the Getting Out representations were given;
- (c) an order under s 41 of the Fair Trading Act preventing the defendant from making the Getting Out representations; and
- (d) costs.

THIRD CAUSE OF ACTION – CHARGING STATION REPRESENTATIONS

106 The plaintiffs repeat paragraphs 1 to 95 above.

107 The statements and related images made by Z Energy referred to at paragraphs 60, 61, 62, 65, 71, 76, 79, 80, 85, and 86, individually and collectively conveyed the impression that:

- (a) Z Energy was investing in significantly increasing the number of electric vehicle charging stations that it operated or owned;
- (b) up until 6 December 2022, Z Energy was in the process of putting electric vehicle charging stations into all or most of its retail fuel sites, within the near future;
- (c) from 6 December 2022, Z Energy was in the process of putting electric vehicle charging stations into 20 per cent of its retail fuel sites by 31 December 2023, and 40 per cent of its retail fuel sites by 31 December 2025;
- (d) Z Energy was materially reducing emissions through the installation of electric vehicle charging stations; and/or
- (e) Z Energy would be, through the installation of electric vehicle charging stations, substantially reducing its total emissions in line with the

pathways analysed in the 2018 Special Report that are consistent with limiting warming to 1.5°C with limited or no overshoot,

(the **Charging Station representations**).

108 The Charging Station representations were made in trade.

109 The Charging Station representations were and continue to be misleading or deceptive or likely to mislead or deceive members of the public because:

- (a) Z Energy had installed an insubstantial number of electric vehicles charging stations;
- (b) the number of electric vehicles charging stations Z Energy had installed would not:
 - (i) materially reduce its sales of petroleum products or its emissions; and
 - (ii) reduce its total emissions, including from the fuel that it sells, in line with the pathways analysed in the 2018 Special Report that are consistent with limiting warming to 1.5°C with limited or no overshoot;
- (c) Z Energy's plan was:
 - (i) to slowly increase the number of electric vehicles charging stations at its retail fuel sites; and
 - (ii) from a date unknown to the plaintiffs, to increase the number of electric vehicle charging stations at its Z-Energy branded retail fuel sites, excluding its other sites, as it received government funding to do so; and
- (d) Z Energy has instead increased both its sales of petroleum products and its market share.

Relief in respect of third cause of action

110 For these reasons, the plaintiffs seek:

- (a) a declaration that the defendant's conduct in making the Charging Station representations breached s 9 of the Fair Trading Act;
- (b) a mandatory injunction against the defendant directing the defendant to publish corrective advertising:
 - (i) in a similar manner and form to that in which the Charging Station representations were published; and

- (ii) with the same prominence that the Charging Station representations were given;
- (c) an order under s 41 of the Fair Trading Act preventing the defendant from making the Charging Station representations; and
- (d) costs.

FOURTH CAUSE OF ACTION – OPERATIONAL EMISSIONS REPRESENTATIONS

111 The plaintiffs repeat paragraphs 1 to 95 above.

112 The statements and related images made by Z Energy referred to at paragraphs 61, 62, 73, 75, 76 and 83 to 86, individually and collectively conveyed the impression that:

- (a) Z Energy's Operational Emissions represented a significant portion of its total emissions;
- (b) Z Energy had, by reducing its Operational Emissions, materially reduced its total emissions; and/or
- (c) the closure of the Marsden Point refinery had materially reduced:
 - (i) Z Energy's total emissions; and
 - (ii) global emissions,(the **Operational Emissions representations**).

113 The Operational Emissions representations were made in trade.

114 The Operational Emissions representations were and continue to be misleading or deceptive or likely to mislead or deceive members of the public because:

- (a) Z Energy's defined Operational Emissions are an insubstantial portion of its total emissions;
- (b) Z Energy has not materially reduced its total emissions;
- (c) closing the Marsden Point refinery:
 - (i) did not reduce Z Energy's total emissions; and
 - (ii) did not reduce global emissions; and
- (d) the apparent reduction in Z Energy's Operational Emissions reflected a change in Z Energy's accounting classification of emissions relating to the transportation and refining of petroleum products, rather than any actual reduction in emissions.

Relief in respect of fourth cause of action

115 For these reasons, the plaintiffs seek:

- (a) a declaration that the defendant's conduct in making the Operational Emissions representations breached s 9 of the Fair Trading Act;
- (b) a mandatory injunction against the defendant directing the defendant to publish corrective advertising:
 - (i) in a similar manner and form to that in which the Operational Emissions representations were published; and
 - (ii) with the same prominence that the Operational Emissions representations were given;
- (c) an order under s 41 of the Fair Trading Act preventing the defendant from making the Operational Emissions representations; and
- (d) costs.

This document is filed by:

- (a) Paul Ian Charles Comrie-Thomson, solicitor for the first and third plaintiffs, of the firm Wynn Williams; and
- (b) Megan Rose Cornforth-Camden, solicitor for the second plaintiff.

The address for service of the plaintiffs is at the offices of Wynn Williams, Level 2, Te Nuku Building, 43 Ballarat Street, Queenstown 9300.

Documents for service on the plaintiffs may be left at that address for service or may be—

- (a) posted to the solicitors at PO Box 323, Queenstown 9348;
- (b) transmitted to the solicitors by fax to +64 3 379 2467; or
- (c) emailed to the solicitors at paul.comrie-thomson@wynnwilliams.co.nz and megan.cornforth-camden@eli.org.nz, and copied to molly.mcdouall@wynnwilliams.co.nz.