

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

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

**MEMORANDUM OF COUNSEL ON BEHALF OF MANAWA ENERGY LIMITED IN
RELATION TO IMPLICATIONS OF THE NPS IB FOR NON-FRESHWATER ISSUES**

19 SEPTEMBER 2023

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MAY IT PLEASE THE PANEL

1. This memorandum is lodged on behalf of Manawa Energy Limited (**Manawa**) in relation to ORC's evidence and supporting submissions on the implications of the NPS IB for non-freshwater issues.
2. Manawa's position is that it agrees with submissions for ORC that there is scope to give effect to at least some of the NPS IB through this process.
3. Ms Styles (Manawa's planning witness) has addressed these points in a short supplementary statement of evidence (**attached**).
4. As Ms Styles highlights, the NPS IB exempts renewable electricity generation and transmission from its application, with the reason being that:

It is preferable to provide certainty in the regulatory environment for renewable electricity generation and electricity transmission until the consultation process concludes and amended regulations are confirmed by Cabinet¹.

5. This is addressed by the Council officer, who has proposed a bespoke new policy for generation and transmission in response. Ms Styles proposes several amendments to this policy for reasons consistent with those she has raised in her earlier statements of evidence.
6. The NPS IB approach is consistent with Manawa's position that the PORPS should contain a clear and certain set of provisions that foster and encourage the uptake of renewable energy generation at the pace and scale needed to decarbonise Aotearoa. A separate chapter would be an appropriate way to achieve this, and this is still sought by Manawa and recommended by Ms Styles.

DATED 19 SEPTEMBER 2023

Lara Burkhardt
Counsel for Manawa Energy Limited

¹ Recommendations and Decisions Report on the National Policy Statement for Indigenous Biodiversity, 2023, recommendation 12w), page 102. [Draft NPSIB recommendations report \(environment.govt.nz\)](https://environment.govt.nz/draft-npsib-recommendations-report)