

**BEFORE THE HEARINGS PANEL  
APPOINTED BY THE OTAGO REGIONAL COUNCIL**

<b>UNDER THE</b>	Resource Management Act 1991 (the Act)
<b>IN THE MATTER</b>	the Proposed Otago Regional Policy Statement 2021 (Non-freshwater parts)

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**MEMORANDUM OF COUNSEL ON BEHALF OF MANAWA ENERGY LIMITED  
(REVISED RELIEF POLICY 7A)**

**7 SEPTEMBER 2023**

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**MAY IT PLEASE THE PANEL**

1. Manawa Energy Limited (**Manawa**) presented its case to the Panel on 31 August 2023.
2. At the hearing the Panel questioned the scope of changes proposed to clause (b) of LF-FW-P7A. The concern appeared to be the priority in water allocation afforded to new renewable electricity generation.
3. Manawa clarified that this was not the intent, and that it would give some thought to the wording that had been proposed.
4. To this end, Ms Styles has reviewed the proposed wording and recommends the following which better aligns with the phrasing used in the NPS REG (eg Policy B a)) as follows:

*LF-FW-P7A – Water allocation and use*

*Within limits and in accordance with any relevant environmental flows and levels, the benefits of using fresh water are recognised and over-allocation is either phased out or avoided by:*

- (1) *allocating fresh water efficiently to support the social, economic, and cultural well-being of people and communities to the extent possible within limits, including **prioritising allocation of available fresh water** for:*
  - (a) *community drinking water supplies, **and***
  - (b) ***maintaining existing generation output and capacity and ~~future generation from existing~~ renewable electricity generation **schemes, and then*****
  - (c) *land-based primary production, **and then***
  - (d) other commercial and industrial uses,**
- (2) *ensuring that no more fresh water is abstracted than is necessary for its intended use,*

**DATED 7 SEPTEMBER 2023**

**Lara Burkhardt**  
Counsel for Manawa Energy Limited