

**SUBMISSION ON  
THE PROPOSED OTAGO REGIONAL POLICY STATEMENT JUNE 2021  
UNDER THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

**To:** Proposed Otago Regional Policy Statement June 2021  
Otago Regional Council  
Private Bag 1954  
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Attention: ORC Policy Team

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**From:** Meridian Energy Limited  
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Meridian Energy Limited (**Meridian**) makes the general and specific submissions on the Proposed Otago Regional Policy Statement June 2021 that are set out in the attached document.

Meridian confirms that its submission does not relate to trade competition or the effects of trade competition.

Meridian would like to be heard in support of its submissions.

If other persons make a similar submission, then Meridian would consider presenting joint evidence at the time of the hearing.



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Andrew Feierabend  
For and on behalf of Meridian Energy Limited

Dated this 3rd day of September 2021

## **STRUCTURE OF SUBMISSION**

1. This submission is structured as follows:
  - Part One: About the submitter
  - Part Two: Context for Meridian's submissions
  - Part Three: Relief sought
2. All of Parts 1 to 3 of this submission are to be read together, and together they form Meridian's submissions on the pORPS21.

## **PART ONE: ABOUT THE SUBMITTER**

3. Meridian is a limited liability company listed on the New Zealand Stock Exchange, with 51% of the company owned by the New Zealand Government. It is one of the three companies formed from the split of the Electricity Corporation of New Zealand on the 1<sup>st</sup> of April 1999. Meridian's core business is the generation, marketing, trading and retailing of electricity and the management of associated assets and ancillary structures in New Zealand. As well as being New Zealand's largest generator of electricity, Meridian is also the country's largest generator of renewable electricity.
4. While Meridian does not currently undertake electricity generation activities in the Otago region, it is interested in the potential to advance renewable electricity generation across New Zealand, thereby contributing to reducing emissions of greenhouse gases and to the resilience of New Zealand's communities and businesses. Meridian also has a direct interest in the catchment of the Waitaki River, which lies within both the Otago and Canterbury regions and is therefore addressed by the regional policy statements and plans of both the Canterbury Regional Council and Otago Regional Council.

## **PART TWO: CONTEXT FOR MERIDIAN'S SUBMISSIONS**

5. Meridian's overarching concerns with the Proposed Otago Regional Policy Statement June 2021 (**pORPS21**) relate to the extent to which the pORPS21 does not adequately give effect to the National Policy Statement for Renewable Electricity Generation 2011 (**NPSREG**) and Policy 4 of the National Policy Statement for Freshwater Management 2020 (**NPSFM**); and does not respond sufficiently to the need for action to address climate change.
6. Section SRMR-I2 of the pORPS21 identifies climate change as a significant resource management issue for the Otago region and discusses the potential regional impacts of climate change. The causes and effects of climate change are far reaching, and require global, national and local responses.
7. A key means to address climate change is the global reduction of greenhouse gas emissions. In 2011, New Zealand recognised the vital role that renewable electricity generation plays in reducing greenhouse gas emissions, and the growing demand for renewable electricity generation in New Zealand. In response, the NPSREG was Gazetted, with the objective of recognising "*the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation*".

8. In 2016 New Zealand ratified the Paris Agreement with the long-term goal of keeping the increase in the global average temperature to below 2°C above pre-industrial levels and to pursue efforts to limit the increase to 1.5 °C. In 2019 New Zealand's Climate Change Response (Zero Carbon) Amendment Act 2019 was passed and set into law a domestic target of net zero emissions of long-lived greenhouse gases (other than biogenic methane) by 2050. In the same year, the Climate Change Commission was established to provide independent, evidence-based advice to the Government to help the transition to a climate-resilient and low emissions future. Amongst the current Government's targets is the goal of phasing out the use of coal in electricity generation and to achieve 100% of electricity generated from renewable resources in 2030.
9. Section 62(3) of the Resource Management Act 1991 (**the Act**) requires that all regional policy statements "*must give effect to a national policy statement*". Accordingly, the pORPS21 must give effect to the NPSREG and the NPSFM (amongst others).
10. As discussed previously, the objective of the NPSREG is to recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, so that the proportion of New Zealand's electricity generated from renewable energy sources increases to meet or exceed the New Zealand Government's national target for the same.
11. The preamble of the NPSREG recognises "*The contribution of renewable electricity generation, regardless of scale, towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment*". Consistent with this, Policy A of the NPSREG recognises the national significance of "*maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions*" and Policy 4 of the NPSFM requires that "*Freshwater is managed as part of New Zealand's integrated response to climate change*".
12. Accordingly, to give effect to the NPSREG and the NPSFM, the pORPS21 must provide for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. At the same time, decision makers must have particular regard to protecting the assets and operational capacity of existing renewable electricity generation activities; and to the need for significant development of new renewable electricity generation activities.
13. The NPSREG also requires that decision makers have particular regard to the need to locate the renewable electricity generation activity where the renewable energy resource is available; the logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity; and the need to connect renewable electricity generation to the national grid (amongst other matters).
14. Policy C2 of the NPSREG requires that when decision makers are considering any residual effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, they must have regard to offsetting measures or environmental compensation, including measures or compensation that benefit the local environment and community affected.
15. In addition to the NPSREG, sections 7(i) and 7(j) of the Act expressly require that all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, have particular regard to the effects of

climate change and the benefits to be derived from the use and development of renewable energy.

16. Meridian maintains that the pORPS21 does not give full effect to the NPSREG and Policy 4 of the NPSFM. Part Three of this submission addresses particular parts of the pORPS21 that relate to renewable electricity generation activities and seeks relief to address this concern. Critical parts of this relief include (though are not limited to) the following:

a) Inserting a new objective in the Integrated Management chapter as follows:

*“The management of natural and physical resources in Otago recognises and provides for the national significance of renewable electricity generation activities, including their contribution within the Otago region and nationally to displacing greenhouse gas emissions and associated climate change, and increasing electricity generation capacity and security of supply”*;

b) Inserting a new policy in the Integrated Management chapter as follows:

*“Recognise and provide for the national significance of renewable electricity generation activities, including their contribution within the Otago region and nationally to displacing greenhouse gas emissions and associated climate change, and increasing electricity generation capacity and security of supply”*;

c) Supporting the Integrated Management Policy P12 that provides for non-compliance with environmental bottom lines (or limits) where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment. At the same time amending the Integrated Management Policy P12 to improve its consistency with regulatory requirements and its workability.

d) Amending LF-WAI-P1 to recognise the importance of the use of water for renewable electricity generation and the associated contribution to the health needs of people.

e) Inserting a new objective in the Energy section of the Energy, Infrastructure and Transport chapter as follows:

*“Renewable electricity generation activities in Otago:*

*a) provide for the energy needs of Otago’s communities and economy;*

*b) reduce overall greenhouse gas emissions; and*

*c) contribute to the achievement of New Zealand’s national target for renewable electricity generation”*;

f) Numerous amendments to ensure that existing renewable electricity generation activities are enabled, and new renewable electricity generation activities are provided for; and that both offsetting and environmental compensation are amongst the effects management options available to renewable electricity generation activities;

g) Clarifying the relationship between the provisions in the Energy section of the Energy, Infrastructure and Transport chapter, and the other provisions in the pORPS21 by inserting the following new policy:

*“Where conflict arises between the implementation of EIT-EN objectives and policies, and the objectives and policies in other sections of this regional policy statement, the EIT-EN objectives and policies preside.”*; and

- h) Clarifying that the EIT-INF sub-chapter of the pORSP21 does not apply to renewable electricity generation activities by inserting the following

*“The EIT-INF provisions of this RPS do not apply to infrastructure that is part of renewable electricity generation activities. The EIT-EN provisions of this RPS apply to infrastructure that is part of renewable electricity generation activities.”*

### **PART THREE: RELIEF SOUGHT**

- 17. Based on the preceding context, Table 1 of this submission sets out Meridian’s concerns with specific provisions in the pORPS21, and the relief sought to address these concerns. With this, Meridian accepts that consequential amendments to pORPS21 may be needed to give full effect to their submissions, and seeks that such amendments are made where necessary.

**TABLE 1: SPECIFIC SUBMISSIONS**

PROVISION OF pOPRS21	SUPPORT OR OPPOSE	REASONS	RELIEF SOUGHT
<b>DEFINITIONS</b>			
<p>Definition of “<i>Effects management hierarchy</i>” (page 21)</p>	<p>Oppose in part</p>	<p>Meridian is concerned that only one national policy statement is being given effect to by this definition, and that is the National Policy Statement for Freshwater Management 2020 (<b>NPSFM</b>), albeit with provision 3.21 (e) of the NPSFM missing from the pORPS21 definition.</p> <p>The National Policy Statement for Renewable Electricity Generation 2011 (<b>NPSREG</b>) also includes effects management requirements that must be given effect to under section 62(3) of the Resource Management Act 1991 (<b>the Act</b>), and these differ from the pORPS21 definition.</p> <p>Policy C2 of the NPSREG requires that:</p> <p><i>“When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected”.</i></p> <p>Policy C2 does not create a hierarchy between offsetting and environmental compensation; and these actions apply after effects have been avoided, remedied or mitigated.</p>	<p>Amend the definition of “<i>Effects management hierarchy</i>” as follows:</p> <p><i>“has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also applies to natural wetlands</i></p> <p><i>(1) in relation to <del>natural inland wetlands, rivers,</del> means <del>an approach to</del> managing the adverse effects of an activity on the extent or values of a <u>natural wetland</u>, <del>or</del> <u>river or lake</u> (including cumulative effects and loss of potential value) <del>that requires</del> <u>means</u> that:</i></p> <ul style="list-style-type: none"> <li><i>(a) adverse effects are avoided where practicable, <u>and</u></i></li> <li><i>(b) where adverse effects cannot be avoided, they are minimised where practicable, <u>and</u></i></li> <li><i>(c) where adverse effects cannot be minimised, they are remedied where practicable, <u>and</u></i></li> <li><i>(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided, and</i></li> </ul>

		<p>On this basis, Meridian seeks amendments to the definition of “<i>Effects management hierarchy</i>” to provide an effects management hierarchy that applies to renewable electricity generation activities and is consistent with the NPSREG.</p>	<p>(e) <u>if aquatic offsetting of more than minor residual adverse effects is not practicable, aquatic compensation is provided; and</u></p> <p>(ef) <u>if aquatic compensation is not appropriate, the activity itself is avoided.</u></p> <p>(2) <u>in relation to managing the adverse effects of renewable electricity generation activities on the extent or values of a natural wetland, river or lake (including cumulative effects and loss of potential value) means that:</u></p> <p>(a) <u>adverse effects are avoided, remedied or mitigated where practicable, and</u></p> <p>(b) <u>where the adverse effects cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected.</u></p>
<p>Definition of “<i>Electricity sub-transmission infrastructure</i>” (page 22)</p>	<p>Support</p>	<p>Meridian supports the definition for “<i>Electricity sub-transmission infrastructure</i>” which reads “<i>means electricity infrastructure which conveys electricity between energy generation sources, the National Grid and zone substations and between zone substations.</i>”</p> <p>Meridian considers the definition is comprehensive and will assist with implementation of the pORPS21.</p>	<p>Retain the definition of “<i>Electricity sub-transmission infrastructure</i>” as notified.</p>
<p>Definition of “<i>Highly valued natural</i>”</p>	<p>Oppose</p>	<p>Meridian considers that use of the term “<i>Highly valued natural features and landscapes</i>”, either alone or in</p>	<p>Delete the definition of “<i>Highly valued natural features and landscapes</i>” from the pORPS21.</p>

<p><i>features and landscapes”</i></p>		<p>conjunction with “<i>outstanding natural features and landscapes”</i> is problematic.</p> <p>The functions of a regional council include “<i>the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance”</i> (section 30(1)(a) of the Act). At the same time, Section 6(b) of the Act requires “<i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development”</i>. This leads a regional council to need to manage potential effects on regionally outstanding natural features and landscapes,</p> <p>The notified definition states that “<i>highly valued natural features, landscapes and seascapes are areas which contain attributes and values of significance under Sections 7(c) and 7(f) of the RMA 1991, which have been identified in accordance with APP9.”</i> Section 7(c) of the Act refers to “<i>amenity values”</i> and section 7(f) refers to “<i>the quality of the environment”</i>. However, there is no directive in the RMA to identify and manage highly valued natural features and landscapes. There is however a directive to protect outstanding natural features and landscapes from inappropriate subdivision, use, and development.</p> <p>On this basis, Meridian seeks that all references to highly valued natural features and landscapes are removed from the pORPS21.</p>	<p>Delete all references to highly valued natural features and landscapes from the pORPS21.</p>
<p>Definition of “Regionally</p>	<p>Support</p>	<p>Meridian supports inclusion of the following in the definition of “<i>Regionally significant infrastructure”</i>:</p> <p>“(2) <i>electricity sub-transmission infrastructure,</i></p>	<p>In the definition of “<i>Regionally significant infrastructure”</i>, retain the following as notified:</p> <p>“(2) <i>electricity sub-transmission infrastructure,</i></p>



<p><i>significant infrastructure”</i> Parts (2) and (3) (page 33)</p>		<p>(3) <i>renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated principally for supplying a single premise or facility”</i>.</p> <p>The supply of electricity is fundamental to the functioning of essential services, businesses, homes and the broader community; and accordingly Meridian supports inclusion of (2) and (3) in the list of regionally significant infrastructure.</p>	<p>(3) <i>renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated principally for supplying a single premise or facility”</i>.</p>
<p>Definition of “<i>Renewable electricity generation”</i> (page 33)</p>	<p>Support</p>	<p>Meridian supports adoption of the same definition of “<i>Renewable electricity generation”</i> as is in the Interpretation section of the NPSREG. Meridian considers that adopting the same definition is both efficient and consistent with giving effect to NPSREG.</p>	<p>Retain the definition of “<i>Renewable electricity generation”</i> as notified.</p>
<p>Definition of “<i>Renewable electricity generation activities”</i> (pages 33 and 34)</p>	<p>Oppose in part</p>	<p>Meridian considers that the definition of “<i>Renewable electricity generation activities”</i> should include activities that are clearly ancillary to renewable electricity generation structures, such as the construction, operation and maintenance of tracks and roads within the sites of renewable electricity generation. Other examples of ancillary activities include (but are not limited to) the instalment of telecommunications infrastructure.</p> <p>Meridian understands that the pORPS21 has adopted the definition of <i>Renewable electricity generation activities</i> from the NPSREG and considers that this is appropriate. At the same time, Meridian considers that its amendments to this definition are not inconsistent with the NPSREG. Rather the amendments clarify the</p>	<p>Amend the definition of “<i>Renewable electricity generation activities”</i> as follows:</p> <p><i>“means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity. <u>This also includes the construction, operation and maintenance of ancillary structures to renewable electricity generation, including (amongst others) internal access tracks and roads, and substations.</u>”</i></p>

		extent of the activities involved in renewable electricity generation which includes works that are associated with the maintenance and operation of renewable energy structures.	
Definition of “Residual risk” (page 34)	Oppose in part	<p>Meridian considers that the words “available and” should be removed from the definition of “Residual risk”. The term ‘practicable’ is inclusive of ‘available’. Alternatively, if a measure is available but not practicable, then it should not be required to be undertaken in order to establish residual risk.</p> <p>Meridian also notes that the term “residual risk” is only used once in the pORPS21, and this is in regard to assessing activities for natural hazard risk in APP6, on page 210. Its use on page 210 is clear and the definition for residual risk does not improve clarity. On this basis, the definition could be deleted.</p>	<p>Either delete the definition of “Residual risk” or amend the definition of “Residual risk” as follows:</p> <p><i>“means the risk remaining after the implementation or undertaking of all <del>available and</del> practicable risk management measures.”</i></p>
Definition of “Specified infrastructure” (pages 35 and 36)	Support	<p>Meridian supports adoption of the same definition of “Specified infrastructure” as is in clause 3.21 of the NPSFM.</p> <p>Meridian notes that this includes “<i>infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002)</i>”, and that the definition of a lifeline utility in the Civil Defence Emergency Management Act 2002 includes “<i>An entity that generates electricity for distribution through a network or distributes electricity through a network</i>”.</p>	Retain the definition of “Specified infrastructure” as notified.
Definition of “Significant natural area”	Oppose in part	The definition of “Significant natural area” is “ <i>areas of significant indigenous vegetation and significant</i>	Amend the definition of “Significant natural area” as follows:

(page 36)		<p><i>habitats of indigenous fauna that are located outside the coastal environment”.</i></p> <p>As there is no definition of “<i>significant indigenous vegetation and significant habitats of indigenous fauna</i>” in the pORPS21, and APP2 sets criteria for identifying areas as a “<i>significant natural area</i>”, Meridian considers that referencing APP2 in the definition of “<i>Significant natural area</i>” would assist implementation of the pORSP21.</p>	<p>“<i>means areas of significant indigenous vegetation and significant habitats of indigenous fauna that are <u>identified by applying the criteria set in APP2 and are located outside the coastal environment.</u></i>”</p>
<p>Definition of “<i>Small and community scale distributed electricity generation</i>”</p> <p>(page 36)</p>	Support	<p>Meridian supports adoption of the same definition of “<i>Small and community scale distributed electricity generation</i>” as is in the Interpretation section of the NPSREG. Meridian considers that adopting the same definition is both efficient and consistent with giving effect to NPSREG.</p>	<p>Retain the definition of “<i>Small and community scale distributed electricity generation</i>” as notified.</p>
<p>Definition of “<i>Te Mana o te Wai</i>”</p> <p>(page 38)</p>	Support	<p>Meridian supports adoption of the same definition of “<i>Te Mana o te Wai</i>” as is in clause 1.3 of the NPSFM. Meridian considers that adopting the same definition is both efficient and consistent with giving effect to NPSFM.</p>	<p>Retain the definition of “<i>Te Mana o te Wai</i>” as notified.</p>
<p>New Definition for “Upgrade”</p>		<p>Meridian considers that for reasons of clarity and certainty, a definition for “<i>upgrade</i>” should be added to the pORPS21.</p>	<p>Insert the following definition:</p> <p><u>“<i>Upgrade means activities to bring existing structures up to current standards or to improve the functional characteristics of structures, provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.</i></u></p> <p><u><i>Within the footprint of authorised renewable electricity generation activities, upgrade also means increasing the</i></u></p>

			<i>generation or transmission capacity, or the efficiency or security of regionally significant infrastructure; and replacing ancillary structures”</i>
<b>MW – MANA WHENUA</b>			
MW-M1(4) Collaboration with Kāi Tahu (page 61)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend MW-M1(4) as follows:  (4) identify and map outstanding natural features, landscapes and seascapes, <del>and highly valued natural features, landscapes and seascapes</del> and record their values.
<b>RESOURCE MANAGEMENT OVERVIEW - SIGNIFICANT RESOURCE MANAGEMENT ISSUES FOR THE REGION</b>			
SRMR-I1 Natural hazards pose a risk to many Otago communities Impact snapshot, Economic, Social (page 66)	Oppose in part	<p>The Impact Snapshot for SRMR-I1 rightly refers to environmental, economic and social impacts that may result from a natural hazard in Otago.</p> <p>Meridian considers that the economic and social impacts paragraphs fail to recognise that if renewable electricity generation activities within the Otago region are disrupted, then it is also likely that the supply of electricity to areas beyond Otago will be disrupted. On this basis, the potential economic and environmental consequences of a natural hazard in the Otago region can extend beyond the Otago region.</p> <p>Given the national significance of renewable electricity generation activities (established in the NPSREG), Meridian considers that the Impact Snapshot for SRMR-I1 should identify not only the potential regional effects of disrupted renewable electricity generation activities in Otago, but also the potential national effects if such disruptions were to occur.</p>	Amend the Impact Snapshot for SRMR-I1 as follows:  (a) inserting the following statement at the end of the Economic impact paragraphs on page 66, “ <i>The economic impacts of natural hazards within the Otago region can extend beyond the region’s boundary, particularly if renewable electricity generation activities are disrupted</i> ”, or words of the same effect; and  (b) inserting the following statement at the end of the Social impact (on page 66), “ <i>The social impacts of natural hazards within the Otago region can extend beyond the region’s boundary, particularly if renewable electricity generation activities are disrupted</i> ”, or words of the same effect.

<p>SRMR-I2</p> <p>Climate change is likely to impact our economy and environment</p> <p>(page 67)</p>	<p>Oppose in part</p>	<p>Meridian considers that the SRMR-I2 Statement should make reference to the potential impacts of climate change on renewable electricity generation. The changes in climate can pose both a threat and an opportunity to renewable electricity generation, and the outcomes are “unpredictable” (as noted on page 67 of the pORPS21). Given the national significance of renewable electricity generation, Meridian considers that the potential effects of climate change on renewable electricity generation activities in the Otago region should be identified in SRMR-I2.</p>	<p>Amend the third sentence in SRMR-I2 Statement to read as follows:</p> <p><i>“...This will be compounded by stronger winds, increased temperatures and longer dry periods, which may affect the number and types of crops and animals that the land can sustain, <u>and the potential for renewable electricity generation...</u>”</i></p>
<p>SRMR-I3</p> <p>Pest species pose an ongoing threat to indigenous biodiversity, economic activities and landscapes</p> <p>Impact snapshot, Economic</p> <p>(page71)</p>	<p>Support in part</p>	<p>Meridian supports recognition of the impact that weeds can have on electricity generation activities. However, Meridian also considers that the reference to “power systems (e.g. generation penstock, gates, valves, surge tanks, transmission lines)” lacks clarity. Meridian considers that reference to “electricity generation infrastructure and activities” is clearer and more comprehensive.</p>	<p>Amend the third paragraph of SRMR-I3 Impact snapshot, Economic, as follows:</p> <p><i>“Weeds, for example, are conservatively estimated to cost the New Zealand economy \$1.6 billion per annum<sup>19</sup> in terms of loss of economic production, management and control costs. They also affect landscape amenity value and tourism experiences relied upon by the tourism sector. Weeds can also adversely impact infrastructure, (for example, water systems including irrigation, dams, and levies); <del>power systems (e.g. generation penstock, gates, valves, surge tanks, transmission lines)</del> <u>renewable electricity generation activities</u>; and transportation systems (e.g. road beds, lake and river transportation, airstrips).”</i></p> <p>With this, Meridian notes that they have sought a change to the definition of “renewable electricity generation activities” to include “the construction, operation and maintenance of ancillary facilities to</p>

			<i>renewable electricity generation, including (amongst others) internal access tracks and roads.”</i>
SRMR-I11 Cumulative impacts and resilience – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached (pages 84 and 85)	Oppose in part	Meridian considers that this section should be expanded to address the linkage between greenhouse gas emissions, climate change, the effects of climate change in Otago (and beyond the Otago region) and the role of renewable electricity generation in displacing greenhouse gas emissions. The Climate Change Commission’s 2021 Draft Advice for Consultation (dated the 31 <sup>st</sup> of January 2021) identifies responding to climate change by decarbonising our economy as a key national objective, and that priority actions to achieve this objective include increasing our total renewable energy supply. Consistent with this advice, Meridian considers that increasing the renewable electricity generation capacity within the region, and enabling different types of renewable electricity generation, is fundamental to the resilience of the Otago region, and to the broader resilience of the country as a whole; and that this should be directly referred to in the pORSP21.	Amend SRMR-I11 as follows, or with words of similar effect:  <i>“Impact snapshot</i>  <i>Environmental</i>  <i>While many ecosystems have a degree of resilience, increasing pressures on the environment, typically as a result of human activities (for example economic development), can have an adverse cumulative effect.</i>  <i><u>A key tipping point is the pending effects of climate change that are resulting from greenhouse gas emissions. Some of these effects <del>Climate change also has</del> are already being experienced in the Otago region, and further climate change has the potential to seriously challenge ecosystem adaptive capacity <u>and the location and functioning of business and communities in the region. Decarbonising our economy is a priority for mitigating the scale of climate change and the associated economic and social disruption that can result. Key to reducing greenhouse gas emissions is increasing renewable electricity generation.</u></u></i>  <i><del>Much work is being undertaken to address this challenge, but it is still possible that permanent changes may occur (tipping point).</del></i>  <i>The first and best response <u>to possible tipping points</u> is to ensure sustainable management of our natural resources and avoid immediate and long-term cumulative effects that degrade the environment. At the</i>

			<p>same time a resilience approach is needed that identifies thresholds and sets limits on the use of natural resources to avoid permanent and potentially catastrophic changes occurring, as would occur if a tipping point is reached.</p> <p>Indicators and tools for measuring resilience and tipping points remain in the early stages of understanding and development. Even though regulatory agencies and proponents for natural resource development and environmental rehabilitation projects have difficulties interpreting and verifying the potential for environmental recovery and resilience (particularly in relation to the regulatory context of impact assessment in order to provide consenting decisions for regulated activities) that should not be taken as a reason to delay acting.”</p>
<b>RESOURCE MANAGEMENT OVERVIEW - INTEGRATED MANAGEMENT</b>			
New Objective (page 96)		<p>The objectives of the “<i>Integrated management</i>” chapter of the pORPS21 identify, at a high level, the outcomes sought from the management of Otago’s natural and physical resources. The policies within the “<i>Integrated management</i>” chapter then set out how the integrated management objectives are to be achieved.</p> <p>Given the NPSREG’s requirement (Policy A) to recognise and provide for the national significance of renewable electricity generation activities, including its contribution to displacing greenhouse gas emissions (amongst other benefits), and the NPSFM’s requirement (Policy 4) that freshwater is managed as part of New Zealand’s integrated response to climate change,</p>	<p>Insert a new objective in the IM Objectives, as follows:</p> <p><u>“IM-04 – Renewable electricity generation</u>  <u>The management of natural and physical resources in Otago recognises and provides for the national significance of renewable electricity generation activities, including their contribution to displacing greenhouse gas emissions and associated climate change, and increasing electricity generation capacity and security of supply.</u></p> <p><u>IM–04 05 – Climate change</u>  <u>Otago’s communities, including Kāi Tahu, understand what climate change means for their future, and climate</u></p>

		<p>Meridian considers that a clear integrated management objective is needed that recognises and provides for renewable electricity generation activities.</p> <p>Further to this, Meridian is concerned that IM-O4 can be read as responding to the effects of climate change (such as managed retreat from increasing sea level or inland floods), without recognising the need to minimise greenhouse gas emissions and their associated affect on the climate so as to minimise the need for the community's "response".</p> <p>In terms of sequencing the objectives in the IM chapter, Meridian considers that it is more constructive to place the new objective before the "Climate change" objective as the new objective is proactive to preventing climate change while the "Climate change" objective addresses the response to climate change effects that have not been able to be displaced.</p>	<p><i>change responses in the region, including adaptation and mitigation actions, are aligned with national level climate change responses and are recognised as integral to achieving the outcomes sought by this RPS."</i></p>
<p>IM-P1 Integrated approach (page 96)</p>	<p>Support in part</p>	<p>Meridian supports the integrated approach set out in IM-P1. While (1) to (3) are established by the Act and good planning practice, Meridian considers that their inclusion aids implementation of the pORPS21. Provision (4) also highlights the fundamental relevance of IM-O1 to IM-O4 and the new objective sought by Meridian for this chapter.</p>	<p>Retain IM-P1, with the following amendments:</p> <p><i>"The objectives and policies in this RPS form an integrated package, in which:</i></p> <ol style="list-style-type: none"> <li><i>(1) all activities are carried out within the environmental constraints of this RPS,</i></li> <li><i>(2) all provisions <b>in this RPS</b> relevant to an issue or decision must be considered,</i></li> <li><i>(3) if multiple provisions are relevant, they must be considered together and applied according to the terms in which they are expressed, and</i></li> </ol>



			(4) notwithstanding the above, all provisions must be interpreted and applied to achieve the integrated management objectives IM-O1 to IM- <del>0405</del> "
IM-P2 Decision priorities (page 97)	Oppose in part	<p>IM-P2 seeks to ensure that “all decision making under this RPS shall:</p> <p>(1) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,</p> <p>(2) secondly, promote the health needs of people, and</p> <p>(3) thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future”.</p> <p>Meridian considers that no decision can “secure the long-term life-supporting capacity and mauri of the natural environment”. The term “secure” in this sentence is too absolute and cannot be achieved in practical terms. Meridian considers that “contribute to” is more appropriate.</p>	<p>Amend IM-P2 as follows:</p> <p>“Unless expressly stated otherwise, all decision making under this RPS shall:</p> <p>(1) firstly, <del>secure</del> contribute to the long-term life-supporting capacity and mauri of the natural environment,</p> <p>(2) secondly, promote the health needs of people, and</p> <p>(3) thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”</p>
IM-P5 Managing environmental interconnections (page 97)	Support	<p>Meridian supports IM-P5. Meridian considers that IM-P5(1) requires recognition of and provision for renewable electricity generation activities as they contribute to New Zealand’s displacement of greenhouse gases, and they can provide electricity to communities outside of the Otago region.</p> <p>Meridian also considers that IM-P5(3) aligns with Policy 4 of the NPSFM, which requires that “Freshwater is managed as part of New Zealand’s integrated response to climate change”.</p>	Retain IM-P5 as notified

<p>New Policy (page 98)</p>		<p>For the same reasons as set out above, with respect to Meridian’s “<i>New Objective (page 96)</i>”, Meridian considers that a new policy is needed to direct recognition and provision for the national significance of renewable electricity generation.</p>	<p><u>“IM-P8 – Renewable electricity generation</u> <u>Recognise and provide for the national significance of renewable electricity generation activities, including their contribution to displacing greenhouse gas emissions and associated climate change, and increasing electricity generation capacity and security of supply</u></p>
<p>IM-P9 Community response to climate change impacts (page 98)</p>	<p>Support</p>	<p>Meridian supports IM-P9. Meridian notes that the target of net zero carbon emissions by 2050 is consistent with New Zealand’s Climate Change Response (Zero Carbon) Amendment Act 2019, and that renewable electricity generation activities will play a large role in implementing this policy.</p>	<p>Retain IM-P9 as notified.</p>
<p>IM-P11 Enhancing environmental resilience to effects of climate change (page 98)</p>	<p>Support</p>	<p>Meridian supports IM-P11 and notes that renewable electricity generation activities will play a large role in reducing human impacts on the environment and enhancing environmental resilience to the adverse effects of climate change.</p>	<p>Retain IM-P11 as notified.</p>
<p>IM-P12 Contravening environmental bottom lines for climate change mitigation (page 98)</p>	<p>Oppose in part</p>	<p>IM-P12 provides allowances for activities to not comply with “<i>environmental bottom lines</i>” that are established in any policy or method in the pORPS21, provided that the listed criteria are met. The activities for which non-compliance is allowed (subject to meeting the listed criteria) are those that “<i>provide enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment</i>”. Meridian understands that renewable electricity</p>	<p>Amend IM-P12 as follows: <u>“Despite other policies within this RPS, <del>where</del> where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment, <del>decision makers may, at their discretion,</del> <del>allow</del> non-compliance with an environmental bottom line <u>or environmental limit</u> set in, <u>or resulting from,</u> any</u></p>

	<p>generation activities provide the outcomes described. On this basis, Meridian supports what it understands is the intent of this policy, however Meridian has a number of concerns with the drafting of IM-P12.</p> <p>Meridian is concerned with use of the term “environmental bottom lines”. Environmental bottom lines are currently referred to in the NPSFM, and the term may be adopted in future regional or district plans within Otago, however they are not currently referred to in policies or methods in the pORPS21 other than with respect to housing issues. The pORPS21 refers to “limits” in terms of achieving environmental outcomes. Accordingly, Meridian considers that IM-P12 should be amended to address non-compliances with both environmental limits and bottom lines.</p> <p>Criteria (1) reads “the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs”. Meridian considers that this criterion is unclear and unnecessarily restrictive. The “smallest possible environmental impact” may be so costly to achieve that the activity is no longer viable. The “smallest possible environmental impact” is not a requirement set in the Act or other resource management regulation. Applying such a requirement could prevent activities being undertaken that could provide “enduring regionally or nationally significant mitigation of climate change impacts, with commensurate benefits for the well-being of people and communities and the wider environment”.</p> <p>Criteria (2) reads “the activity is consistent and coordinated with other regional and national climate change mitigation activities”. Meridian considers that</p>	<p>policy or method of this RPS <u>is enabled provided that only if they are satisfied that:</u></p> <p>(1) <u>the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs,</u></p> <p><u>adverse effects on the environment resulting from the activity are avoided, remedied or mitigated as fully as reasonably practicable; and</u></p> <p><del>(2)</del> <u>the activity is consistent and coordinated with other regional and national climate change mitigation activities;</u></p> <p><del>(2)(3)</del> <u>significant adverse effects on the environment that cannot be avoided, remedied, or mitigated are offset in accordance with APP3, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is: APP4; and</u></p> <p><del>(a)</del> <u>undertaken where it will result in the best ecological outcome;</u></p> <p><del>(b)</del> <u>close to the location of the activity, and</u></p> <p><del>(c)</del> <u>within the same ecological district or coastal marine biogeographic region;</u></p> <p><del>(3)(4)</del> <u>the activity will not impede either the achievement of the objectives of this RPS, or the objectives of regional policy statements in neighbouring regions, and</u></p>
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	<p>this criterion is unclear in terms of how ‘consistency’ will be determined. For example, does it require the same source of renewable electricity generation (e.g., hydro, solar or wind); or consistency of technology used; or scale of electricity generation; or scale of greenhouse emissions avoided relative to electricity generated. It is also not clear what ‘coordination with other regional and national climate change mitigation activities’ requires, or would achieve. On this basis, Meridian seeks the deletion of criteria (2).</p> <p>Criteria (3) reads <i>“adverse effects on the environment that cannot be avoided, remedied, or mitigated are offset, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:</i></p> <ul style="list-style-type: none"> <li><i>(a) undertaken where it will result in the best ecological outcome,</i></li> <li><i>(b) close to the location of the activity, and</i></li> <li><i>(c) within the same ecological district or coastal marine biogeographic region”</i> <p>Meridian is concerned that criteria (3) creates a hierarchy between offsetting and environmental compensation that is not consistent with the NPSREG. Policy C2 of the NPSREG requires that <i>“When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected”</i>. Policy C2 of the NPSREG does not require that compensation is only given regard to if</p> </li></ul>	<p><del>(5) — the activity will not contravene a bottom line set in a national policy statement or national environmental standard.”</del></p>
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	<p>offsetting measures are not possible. That is, the NPSREG does not impose a hierarchy between these options, rather they both must be given regard to.</p> <p>Meridian considers that reference to <i>“in accordance with any specific criteria for using offsets”</i> is not sufficiently clear. APP3 and APP4 set criteria for biodiversity offsetting and compensation, respectively. Therefore, APP3 and APP4 should be directly referred to in criteria (3). With this, APP3 and APP4 set out where the offsetting or compensation is to be undertaken. Therefore, with the inclusion of APP3 and APP4 in criteria 3, there is no need to list such locational details in criteria 3.</p> <p>Further to the above, criteria (3) requires that <i>“adverse effects on the environment that cannot be avoided, remedied, or mitigated”</i> are offset or compensated for. Meridian is concerned that this phrase is too inclusive, and should be amended to read <i>“significant adverse effects...”</i> or <i>“more than minor adverse effects...”</i>. This recognises that effects that are less than minor can be considered to be ‘acceptable’ and not require offsetting or mitigation; and it is consistent with the definition of <i>“Effects management hierarchy”</i> in the pORPS21.</p> <p>Criteria (4) states that the activity must not <i>“impede either the achievement of the objectives of this RPS or the objectives of regional policy statements in neighbouring regions”</i>. Meridian accepts that achievement of the objectives of the pORPS21 should not be impeded by an activity that this policy applies to. However, Meridian considers that it is not appropriate for the implementation of a policy in the pORPS21 to be reliant on the content of a neighbouring regional policy</p>	
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		<p>statement. Coordination of the management of Otago’s natural and physical resources across jurisdictional boundaries is required by IM-P7, and the coordination required by IM-P7 should lead to policies within the pORPS21 that clearly reflect cross-boundary issues.</p> <p>Criteria (5) reads “<i>the activity will not contravene a bottom line set in a national policy statement or national environmental standard</i>”. Meridian considers that this criteria is not needed, since the relationship between a limit set in a regional policy statement or plan and a limit set in a national policy statement or national environmental standard is set within the national policy statement and national environmental standard. Further to this, the term “<i>bottom line</i>” may not be explicitly used in future national policy statements and national environmental standards, which would then lead to interpretation of other references to limits in such documents to determine whether they equate to a “bottom line”. On this basis, Meridian seeks deletion of criteria (5).</p> <p>In addition to the above, Meridian considers that it is not appropriate for decision makers to have full discretion as to whether non-compliance with a limit is allowed. Given the national significance of renewable electricity generation, clear criteria are needed to determine when non-compliances are allowed, or not. The relief sought by Meridian sets out such criteria.</p>	
<b>DOMAIN – AIR</b>			
AIR-M5	Oppose in part	Meridian considers that AIR-M5(4) should focus on advocating for the resilience of renewable electricity	Amend AIR-M5(4) as follows:

Incentives and other mechanisms (page 105)		generation infrastructure, and not be advocating to energy providers that are not using renewable sources.	<i>“advocating to <b>energy</b> providers <b>of renewable electricity</b> to improve the resilience of <b>renewable</b> electricity <b>generation</b> infrastructure so <b>that reliable alternative</b> sources of heating are available <del>and reliable</del>”</i>
<b>DOMAIN – COASTAL ENVIRONMENT</b>			
CE-O2 Maintaining or enhancing highly valued areas of the coastal environment (page 108)	Oppose in part	As set out with respect to the definition of <i>“Highly valued natural features and landscapes”</i> , Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend CE-O2 as follows: <i>“CE–O2 – Maintaining or enhancing highly valued areas of the coastal environment  Public access, recreation opportunities, and <b>highly valued-outstanding</b>-natural features and landscapes in the coastal environment are maintained or enhanced.”</i>
CE-P1 Links with other chapters (page 109)	Oppose in part	CE-P1 identifies how certain values, activities and hazards are to be managed in the coastal environment. It does that by stating which chapters beyond the “Coastal Environment” chapter apply.  Meridian considers that, since renewable electricity generation activities and the transmission of electricity can occur within the coastal environment, CE-P1 should be amended to direct the management of such activities to the EIT-EN and EIT-INF chapters of the pORPS21.	Amend CE-P1 as follows: <i>“Recognise that:  (1) coastal hazards must be identified in accordance with CE–P2(4) and managed in accordance with the HAZ–NH – Natural hazards section of this RPS;  (2) port activities must be managed in accordance with the TRAN – Transport section of this RPS; <del>and</del>  (3) historic heritage must be managed in accordance with the HCV – Historical and cultural values section of this RPS; <u>and</u>  (4) <b>renewable electricity generation activities must be managed in accordance with the EIT-EN-Energy section of this RPS and</b></i>

			<u>(5) electricity transmission activities must be managed in accordance with the EIT-INF Infrastructure section of this RPS.</u>
CE-P3 Coastal water quality (page 110)	Oppose in part	Meridian considers that CE-P3 incorrectly references CE-P1(2), which addresses port activities, and that the correct reference is CE-P2(2), which addresses deteriorated water quality.	Amend CE-P3 as follows: “Coastal water quality is improved where it is considered to have deteriorated to the extent described within <del>CE-P1(2)</del> <u>CE-P2(2)</u> , and otherwise managed, so that....”
CE-P6 Natural features, landscapes and seascapes (page 111)	Oppose in part	CE-P6 requires that natural features, landscapes and seascapes in the coastal environment are protected. Meridian considers that this policy is unnecessarily restrictive. Section 6(b) of the Act requires “the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development”; while CE-P6 extends the protection beyond “outstanding natural features and landscapes”. Meridian considers that CE-P6 should be amended to protect outstanding natural features, landscapes and seascapes, and avoid, remedy or mitigate potential effects on other natural features and landscapes. Meridian also considers that offsetting and environmental compensation should be included in the hierarchy for protecting outstanding natural features, landscapes and seascapes in the coastal environment.	Amend CE-P6 as follows: “CE–P6 –Natural features, landscapes and seascapes Protect <u>outstanding</u> natural features, landscapes and seascapes in the coastal environment by: (1) identifying <u>outstanding natural features, landscapes and seascapes, including</u> their areas and values, in accordance with APP9, (2) <del>avoiding adverse effects of activities on</del> <u>protect</u> outstanding natural features, landscapes or seascapes <u>from inappropriate subdivision, use, and development,</u> (3) <del>avoiding significant adverse effects and</del> avoiding, remedying, or mitigating <del>other</del> adverse effects of activities on other natural features and natural landscapes or seascapes, and (4) <u>offsetting or compensating for significant residual adverse effects after avoidance, remediation, and mitigation; and</u>



			(4) <i>promoting restoration or enhancement of <u>outstanding</u> natural features, landscapes and seascapes where they have been reduced or lost.</i>
<b>DOMAIN – LAND AND FRESHWATER</b>			
LF-WAI-P1 Prioritisation (page 121)	Oppose in part	<p>Section 1.3(5) of the NPSFM states that:</p> <p><i>“There is a hierarchy of obligations in Te Mana o te Wai that prioritises:</i></p> <p>(a) <i>first, the health and well-being of water bodies and freshwater ecosystems</i></p> <p>(b) <i>second, the health needs of people (such as drinking water)</i></p> <p>(c) <i>third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”</i></p> <p>LF-WAI-P1 elevates the “well-being needs of people” to the same priority as the health needs of people. This is a broad term and can include many different uses of water, such as economic and recreation uses. Meridian understands that the hierarchy of obligations in Te Mana o te Wai places the health needs of people above the broader well-being needs of people; and seeks that LF-WAI-P1 be amended to achieve this.</p> <p>Meridian also considers that the use of water for renewable electricity generation should be prioritised alongside the health needs of people since it is a lifeline utility and without electricity there will be little or no medical services available to meet the health needs of people. Further to this, Policy 4 of the NPSFM requires</p>	<p>Amend LF-WAI-P1 as follows:</p> <p><i>“In all management of fresh water in Otago, prioritise:</i></p> <p>(1) <i>first, the health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these,</i></p> <p>(2) <i>second, the health <del>and well-being</del> needs of people, te hauora o te tangata; <u>when</u> interacting with water <del>through ingestion</del> (such as drinking water, and <u>collecting or consuming food harvested from waterbodies resources</u>) <del>and immersive activities (such as harvesting resources and bathing)</del>, and <u>through the use of water for renewable electricity generation,</u></i></p> <p>(3) <i>third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”</i></p>

		<p>that <i>“Freshwater is managed as part of New Zealand’s integrated response to climate change”</i>, and clause 3.31 of the NPSFM requires that regard be given to the importance of large hydro-electricity schemes in terms of their <i>“contribution to meeting New Zealand’s greenhouse gas emission targets”</i> and <i>“to maintaining the security of New Zealand’s electricity supply”</i>.</p> <p>On this basis, Meridian considers that it is crucial that the second priority level of LF-WAI-P1 explicitly includes the use of water resources for hydro electricity generation.</p>	
<p>LF-WAI-P3 Integrated management/ki uta ki tai (page 122)</p>	<p>Oppose in part</p>	<p>LF-WAI-P3 seeks that the use of freshwater and land are managed in accordance with tikaka and kawa, using an integrated approach; and it lists matters that must be part of the integrated approach.</p> <p>Meridian considers that the list of matters that must be part of the integrated approach should include recognition of the national significance of <i>“the need to develop, operate, maintain and upgrade renewable electricity generation activities throughout New Zealand; and the benefits of renewable electricity generation”</i> (NPSREG, Matters of national significance). This is consistent with, and gives effect to, the hierarchy of obligations in Te Mana o te Wai that is set out in section 1.3 of the NPSFM (since the provision of electricity is part of the health needs of people), and is consistent with Policy 4 of the NPSFM which requires that <i>“Freshwater is managed as part of New Zealand’s integrated response to climate change”</i>. Renewable electricity generation activities also contribute to <i>“the ability of people and communities to provide for their</i></p>	<p>Amend LF-WAI-P3 as follows:</p> <p><i>“Manage the use of fresh water and land in accordance with tikaka and kawa, using an integrated approach that:</i></p> <ol style="list-style-type: none"> <li><i>(1) recognises and sustains the connections and interactions between water bodies (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),</i></li> <li><i>(2) sustains and, wherever possible practicable, restores the connections and interactions between land and water, from the mountains to the sea,</i></li> <li><i>(3) sustains and, wherever possible practicable, restores the habitats of mahika kai and indigenous species, including taoka species associated with the water body,</i></li> </ol>

		<p><i>social, economic, and cultural well-being, now and in the future”, which is the third priority in the hierarchy of obligations in Te Mana o te Wai.</i></p> <p>Meridian also considers that the list of matters in LF-WAI-P3 omits recognition that the broader use of freshwater and land is fundamental to the economic and social wellbeing of people and communities. Meridian considers that integrated management of fresh water and land should recognise both the importance of their use, and the need to manage effects, and sustain or restore the values associated with fresh water and land.</p> <p>Further to the above, Meridian is concerned that there is a distinct difference between something being possible and something being practicable. The former does not factor in costs (amongst other practicalities), and whether they are warranted relative to the scale of positive outcome that may be achieved. Meridian seeks that “possible” is replaced with “practicable”.</p>	<p><u>(4) recognises that New Zealand’s integrated response to climate change includes the management of freshwater;</u></p> <p><u>(5) recognises and provides for the national significance of developing, operating, maintaining and upgrading renewable electricity generation activities; and the benefits of renewable electricity generation in reducing greenhouse gas emissions and the associated effects of climate change,</u></p> <p><u>(6) recognises that the use of freshwater and land contributes to the economic and social wellbeing of people and communities,</u></p> <p><i>(47) manages the effects of the use and development of land to maintain or enhance the health and well-being of fresh water and coastal water,</i></p> <p><i>(58) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,</i></p> <p><i>(69) has regard to foreseeable climate change risks, and</i></p> <p><i>(710) has regard to cumulative effects and the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse effects.”</i></p>
<p>LF-FW-08 Freshwater (page 129)</p>	<p>Oppose in part</p>	<p>LF-FW-08 sets out the objectives for freshwater in Otago. Amongst these is “(2) water flow is continuous throughout the whole system”. Meridian considers that this objective is unclear, and that the outcome sought</p>	<p>Amend LF-FW-08 as follows: “In Otago’s <u>fresh</u> water bodies and their catchments: (1) the health of the wai supports the health of the people and thriving mahika kai,</p>

		<p>by (2) is better addressed in (1), (3), (4) and (5) of LF-FW-O8.</p> <p>LF-FW-O8 (5) is “<i>the significant and outstanding values of Otago’s outstanding water bodies are identified and protected</i>”. While APP1 identifies “<i>values</i>” that need to be present for a water body to be identified as “<i>outstanding</i>”, there is no definition or appendix that sets out what criteria must be met for a value to be “<i>significant</i>”.</p> <p>Further to this, Policy 8 of the NPSFM requires that “<i>The significant values of outstanding water bodies are protected</i>”. The definition of an “<i>outstanding water body</i>” in the same national policy statement is “<i>outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values</i>”. While significant values and outstanding values are referred to in the policy and the definition respectively, it is Meridian’s opinion that they are not different values, otherwise the significant values would be protected by Policy 8 while the outstanding values would not.</p> <p>Meridian also notes that LF-FW-E3 states that “<i>The significant values of outstanding water bodies are to be identified and protected from adverse effects</i>”.</p> <p>On this basis, Meridian seeks that LF-FW-O8 adopt the same wording as Policy 8 of the NPSFM.</p>	<p><del>(2) water flow is continuous throughout the whole system,</del></p> <p>(3) the interconnection of fresh water (including groundwater) and coastal waters is recognised,</p> <p>(4) native fish can migrate easily and as naturally as possible and taoka species and their habitats are protected, and</p> <p>(5) the significant <del>and outstanding</del> values of Otago’s outstanding water bodies are identified and protected.”</p>
LF-FW-P7 Fresh water	Oppose in part	LF-FW-P7 lists what “ <i>Environmental outcomes, attribute states (including target attribute states) and limits</i> ” are to achieve. This includes (amongst others) that “ <i>the</i>	Amend LF-FW-P7 as follows:

(page 129)		<p><i>habitats of indigenous species associated with water bodies are protected, including by providing for fish passage</i>". Meridian is concerned that this outcome is too absolute and would mean that the environmental outcomes, attribute states and limits must protect any habitat of a single (or multiple) indigenous plant or animal that is associated with a water body, whether in it or near it. This is significantly more limiting than section 6(c) of the Act, and Meridian considers that it is unnecessarily restrictive and should be amended to refer to the habitats of significance indigenous species.</p>	<p><i>"Environmental outcomes, attribute states (including target attribute states) and limits ensure that:</i></p> <ol style="list-style-type: none"> <li><i>(1) the health and well-being of water bodies is maintained or, if degraded, improved,</i></li> <li><i>(2) the habitats of <b>significant</b> indigenous species associated with water bodies are protected, including by providing for fish passage,</i></li> <li><i>(3) specified rivers and lakes are suitable for primary contact within the following timeframes:</i> <ol style="list-style-type: none"> <li><i>(a) by 2030, 90% of rivers and 98% of lakes, and</i></li> <li><i>(b) by 2040, 95% of rivers and 100% of lakes, and 130</i></li> </ol> </li> <li><i>(4) mahika kai and drinking water are safe for human consumption,</i></li> <li><i>(5) existing over-allocation is phased out and future over-allocation is avoided, and</i></li> <li><i>(6) fresh water is allocated within environmental limits and used efficiently"</i></li> </ol>
<p>LF-FW-P9 (1)(a) Protecting natural wetlands (page 130)</p>	<p>Oppose in part</p>	<p>While Meridian supports the inclusion of LF-FW-P9 (1)(vi), Meridian considers that this policy should refer to "<i>specified infrastructure</i>" and not "<i>specific infrastructure</i>". The former is defined in the pORPS21, while the latter is not.</p>	<p>Amend LF-FW-P9 (1)(a)(vi) as follows: <i>"(vi) the maintenance of operation of <b>specific specified</b> infrastructure, or other infrastructure,"</i></p>
<p>LF-FW-P9 (1)(b) Protecting natural wetlands</p>	<p>Support</p>	<p>Meridian supports the matters set out in LF-FW-P9 (1)(b) and (2) as they recognise the regional and national importance of specified infrastructure.</p>	<p>Retain LF-FW-P9 (1)(b) and (2) as notified.</p>

(page 130)			
LF-FW-P12 Protecting outstanding water bodies (page 131)	Oppose in part	As with the explanation for changes sought to LF-FW-O8, Meridian seeks that LF-FW-P12 adopt the same wording as Policy 8 of the NPSFM.	Amend LF-FW-P12 as follows: <i>“The significant <del>and outstanding</del> values of outstanding water bodies are:</i> <i>(1) identified in the relevant regional and district plans, and</i> <i>(2) protected by avoiding adverse effects on those values”</i>
LF-FW-M5 Outstanding water bodies (page 133)	Oppose in part	As with the explanation for changes sought to LF-FW-O8, Meridian seeks that LF-FW-M5 adopt the same wording as Policy 8 of the NPSFM.	Amend LF-FW-M5 as follows: <i>“No later than 31 December 2023, Otago Regional Council must:</i> <i>(1) in partnership with Kāi Tahu, undertake a review based on existing information and develop a list of <u>outstanding</u> water bodies <u>in accordance with APP1 likely to contain outstanding values</u>, including those water bodies listed in LF-VM-P6,</i> <i>(2) identify the <del>outstanding-significant</del> values of those <u>outstanding</u> water bodies (if any) in accordance with APP1,</i> <i>(3) consult with the public during the identification process,</i> <i>(4) map outstanding water bodies and identify their <del>outstanding and</del> significant values in the relevant regional plan(s), and</i> <i>(5) include provisions in regional plans to avoid the adverse effects of activities on the significant <del>and outstanding</del> values of outstanding water bodies”</i>

<p>LF-FW-M6 Regional plans (pages 133 and 134)</p>	<p>Support</p>	<p>Subsection (6) of LF-FW-M6 requires that Otago’s Land and Water Regional Plan must:</p> <p><i>“provide for the off-stream storage of surface water where storage will:</i></p> <p><i>(a) support Te Mana o te Wai,</i></p> <p><i>(b) give effect to the objectives and policies of the LF chapter of this RPS, and</i></p> <p><i>(c) not prevent a surface water body from achieving identified environmental outcomes and remaining within any limits on resource use”.</i></p> <p>Meridian notes that there is no policy in the pORPS21 that provides for off-stream storage of surface water. If the matter is sufficiently important to require its provision in the Land and Water Regional Plan, then Meridian considers that a policy addressing the same is needed.</p>	<p>Amend the pORPS21 by elevating LF-FW-M6 to being a new policy, or adopt, as a new policy, words of the same effect.</p>
<p>LF-FW-M7 District plans (page 134)</p>	<p>Oppose in part</p>	<p>As with the explanation for changes sought to LF-FW-O8, Meridian seeks that LF-FW-M7 adopt the same wording as Policy 8 of the NPSFM.</p>	<p>Amend LF-FW-M7 as follows:</p> <p><i>“Territorial authorities must prepare or amend and maintain their district plans no later than 31 December 2026 to:</i></p> <p><i>(1) map outstanding water bodies and identify their <del>outstanding and</del> significant values using the information gathered by Otago Regional Council in LF–FW–M5, and</i></p> <p><i>(2) include provisions to avoid the adverse effects of activities on the significant <del>and-outstanding</del> values of outstanding water bodies,</i></p>

			<p>(3) <i>require, wherever practicable, the adoption of water sensitive urban design techniques when managing the subdivision, use or development of land, and</i></p> <p>(4) <i>reduce the adverse effects of stormwater discharges by managing the subdivision, use and development of land to:</i></p> <p>(a) <i>minimise the peak volume of stormwater needing off-site disposal and the load of contaminants carried by it,</i></p> <p>(b) <i>minimise adverse effects on fresh water and coastal water as the ultimate receiving environments, and the capacity of the stormwater network,</i></p> <p>(c) <i>encourage on-site storage of rainfall to detain peak stormwater flows, and</i></p> <p>(d) <i>promote the use of permeable surfaces.”</i></p>
<b>TOPICS – ECOSYSTEMS AND INDIGENOUS BIODIVERSITY</b>			
ECO – Ecosystems and indigenous biodiversity (page 142)	Opposed in part	<p>Meridian considers that the ECO section, and the related APP2, are unclear.</p> <p>The pORPS21 defines “<i>significant natural areas</i>” as “<i>areas of significant indigenous vegetation and significant habitats of indigenous fauna that are located outside the coastal environment</i>”). APP2 then (despite its title) states that an area is a significant natural area if it meets one or more of the criteria set in APP2. On this basis the criteria in APP2 are used to determine whether an area of indigenous vegetation is significant</p>	<p>Amend the title for the ECO section of pORPS21 as follows:</p> <p><i>“<del>ECOBIO - Ecosystems and i</del>ndigenous biodiversity”</i></p> <p>Add an explanatory note to clarify the relationship between indigenous biodiversity and significant natural areas.</p>



		<p>and whether a habitat for indigenous fauna is significant.</p> <p>The pORPS defines “<i>biodiversity</i>” as “<i>the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystem</i>”. On this basis, a significant natural area is a subset of indigenous biodiversity, since the latter can involve more than significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>The title of the ECO section is “<i>Ecosystems and indigenous biodiversity</i>”. All of the objectives in the ECO section address indigenous biodiversity. On this basis, Meridian seeks that the title be changed to “<i>Indigenous biodiversity</i>” (that is delete “<i>ecosystems</i>”). With this, Meridian acknowledges that the ECO section also refers to “<i>indigenous species and ecosystems that are taoka</i>”, however as the policies give effect to the objectives, it is understood that such species and ecosystems must contribute to indigenous biodiversity. Consistent with this understanding, ECO-PR1 states that “<i>The provisions in this chapter assist in maintaining, protecting and restoring indigenous biodiversity...</i>”.</p> <p>Further to this Meridian seeks that an explanatory note be inserted to clarify the relationship between indigenous biodiversity and significant natural areas. Meridian also seeks that the title of APP2 be amended to “<i>Criteria for significant natural areas</i>” and this is addressed later in this submission.</p>	
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<p>ECO-O1 Indigenous biodiversity (page 142)</p>	<p>Opposed in part</p>	<p>Meridian is concerned that ECO-O1 is unclear, and its implementation could be unnecessarily restrictive.</p> <p>The definition of biodiversity in the pORPS21 is “means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems”. On this basis, there can be a decline in biodiversity, and ECO-O1 rightly seeks to halt such a decline from occurring. However, the reference to decline in quality and quantity of biodiversity could imply that the removal of a single indigenous plant (that is not offset) is a decline in biodiversity and should be “halted”. Meridian considers that the reference to biodiversity in ECO-O1 is sufficient, and clearer, given the definition of the same in pORPS21.</p>	<p>Amend ECO-O1 as follows:</p> <p><i>“Otago’s indigenous biodiversity is healthy and thriving and any decline in <del>quality, quantity and indigenous</del> biodiversity is halted”.</i></p>
<p>ECO-P4 Provision for new activities and (page 143)</p>	<p>Support</p>	<p>Meridian considers that this policy rightly provides for the importance of nationally and regionally significant infrastructure that has a functional or operational need to locate within a significant natural area or where they may adversely affect indigenous species or ecosystems that are taoka.</p>	<p>Retain policies ECO-P4 as notified.</p>
<p>ECO-P5 Existing activities in significant natural areas (page 143)</p>	<p>Support</p>	<p>Meridian considers that this policy rightly provides for existing activities within significant natural areas.</p>	<p>Retain ECO-P5 as notified.</p>
<p>ECO-P6</p>	<p>Oppose in part</p>	<p>Meridian considers that ECO-P6 establishes a hierarchy for the management of effects that is inconsistent with the NPSREG. In Policy C2 of the NPSREG, there is no</p>	<p>Amend ECO-P6 as follows:</p>

<p>Maintaining indigenous biodiversity (page 144)</p>		<p>hierarchy between adopting offsetting or environmental compensation. Meridian considers that it is inappropriately constraining to apply the hierarchy created by ECO-P6 (4) and (5) to renewable electricity generation activities.</p> <p>Further to the above, and as set out with respect to LF-WAI-P3, Meridian seeks the replacement of “possible” with “practicable”. Meridian also considers that the terms “demonstrably” and “completely” are too complete and therefore they are unnecessarily restrictive. For example, ‘completely avoiding’ an effect will never be achievable.</p> <p>With respect to ECO-P6 (4) and (5), Meridian is concerned that reference to “residual adverse effects” is too inclusive, and should be amended to read “significant residual adverse effects...”. This recognises that effects that are less than minor can be considered to be ‘acceptable’ and not require offsetting or mitigation; and it is consistent with the definition of “Effects management hierarchy” in the pORPS21.</p>	<p>“Maintain Otago’s indigenous biodiversity (excluding the coastal environment and areas managed under ECO–P3) by applying the following biodiversity effects management hierarchy in decision-making on applications for resource consent and notices of requirement:</p> <ol style="list-style-type: none"> <li>(1) <u>where practicable first</u> avoid adverse effects <del>as the first priority</del>,</li> <li>(2) where adverse effects <del>demonstrably</del> cannot be <u>completely practicably</u> avoided, they are remedied,</li> <li>(3) where adverse effects <del>demonstrably</del> cannot be <u>completely practicably</u> avoided or remedied, they are mitigated,</li> <li>(4) where there are <u>significant</u> residual adverse effects after avoidance, remediation, and mitigation, then the residual adverse effects are offset in accordance with APP3,</li> <li>(5) if biodiversity offsetting of <u>significant</u> residual adverse effects is not <del>possible</del> <u>practicable</u>, then: <ol style="list-style-type: none"> <li>(a) the <u>significant</u> residual adverse effects are compensated for in accordance with APP4, and</li> <li>(b) if the <u>significant</u> residual adverse effects cannot be compensated for in accordance with APP4, the activity is avoided.”</li> </ol> </li> <li>(6) <u>despite (1) to (5) inclusive, when considering any significant residual environmental effects of renewable electricity generation activities or electricity transmission activities that cannot be avoided, remedied or mitigated, have regard to</u></li> </ol>
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			<u><i>offsetting measures or environmental compensation, including measures or compensation that benefits the local environment and community affected</i></u>
ECO-P8 Enhancement (page 144)	Oppose in part	<p>ECO-P8 seeks to increase the extent, occupancy and condition of Otago’s indigenous biodiversity.</p> <p>Meridian considers that as notified the policy is too directive. That is, to give effect to this policy, rules and conditions of consent would require actions to increase indigenous biodiversity.</p> <p>Meridian considers that increasing Otago’s indigenous biodiversity should be enabled, but not be a requirement. With this, Meridian notes that s6(c) of the Act only requires protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Ongoing increases of indigenous biodiversity generally is a positive outcome, but does not warrant a directive policy.</p>	<p>Amend ECO-P8 as follows:</p> <p><i>“Enable increases in <del>the</del> extent, occupancy and condition of Otago’s indigenous biodiversity <del>is increased</del> by including by:</i></p> <ol style="list-style-type: none"> <li><i>(1) restoring and enhancing habitat for indigenous species, including taoka and mahika kai species,</i></li> <li><i>(2) improving the health and resilience of indigenous biodiversity, including ecosystems, species, important ecosystem function, and intrinsic values, and</i></li> <li><i>(3) buffering or linking ecosystems, habitats and ecological corridors.”</i></li> </ol> <p>At the same time, corresponding amendments to Methods ECO-M4(3) and ECO-M5(5) are needed, and these amendments are addressed separately within this table.</p>
ECO-P10 Integrated management (page 144)	Oppose in part	<p>Meridian considers that it is not necessary to include subsections (4) and (6) in Policy ECO-P10.</p> <p>Subsection (4) refers to supporting various statutory approaches adopted to manage indigenous biodiversity. If there are “<i>approaches</i>” for managing indigenous biodiversity within statute, the statute will set out the associated requirements for district and regional plans. On this basis, this part of subsection (4) is redundant.</p>	<p>Amend ECO-P10 as follows:</p> <p><i>“Implement an integrated and co-ordinated approach to managing Otago’s ecosystems and indigenous biodiversity that:</i></p> <ol style="list-style-type: none"> <li><i>(1) ensures any permitted or controlled activity in a regional or district plan rule does not compromise the achievement of ECO–01,</i></li> </ol>

		<p>Further, the reference to “non-statutory approaches” are vague and provide no guidance on what approaches are to be supported.</p> <p>Subsection (6) refers to ‘adopting’ regulatory and non-regulatory regional pest management programmes. As discussed above, there is no need for a policy stating that regulatory pest management programmes will be adopted. If the programme requires regional implementation this will be specified in the legislation itself, and therefore this part of subsection (4) is redundant. Further to this, references to “non-regulatory regional pest management programmes” are vague and provide no guidance on what approaches are to be adopted.</p>	<p>(2) <i>recognises the interactions ki uta ki tai (from the mountains to the sea) between the terrestrial environment, fresh water, and the coastal marine area, including the migration of fish species between fresh and coastal waters,</i></p> <p>(3) <i>promotes collaboration between individuals and agencies with biodiversity responsibilities, <u>and</u></i></p> <p><del>(4) <i>supports the various statutory and non-statutory approaches adopted to manage indigenous biodiversity,</i></del></p> <p>(5) <i>recognises the critical role of people and communities in actively managing the remaining indigenous biodiversity occurring on private land, <u>and</u></i></p> <p><del>(6) <i>adopts regulatory and non-regulatory regional pest management programmes”</i></del></p>
New policy		<p>Meridian is concerned about how the various sections and provisions of the pORPS21 work together, in particular how they ensure that the national significance of renewable electricity generation is recognised and provided for, while at the same time providing for other values within the Otago region.</p> <p>To address this, with respect to the objects and policies in the “Ecosystems and indigenous biodiversity” section of the pORPS21, Meridian seeks adoption of a new policy that directs how ecosystems and indigenous biodiversity will be maintained and enhanced when they have an association with renewable electricity generation activities.</p>	<p>Insert the following new policy in the ECO section of the pORPS:</p> <p><u><i>“Despite policies ECO-P1 to ECO-P10 (inclusive), manage effects on indigenous biodiversity in a way that recognises and provides for the national significance of renewable electricity generation activities, and provides for their development, operation, upgrading, and maintenance by:</i></u></p> <p><u><i>1. Enabling indigenous vegetation clearance that is essential for the operation and maintenance of existing renewable electricity generation activities; and</i></u></p>

	<p>The new policy sought is set out in the cell to the right. Meridian considers that subsection 1 of this new policy recognises the following:</p> <ul style="list-style-type: none"> <li>a) The national significance of operating and maintaining existing renewable electricity generation schemes; and</li> <li>b) That existing renewable electricity generation schemes have been lawfully established and are operating within areas that have already been highly modified; and</li> <li>c) It would be unlawful to roll-back existing use rights by introducing policies that do not permit operation and maintenance of existing authorised renewable electricity generation; and</li> <li>d) The level of sunk investment in existing renewable electricity generation schemes and that investment decisions of this scale rely on certainty that the scheme can function as intended once developed.</li> </ul> <p>Subsection 2 of this new policy recognises the importance of managing the environmental effects of yet to be authorised renewable electricity activities, while at the same time providing for increased renewable electricity generation.</p>	<p><u>2. Providing for the upgrading and development of renewable electricity generation, while managing the significant effects of upgrading and development on indigenous biodiversity, and having particular regard to:</u></p> <ul style="list-style-type: none"> <li><u>a) the location of existing structures and infrastructure; and</u></li> <li><u>b) the need to locate renewable electricity generation activities where the renewable energy resource is available; and</u></li> <li><u>c) the logistical or technical practicalities associated with the activity; and</u></li> <li><u>d) the importance of maintaining and increasing the output from existing renewable electricity generation activities; and</u></li> </ul> <p><u>3. When considering any significant residual environmental effects of renewable electricity generation activities or electricity transmission activities that cannot be avoided, remedied or mitigated, have regard to offsetting measures or environmental compensation, including measures or compensation that benefits the local environment and community affected.”</u></p> <p>Alternatively, insert a policy in the EIT-EN provisions- that clearly achieves the same outcome of ensuring that renewable electricity generation is appropriately enabled and provided for while managing the other values within the Otago region. Meridian prefers this</p>
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			approach and addresses it in the EIT-EN section of this table.
ECO-M4 Regional plans (pages 146 and 147)	Oppose in part	<p>ECO-M4 requires that Otago Regional Council must prepare or amend and maintain its regional plans to (amongst other matters) “(3) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna”.</p> <p>To give effect to ECO-P8, Meridian considers that ECO-M4 (3) should “enable” such activities, rather than “provide” for them; and that such activities should not be limited to the habitats of indigenous fauna. Rather ECO-M4 (3) should address indigenous biodiversity in its fullness.</p>	<p>Amend ECO-M4 (3) as follows:</p> <p>“(3) <del>provide for</del> <u>enable</u> activities undertaken for the purpose of restoring or enhancing <del>the habitats of</del> indigenous <u>biodiversity fauna</u>”</p>
ECO-M5 District plans (page 147)	Oppose in part	<p>ECO-M5 requires that territorial authorities must prepare or amend and maintain their district plans to (amongst other matters) “(5) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna”.</p> <p>To give effect to ECO-P8, Meridian considers that ECO-M5 (5) should “enable” such activities, rather than “provide” for them; and that such activities should not be limited to the habitats of indigenous fauna. Rather ECO-M5 (5) should address indigenous biodiversity in its fullness.</p>	<p>Amend ECO-M5 (5) as follows:</p> <p>“(5) <del>provide for</del> <u>enable</u> activities undertaken for the purpose of restoring or enhancing <del>the habitats of</del> indigenous <u>biodiversity fauna</u>”</p>
<b>TOPICS - ENERGY, INFRASTRUCTURE AND TRANSPORT</b>			
EIT-EN-O1	Oppose	Meridian considers that Objective 1 should provide stronger directive to the outcomes sought from renewable electricity generation in Otago; and that the	Delete the notified version of EIT-EN-O1 and insert the following:

<p>Energy and social and economic wellbeing (page 151)</p>		<p>directive should focus on meeting Otago’s energy needs, reducing Otago’s greenhouse gas emissions, and contributing to the national target for renewable electricity generation.</p>	<p><u>“Renewable electricity generation activities in Otago:</u></p> <ul style="list-style-type: none"> <li>a) <u>provide for the energy needs of Otago’s communities and economy;</u></li> <li>b) <u>reduce overall greenhouse gas emissions; and</u></li> <li>c) <u>contribute to the achievement of New Zealand’s national target for renewable electricity generation.”</u></li> </ul>
<p>EIT-EN-O2 Renewable electricity generation (page 151)</p>	<p>Oppose</p>	<p>Meridian considers that it is not appropriate to seek that generation capacity is maximised (where practicable) as generation should respond to demand. It is not efficient use of resources to produce more electricity than is consumed.</p> <p>Given the changes to EIT-EN-O1 sought by Meridian, Meridian considers that EIT-EN-O2 should provide the directive to enable existing renewable electricity generation activities, and provide for new renewable electricity generation activities.</p>	<p>Delete the notified version of EIT-EN-O21 and insert the following:</p> <p><u>“Existing renewable electricity generation activities in Otago are enabled, and new renewable electricity generation activities are provided for.</u></p> <p><del>The generation capacity of renewable electricity generation activities in Otago:</del></p> <p><del>(1) is maintained and, if practicable maximised, within environmental limits, and</del></p> <p><del>(2) contributes to meeting New Zealand’s national target for renewable electricity generation”</del></p>
<p>EIT-EN-P1 Operation and maintenance (page 151)</p>	<p>Oppose in part</p>	<p>Meridian considers that there is a difference between enabling an activity and providing for an activity. Enabling provides greater certainty that the activity can be undertaken, provided certain conditions are met. Adopting “enabled” in EIT-EN-P1 (rather than “provided for”) leads the operation and maintenance of renewable electricity generation activities to be a permitted activity and this is considered to be appropriate for the following reasons:</p>	<p>Amend EIT-EN-P1 as follows:</p> <p><u>“The operation and maintenance of existing renewable electricity generation activities is provided for enabled while minimising adverse effects”</u></p>



		<p>a) existing renewable electricity generation schemes have been lawfully established and are operating within areas that have already been highly modified; and</p> <p>b) it would be unlawful to roll-back existing use rights by introducing policies that do not permit operation and maintenance of existing authorised renewable electricity generation.</p> <p>‘Providing for an activity’ is considered to be more appropriate when referring to a new activity. Subsequent rules may then adopt an activity status where discretion can be applied in the management of potential effects of the new activity.</p>	
<p>EIT-EN-P2</p> <p>Recognising renewable electricity generation activities in decision making (page 151)</p>	Support	<p>Meridian considers that EIT-EN-P2 is not consistent with the NPSREG.</p> <p>The pORPS21 is required to give effect to national policy statements. Policy A of the NPSREG sets out the matters that decision makers must <i>recognise and provide for</i> with respect to the benefits of renewable electricity generation. Policy B of the NPSREG sets out the matters that decision makers must <i>have particular regard to</i> with respect to achieving New Zealand’s target for renewable electricity generation. Policy C of the NPSREG sets out the matters that decision makers must <i>have particular regard to</i> with respect to the practical constraints associated to the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities.</p>	<p>Amend EIT-EN-P2 as follows:</p> <p><i>“Decisions on the allocation and use of natural and physical resources, including the use of fresh water and development of land:</i></p> <p>(1) <i>recognise <u>and provide for</u> the national <u>significance of renewable electricity generation activities, including the national, regional and local benefits relevant to <del>of existing</del> renewable electricity generation activities,</u></i></p> <p>(2) <i><del>take into account</del> <u>have particular regard to</u> the need to at least maintain current renewable electricity generation capacity <u>and that this may require protection of the assets, operational capacity and continued availability of the renewable energy resource,</u> and</i></p>

		While EIT-EN-P2 does not need to repeat Policies A, B and C of the NPSREG verbatim, the EIT-EN-P2 cannot diminish the requirements set out in the NPSREG.	(3) <i>recognise that the attainment of increases in renewable electricity generation capacity will require significant development of renewable electricity generation activities <u>and that such development will need to be located where the renewable energy source is available.</u></i>
EIT-EN-P3 Development and upgrade of renewable electricity generation activities (page 151)	Oppose in part	EIT-EN-P3 seeks to ensure that <i>“The security of renewable electricity supply is maintained or improved in Otago through appropriate provision for the development or upgrading of renewable electricity generation activities and diversification of the type or location of electricity generation activities”</i> .  Meridian considers that <i>“appropriate provision”</i> is unclear and is not consistent with the NPSREG. Policies E1, E2, E3, E4 and F of the NPSREG require that <i>“the development, operation, maintenance, and upgrading of new and existing”</i> forms of renewable electricity generation activities be <i>“provided for”</i> .	Amend EIT-EN-P3 as follows:  <i>“The security of renewable electricity supply is maintained or improved in Otago <del>through appropriate provision by enabling existing renewable electricity generation activities and providing</del> for the development, operation, maintenance, and <del>or</del> upgrading of new renewable electricity generation activities and <u>for the diversification of the type or location of electricity generation activities”</u></i>
EIT-EN-P4 Identifying new sites or resources (page 151 and 152)	Oppose in part	Meridian considers that EIT-EN-P4 is unnecessarily constraining and unhelpfully conflates investigation (and related activities) with renewable electricity generation activities. Meridian considers that EIT-EN-P4 should be limited to providing for investigation, identification and assessment of potential sites and sources for renewable electricity generation; and that the effects of renewable electricity generation activities should be managed by EIT-EN-P6.	Amend EIT-EN-P4 as follows:  <i>“Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation <del>and, when selecting a site for new renewable electricity generation, prioritise those where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised.</del>”</i>
EIT-EN-P6	Oppose in part	Meridian notes that Policy C of the NPSREG requires that decision makers have particular regard to the	Amend Policy EIT-EN-P6 as follows:

<p>Managing effects (page 152)</p>		<p>locational, logistical and technical practicalities of renewable electricity generation. This includes (but is not limited to) the need to locate renewable electricity generation activities where the renewable energy source is available and to connect the renewable electricity activity to the national grid. Further to this, Policy C2 of the NPSREG requires that decision-makers have regard to offsetting measures or environmental compensation when residual effects of renewable electricity generation activities cannot be avoided, remedied or mitigated. On this basis, Meridian seeks amendments to Policy EIT-EN-P6.</p> <p>Further to the above, and with respect to EIT-EN-P6 (3) Meridian is concerned that the phrase “residual adverse effects are offset or compensated for” is too inclusive, and should be amended to read “significant residual adverse effects...” or “more than minor residual adverse effects...”. This recognises that effects that are less than minor can be considered to be ‘acceptable’ and not require offsetting or mitigation; and it is consistent with the definition of “Effects management hierarchy” in the pORPS21</p>	<p>“Manage the adverse effects of renewable electricity generation activities by:</p> <p>(1) applying EIT-INF-P13,</p> <p>(2) having <u>particular</u> regard to:</p> <p>(a) the functional need to locate renewable electricity generation activities where resources are available,</p> <p>(b) the operational need to locate where it is possible to connect to the National Grid or electricity sub-transmission infrastructure, and</p> <p><u>(3) having regard to (e) the extent and magnitude of adverse effects on the environment and the degree to which unavoidable adverse effects can be remedied or mitigated, or significant residual adverse effects are offset or compensated for; and</u></p> <p><del>(3) requiring consideration of alternative sites, methods and designs, and offsetting or compensation measures (in accordance with any specific requirements for their use in this RPS), where adverse effects are potentially significant or irreversible.”</del></p>
<p>EIT-EN-P7 Reverse sensitivity (page 152)</p>	<p>Oppose in part</p>	<p>Meridian considers that EIT-EN-P7 goes some way to meeting the requirements of the NPSREG; however, it does not fully give effect to Policy D of the NPSREG, and it is inconsistent in its use of words which creates confusion as to their intent.</p> <p>The NPSREG Policy D requires that “Decision-makers shall, to the extent reasonably possible, manage</p>	<p>Amend EIT-EN-P7 as follows:</p> <p>“Activities that may result in reverse sensitivity effects <u>on renewable electricity generation activities, or compromise the operation or maintenance of renewable electricity generation activities, are, as the first priority, prevented from establishing, and only if that is not</u></p>

	<p><i>activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities.”</i></p> <p>The NPSREG defines “<i>renewable electricity generation activities</i>” as “<i>the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity</i>”; and this definition has rightly been adopted in the pORPS21.</p> <p>On this basis, Meridian considers that EIT-EN-P7 should be amended to avoid reverse sensitivity effects on all “<i>renewable electricity generation activities</i>”, which includes consented construction of structures associated with renewable electricity generation, along with the operation and maintenance of such structures.</p> <p>Meridian considers that the words “<i>or compromise the operation or maintenance of renewable electricity generation activities</i>” are problematic since one can’t operate and maintain renewable electricity generation activities. Rather the definition of renewable electricity generation activities includes “<i>the construction, operation and maintenance of structures associated with renewable electricity generation</i>”. On this basis it appears that EIT-EN-P7 has muddled references to ‘renewable electricity generation activities’ and ‘operation’ of ‘structures associated with renewable electricity generation’.</p>	<p><i>reasonably practicable, <u>are</u> managed so that reverse sensitivity effects are minimised”</i></p>
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		Meridian also considers that the words “ <i>as the first priority</i> ” are redundant given inclusion of the words “ <i>only if that is not reasonably practicable</i> ”.	
EIT-EN - New Policy		<p>Meridian considers that, clear linkages should be made between the EIT provisions and IM-P12.</p> <p>Accordingly, Meridian seeks a new policy in the EIT-EN chapter to link these provisions with IM-P12. While Meridian accepts that Policy IM-P12 would apply to renewable electricity generation activities without a new policy clarifying this relationship, given the national significance of renewable electricity generation activities Meridian considers it is helpful to clarify this relationship within the EIT-EN provisions.</p>	<p>Insert a new policy in the EIT-EN chapter as follows:</p> <p><u>“EIT-EN-P# Contravening environmental bottom lines and limits for renewable electricity generation activities</u>  <u>Renewable electricity generation activities are able to not comply with environmental bottom lines or limits set in, or resulting from, any policy or method of this RPS provided the activity complies with IM-P12.”</u></p>
EIT-EN – New Policy		<p>Meridian considers that it is important to be clear about the relationship between the various subsections of the pORPS21, particularly when addressing renewable electricity generation activities.</p> <p>In particular, Meridian notes that the pORPS21’s definitions of nationally and regionally significant infrastructure mean renewable electricity generation activities are not only addressed by the EIT-EN objectives and policies, but also by the EIT-INF objectives and policies. In Meridian’s opinion, this is unnecessary duplication and can lead to regulatory tensions.</p>	<p>Insert a new policy that reads as follows:</p> <p><u>“EIT-EN-P# EIT-EN Objectives and policies preside</u>  <u>Where conflict arises between the implementation of EIT-EN objectives and policies, and the objectives and policies in other sections of this regional policy statement, the EIT-EN objectives and policies preside.”</u></p>
EIT-EN-M1 Regional Plans (pages 152 and 153)	Oppose is part	For the same reasons as provided for EIT-EN-P4, Meridian considers that EIT-EN-M1(2) should be deleted.	<p>Amend EIT-EN-M1 as follows:</p> <p><i>“Otago Regional Council must prepare or amend and maintain its regional plans to:</i></p>

		<p>For the same reasons as provided for EIT-EN-P1, Meridian considers that EIT-EN-M1(4) should be amended to enable the operation and maintenance of existing renewable electricity generation activities.</p> <p>For the same reasons as provided in EIT-EN-P7, Meridian considers that EIT-EN-M1(5) should be amended.</p>	<p>(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation,</p> <p><del>(2) require the prioritisation of sites for new renewable electricity generation activities where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised,</del></p> <p>(3) manage the adverse effects of developing or upgrading renewable electricity generation activities that:</p> <p>(a) are within the beds of lakes and rivers and the coastal marine area, or</p> <p>(b) involve the taking, use, damming or diversion of water and discharge of water or contaminants,</p> <p>(4) <del>provide for</del> <u>enable</u> the operation and maintenance of existing renewable electricity generation activities, <del>including their natural and physical resource requirements, within the environmental limits,</del> and</p> <p>(5) restrict the establishment of activities that may <u>result in reverse sensitivity effects on</u> <del>adversely affect the efficient functioning of</del> renewable electricity generation <u>activities or compromise renewable electricity generation activities infrastructure (including impacts on generation capacity).</u></p>
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<p>EIT-EN-M2 District plans (page 153)</p>	<p>Oppose in part</p>	<p>For the same reasons as provided for EIT-EN-P4, Meridian considers that EIT-EN-M2(2) should be deleted.</p> <p>For the same reasons as provided in EIT-EN-P1, Meridian considers that EIT-EN-M2(4) should be amended.</p> <p>For the same reasons as provided in EIT-EN-P7, Meridian considers that EIT-EN-M2(5) should be amended.</p>	<p>Amend EIT-EN-M2 as follows:</p> <p><i>“Territorial authorities must prepare or amend and maintain their district plans to:</i></p> <ol style="list-style-type: none"> <li><i>(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation,</i></li> <li><del><i>(2) require the prioritisation of sites for new renewable electricity generation activities where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised,</i></del></li> <li><i>(3) manage the adverse effects of developing or upgrading renewable electricity generation activities that:</i> <ol style="list-style-type: none"> <li><i>(a) are on the surface of rivers and lakes and on land outside the coastal marine area, or</i></li> <li><i>(b) the beds of lakes and rivers,</i></li> </ol> </li> <li><i>(4) <del>provide for</del> enable the continued operation and maintenance of renewable electricity generation activities on the surface of rivers and lakes and on land outside the coastal marine area and the beds of lakes and rivers,</i></li> <li><i>(5) restrict the establishment <del>or occurrence</del> of activities that may <del>result in reverse sensitivity effects on</del> adversely affect the efficient functioning of renewable electricity generation <u>activities or compromise renewable electricity generation activities,</u></i></li> </ol>
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			<p>(6) require the design of subdivision development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation, and</p> <p>(7) require design of transport infrastructure that provides for multi-modal transport options in urban and rural residential locations.”</p>
EIT-EN-E1 Explanation, third paragraph (page 154)		For the same reasons as provided in EIT-EN-P7, Meridian considers that the third paragraph of EIT-EN-E1 should be amended.	Amend the third paragraph of EIT-EN-E1 as follows: <p>“To ensure the on-going functionality of <u>renewable electricity generation</u> assets and to maximise their benefits, reverse sensitivity effects or activities that may compromise <del>the operation or maintenance of</del> renewable electricity generation activities are to be avoided or their impacts minimised.”</p>
New explanatory note		<p>The definitions of “Nationally significant infrastructure” and “Regionally significant infrastructure” in the pORPS21 include (amongst infrastructure) “renewable electricity generation facilities that connect with the national grid” and with the “local distribution network”.</p> <p>The provisions in the EIT-INF sub-chapter of the pORPS21 address nationally and regionally significant infrastructure. However, the EIT-EN sub-chapter directly addresses infrastructure related to renewable electricity generation activities.</p> <p>On this basis the EIT-INF sub-chapter should address nationally and regionally significant infrastructure other than infrastructure related to renewable electricity generation activities. Accordingly, Meridian seeks a guidance that clearly states the relationship between the EIT-EN provisions and the EIT-IN provisions.</p>	<p>Insert a guidance note before Objective EIT-INF-O4 as follows:</p> <p><u>The EIT-INF provisions of this RPS do not apply to infrastructure that is part of renewable electricity generation activities. The EIT-EN provisions of this RPS apply to infrastructure that is part of renewable electricity generation activities.</u></p>



<b>TOPICS - HAZARDS AND RISKS</b>			
HAZ-NH-P7 (6) Mitigating natural hazards (page 166)	Support	HAZ-NH-P7 seeks to reduce use of hard protection structures, while providing for such structures in certain circumstances. Amongst these circumstances is when <i>“the hard protection structure protects a lifeline utility, or a facility for essential or emergency services.”</i>  Meridian supports this provision since lifeline utilities provide essential services to communities and hard protection structures may be needed to protect the utilities and ensure their ongoing functioning.	Retain HAZ-NH-P7 (6) as notified.
HAZ-NH-P9 Protection of hazard mitigation measures (page 167)	Support	HAZ–NH–P9 seeks to protect the functional needs of hazard mitigation measures, lifeline utilities, and essential or emergency services; and identifies how this will be achieved.  Meridian supports the intent of this policy and the matters identified for achieving this. In particular, Meridian supports avoiding adverse effects on lifeline utilities, and restricting the establishment of activities that may result in reverse sensitivity effects on lifeline utilities.	Retain HAZ-NH-P9 as notified.
<b>TOPICS – HISTORICAL AND CULTURAL VALUES</b>			
HCV-HH-P5 (6) Managing historic heritage (pages 178 and 179)	Support	HCV-HH-P4 (6) states that for infrastructure, EIT-INF-P13 applies instead of HCV-HH-P5(1) to (5).  EIT-INF-P13 adopts an effects management hierarchy that appropriately manages the effects of nationally or regionally significant infrastructure.	Retain HCV-HH-P5 (6) as notified.

TOPICS – NATURAL FEATURES AND LANDSCAPES			
NFL-O1 Outstanding and highly valued natural features and landscapes (page 182)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend NFL-O1 as follows: “NFL-O1 – Outstanding <del>and highly valued</del> natural features and landscapes  The areas and values of Otago’s outstanding <del>and highly valued</del> natural features and landscapes are identified, and the use and development of Otago’s natural and physical resources results in:  <del>(1) – the protection of outstanding natural features and landscapes, and</del>  <del>(2) – the maintenance or enhancement of highly valued natural features and landscapes.”</del>
NFL-P1 Identification (page 182)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend NFL-P1 as follows: “NFL-P1 – Identification  In order to manage outstanding <del>and highly valued</del> natural features and landscapes, identify:  (1) the areas and values of outstanding <del>and highly valued</del> natural features and landscapes in accordance with APP9, and  (2) the capacity of those natural features and landscapes to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding <del>or highly valued</del> .”
NFL-P3	Oppose	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks	Delete NFL-P3

Maintenance of highly valued natural features and landscapes (page 182)		the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	
NFL-P4 Restoration (page 182)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend NFL-P4 as follows: “NFL-P4 – Restoration <i>Promote restoration of the areas and values of outstanding <del>and highly valued</del> natural features and landscapes where those areas or values have been reduced or lost.</i> ”
NFL-P5 Wildling conifers (pages 182 and 183)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend NFL-P5 as follows: “NFL-P5 – Wildling conifers <i>Reduce the impact of wildling conifers on outstanding <del>and highly valued</del> natural features and landscapes by...</i> ”
NFL methods, explanations, principal reasons and anticipated environmental results	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Delete all references to highly valued natural features and landscapes in the NFL methods, explanations, principal reasons and anticipated environmental results.
NFL-New policy		Meridian considers that a new policy is needed in the NFL section of the pORPS21 to direct how natural features and landscapes are to be maintained and enhanced when associated with renewable electricity generation activities.	Insert the following new policy after NFL-P6: “ <u><i>Despite policies NFL-P2 to NFL-P5 (inclusive), manage effects on natural features, landscapes and seascapes in a way that recognises and provides for the national significance of renewable electricity generation</i></u> ”

	<p>The new policy sought is set out in the cell to the right.</p> <p>As discussed with respect to the ECO section of the pORPS21, Meridian considers that subsection 1 of this new NFL policy recognises that existing renewable electricity generation schemes have been lawfully established and are operating within areas that have already been highly modified. On this basis, and for the same reasons set out for the new ECO policy, the operation and maintenance of renewable electricity generation activities should be enabled. Subsection 2 recognises the importance of managing the environmental effects of yet to be authorised renewable electricity activities, while at the same time providing for increased renewable electricity generation.</p> <p>Alternatively, insert a policy in the EIT-EN provisions- that clearly achieves the same outcome of ensuring that renewable electricity generation is appropriately enabled and provided for while managing the other values within the Otago region. Meridian prefers this approach and addresses it in the EIT-EN section of this table.</p>	<p><u>activities, and provides for their development, operation, upgrading, and maintenance by:</u></p> <ol style="list-style-type: none"> <li><u>1. Enabling modification of natural features, landscapes and seascapes that is essential for the operation and maintenance of renewable electricity generation activities; and</u></li> <li><u>2. Providing for the upgrading and development of renewable electricity generation, while managing the effects of upgrading and development on natural features, landscapes and seascapes, and having particular regard to:</u> <ol style="list-style-type: none"> <li><u>a) the location of existing structures and infrastructure; and</u></li> <li><u>b) the need to locate renewable energy generation activities where the renewable energy resource is available; and</u></li> <li><u>c) the logistical or technical practicalities associated with the activity; and</u></li> <li><u>d) the importance of maintaining and increasing the output from existing renewable electricity generation activities; and</u></li> </ol> </li> <li><u>3. When considering any significant residual environmental effects of renewable electricity generation activities or electricity transmission activities that cannot be avoided, remedied or mitigated, having regard to offsetting measures or environmental compensation, including</u></li> </ol>
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			<u>measures or compensation that benefits the local environment and community affected.”</u>
TOPICS - URBAN FORM AND DEVELOPMENT			
UFD-O3 Development in rural areas (page 187)	Oppose in part	Meridian considers that “ <i>Strategic planning</i> ” should not only ensure that there is sufficient development capacity, involvement of mana whenua, and recognition of locationally relevant regionally significant features and values, but should also directly prevent reverse sensitivity effects on nationally and regionally significant infrastructure.	Amend UFD-O3 as follows:  “ <i>Strategic planning is undertaken in advance of significant development, expansion or redevelopment of urban areas to ensure that</i>  <i>(1) there is sufficient development capacity supported by integrated infrastructure provision for Otago’s housing and business needs in the short, medium and long term,</i>  <i>(2) development is located, designed and delivered in a way and at a rate that recognises and provides for locationally relevant regionally significant features and values identified by this RPS, <del>and</del></i>  <u><i>(3) the potential for reverse sensitivity effects on nationally and regionally significant infrastructure is avoided; and</i></u>  <del><i>(34)</i></del> <i>the involvement of mana whenua is facilitated, and their values and aspirations are provided for.”</i>
UFD-O5 Urban development and climate change (page 187)	Oppose in part	This objective seeks to ensure that the impacts of climate change are responded to in the development and change of Otago’s urban areas. Part of this response is that the “ <i>establishment and use of small and community-scale distributed electricity generation is enabled</i> ”. To give effect to the NPSREG, and to reduce the potential for further climate change, Meridian	Amend UFD-O5 as follows:  “ <i>The impacts of climate change are responded to in the development and change of Otago’s urban areas so that:</i>  <i>(1) the contributions of current communities and future generations to climate change impacts are reduced,</i>

		considers that this part of UFD-O5 should refer to renewable electricity generation.	<p>(2) <i>community resilience increases,</i></p> <p>(3) <i>adaptation to the effects of climate change is facilitated,</i></p> <p>(4) <i>energy use is minimised, and energy efficiency improves, and</i></p> <p>(5) <i>establishment and use of small and community-scale distributed <u>renewable</u> electricity generation is enabled."</i></p>
UFD-P1 Strategic planning (page 187)	Oppose in part	<p>As with UFD-O3 Meridian considers that "<i>Strategic planning</i>" should (amongst other matters) directly prevent reverse sensitivity effects on nationally and regionally significant infrastructure.</p> <p>Further to the above, and as set out with respect to LF-WAI-P3, Meridian seeks the replacement of "<i>possible</i>" with "<i>practicable</i>".</p>	<p>Amend UFD-P1 as follows:</p> <p><i>"Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:</i></p> <p>(1) <i>ensure integration of land use and infrastructure, including how, where and when necessary development infrastructure and additional infrastructure will be provided, and by whom,</i></p> <p>(2) <i>demonstrate at least sufficient development capacity supported by integrated infrastructure provision for Otago's housing and business needs in the short, medium and long term,</i></p> <p>(3) <i>maximise current and future opportunities for increasing resilience, and facilitating adaptation to changing demand, needs, preferences and climate change,</i></p> <p>(4) <i>minimise risks from and improve resilience to natural hazards, including those exacerbated by climate change, while not increasing risk for other development,</i></p>

			<p>(5) indicate how connectivity will be improved and connections will be provided within urban areas,</p> <p>(6) provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values,</p> <p>(7) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and</p> <p>(8) identify, maintain and where <del>possible-practicable</del>, enhance important features and values identified by this RPS, <u>and</u></p> <p><u>(9) avoid the potential for reverse sensitivity effects on nationally and regionally significant infrastructure.</u></p>
<p>UFD-P4 Urban expansion (pages 188 and 189)</p>	<p>Oppose in part</p>	<p>UFD-P4 seeks to facilitate expansion of existing urban areas when the expansion meets certain requirements.</p> <p>Requirement (5) is that the expansion “manages adverse effects on other values or resources identified by this RPS that require specific management or protection”.</p> <p>Requirement (7) is that the expansion locates the new urban/rural zone boundary interface by considering three matters. The first matter is “(a) adverse effects, particularly reverse sensitivity, on rural areas and existing or potential productive rural activities beyond the new boundary”</p> <p>Meridian considers that, to fully give effect to the NPSREG, clearer policies are needed within the UFD</p>	<p>Amend UFD-P4 (5) as follows:</p> <p>“(5) manages <u>the potential for reverse sensitivity effects in accordance with policies EIT-EN-P7, EIT-INF-P15, EIT-TRAN-P21, HAZ-NH-P9 and HAZ-CL-P18</u><del>adverse effects on other values or resources identified by this RPS that require specific management or protection,</del></p> <p>Amend UFD-P4 (7)(a) as follows:</p> <p>“(a) adverse effects, particularly reverse sensitivity, on rural areas and existing or potential productive rural activities, <u>and on renewable electricity generation activities in rural areas</u> beyond the new boundary,”</p>

		chapter for managing the potential for reverse sensitivity effects that may result from expansion of urban areas.	
UFD-P7 Rural Areas (page 190)	Oppose in part	UFD-P7 requires that the management of rural areas achieves 7 matters. Matter (1) is “ <i>provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS</i> ”. Meridian considers that this policy is too vague and leaves uncertainty to its implementation by decision makers.  Meridian also considers that, to fully give effect to the NPSREG, clearer policies are needed within the UFD chapter for managing the potential for reverse sensitivity effects that may result from management of rural areas.	Amend UFD-P7 (1) so that it specifically lists the “ <i>important features and values</i> ” that must be maintained or enhanced.  Amend UFD-P7 by adding the following:  <u>“(8) avoids the potential for reverse sensitivity effects on nationally and regionally significant infrastructure”</u>
UFD-P8 Rural lifestyle and rural residential zones (page 190)	Oppose in part	Meridian considers that, to fully give effect to the NPSREG, clearer policies are needed within the UFD chapter for managing the potential for reverse sensitivity effects that may result from rural lifestyle and rural residential zones.	Amend UFD-P8 by adding the following:  <u>“(7) avoids the potential for reverse sensitivity effects on nationally and regionally significant infrastructure”</u>
<b>APPENDICES</b>			
APP2 Significance criteria for indigenous biodiversity Representativeness criteria (a)	Oppose in part	There are two references to APP2 in the pORPS21. Both of these references relate to the management of “ <i>significant natural areas</i> ”. With this, the first sentence of APP2 states that “ <i>An area is considered to be a significant natural area if it meets any one or more of the criteria below:</i> ”. On this basis, Meridian considers that the title for APP2 should read “ <i>Criteria for</i>	Amend the title of APP2 as follows:  <u>“<i>Significance criteria for indigenous biodiversity Criteria for identifying significant natural areas</i>”</u>  Amend the Representative criteria (a) as follows:  <u>“(a) An area <i>of significant indigenous vegetation and significant habitats of indigenous fauna that is an</i></u>



<p>(page 203)</p>		<p><i>identifying significant natural areas”, and Representativeness criteria (a) should more clearly refer to significant indigenous vegetation and significant habitats of indigenous fauna that are typical or characteristic of the original natural diversity of the relevant ecological district or coastal marine biogeographic region.</i></p> <p>Meridian also considers that the “<i>Representativeness</i>” criteria (b) is unclear in its use of the phrase “<i>that makes up part of at least 10% of the natural extent of each of Otago’s original marine ecosystem types and reflecting the environmental gradients of the region</i>”. This implies that a particular indigenous marine ecosystem could make up, for example, 0.1% of 10% (i.e. 0.0001%) of the natural extent of each of Otago’s original marine ecosystem types. The phrase is also not clear whether “<i>reflecting the environmental gradients of the region</i>” is an additional sub-criterion, or is part of what is required to make up “<i>part of at least 10%</i>”.</p>	<p><i>example of an indigenous vegetation type, or habitat that is typical or characteristic of the original natural diversity of the relevant ecological district or coastal marine biogeographic region. This may include degraded examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas.”</i></p> <p>Amend Representative criteria (b) to clarify its intent.</p>
<p>APP3 Criteria for biodiversity offsetting (page 205)</p>	<p>Oppose in part</p>	<p>APP3 is only referred to in Policy ECO-P6. ECO-P6 aims to maintain Otago’s indigenous biodiversity. Accordingly, Meridian considers that APP3 should be amended to clearly address indigenous biodiversity offsetting.</p> <p>Meridian seeks that (1)(b) of APP3 be amended to remove the term “<i>reasonably measurable</i>” and to instead adopt “<i>measurable</i>”. It is not clear how reasonably measurable would differ from measurable.</p> <p>Meridian seeks deletion of the term “<i>positive</i>” from criteria 2(e). This recognises that the other criteria require, as a minimum, no-net loss in indigenous</p>	<p>Amend APP3 (2)(f) as follows:</p> <p>“APP3 – Criteria for <i>indigenous</i> biodiversity offsetting</p> <p>(1) <i>Indigenous B-biodiversity offsetting is not available if the activity will result in:</i></p> <p>(a) <i>the loss of any individuals of Threatened taxa, other than kānuka (Kunzea robusta and Kunzea serotina), under the New Zealand Threat Classification System (Townsend et al, 2008), or</i></p> <p>(b) <i>reasonably measurable loss within the ecological district to an At Risk-Declining</i></p>

		<p>biodiversity, and prevents criteria 2(e) being read as if enhancement of indigenous biodiversity outcomes is a compulsory requirement of offsetting. Meridian seeks that Criteria 2(f) is amended for the same reasons, that is, offsetting should be an option to achieve no-net-loss; and/or enhancement of indigenous biodiversity.</p> <p>Further to the above, and as set out with respect to LF-WAI-P3, Meridian seeks the replacement of “possible” with “practicable”.</p>	<p><i>taxon, other than manuka (Leptospermum scoparium), under the New Zealand Threat Classification System (Townsend et al, 2008).</i></p> <p>(2) <i>Indigenous B-biodiversity offsetting is available if the following criteria are met:</i></p> <p>(a) <i>the offset addresses significant residual adverse effects that remain after implementing the sequential steps required by ECO-P6(1) to (3),</i></p> <p>(b) <i>the offset achieves no net loss and preferably a net gain in indigenous biodiversity, as measured by type, amount and condition at both the impact and offset sites using an explicit loss and gain calculation,</i></p> <p>(c) <i>the offset is undertaken where it will result in the best ecological outcome, and as the first priority be:</i></p> <p style="padding-left: 40px;">(i) <i>close to the location of the activity, and</i></p> <p style="padding-left: 40px;">(ii) <i>within the same ecological district or coastal marine biogeographic region,</i></p> <p>(d) <i>the offset is applied so that the ecological values being achieved are the same or similar to those being lost,</i></p> <p>(e) <i>the positive ecological outcomes of the offset endure at least as long as the impact of the activity and preferably in perpetuity,</i></p> <p>(f) <i>the offset achieves indigenous biodiversity outcomes beyond results that would not have</i></p>
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			<p>occurred <del>if the</del> <u>without the</u> offset <del>was not proposed,</del></p> <p>(g) the time delay between the loss of <u>indigenous</u> biodiversity and the realisation of the offset is the least necessary to achieve the best <del>possible-practicable</del> outcome,</p> <p>(h) the outcome of the offset is achieved within the duration of the resource consent, and</p> <p>(i) any offset developed in advance of an application for resource consent must be shown to have been created or commenced in anticipation of the specific effect of the proposed activity and would not have occurred if that effect was not anticipated.”</p>
<p>APP4 Criteria for biodiversity compensation (page 206)</p>	<p>Oppose in part</p>	<p>APP4 is only referred to in Policy ECO-P6. ECO-P6 aims to maintain Otago’s indigenous biodiversity. Accordingly, Meridian considers that APP4 should address indigenous biodiversity compensation.</p> <p>Meridian considers that criteria (2)(a) wrongly references ECO-P5, and should reference ECO-P6.</p> <p>Meridian seeks deletion of the term “<i>positive</i>” from criteria 2(c) and 2(e). This recognises that the other criteria require, as a minimum, no-net loss in indigenous biodiversity, and prevents criteria 2(c) and 2(e) being read as if enhancement of indigenous biodiversity outcomes is a compulsory requirement of compensation. Meridian considers that compensation should be an option to achieve no-net-loss and/or enhancement of indigenous biodiversity.</p>	<p>Amend APP4 as follows:</p> <p>“APP4 – Criteria for <u>indigenous</u> biodiversity compensation</p> <p>(1) <u>Indigenous B</u>-biodiversity compensation is not available if the activity will result in:</p> <p>(a) the loss of an indigenous taxon (excluding freshwater fauna and flora) or of any <u>indigenous</u> ecosystem type from an ecological district or coastal marine biogeographic region,</p> <p>(b) removal or loss of viability of habitat of a Threatened or At Risk indigenous species of fauna or flora under the New Zealand Threat Classification System (Townsend et al, 2008),</p> <p>(c) removal or loss of viability of a naturally rare or uncommon <u>indigenous</u> ecosystem type</p>

		<p>Further to the above, and as set out with respect to LF-WAI-P3, Meridian seeks the replacement of “possible” with “practicable”.</p>	<p><del>that is associated with indigenous vegetation or habitat of indigenous fauna</del>, or</p> <p>(d) worsening of the New Zealand Threat Classification System (Townsend et al, 2008) conservation status of any Threatened or At Risk indigenous fauna.</p> <p>(2) <del>Indigenous B</del> biodiversity compensation is available if the following criteria are met:</p> <p>(a) compensation addresses only residual adverse effects that remain after implementing the sequential steps required by ECO-P6P5(1) to (4),</p> <p>(b) compensation is undertaken where it will result in the best practicable outcome and preferably:</p> <p>(i) close to the location of the activity, and</p> <p>(ii) within the same ecological district or coastal marine biogeographic region,</p> <p>(c) compensation achieves <del>positive indigenous</del> biodiversity outcomes that would not have occurred without that compensation,</p> <p>(d) the <del>positive indigenous</del> biodiversity outcomes of the compensation are enduring,</p> <p>(e) the time delay between the loss of <del>indigenous</del> biodiversity through the proposal and the gain or maturation of the compensation’s biodiversity outcomes is the least necessary to achieve the best <del>possible-practicable</del> outcome,</p>
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			<p>(f) <i>the outcome of the compensation is achieved within the duration of the resource consent,</i></p> <p>(g) <i>biodiversity compensation developed in advance of an application for resource consent must be shown to have been created or commenced in anticipation of the specific effect of the proposed activity and would not have occurred if that effect was not anticipated, and</i></p> <p>(h) <i>the biodiversity compensation is demonstrably achievable”</i></p>
APP6, Step 2, (7) Methodology for natural hazard risk assessment (page 208)	Support	Meridian supports inclusion of lifeline utilities in the matters that must be considered when assessing the consequences of a natural hazard.	Retain APP6, Step 2, (7) as notified.
APP9 Identification criteria for outstanding and highly valued natural features, landscapes and seascapes (page 214)	Oppose in part	As set out with respect to the definition of “ <i>Highly valued natural features and landscapes</i> ”, Meridian seeks the deletion of references to highly valued natural features and landscapes throughout the pORPS21.	Amend APP9 as follows: <p>“APP9 – Identification criteria for outstanding <del>and highly valued</del> natural features, landscapes and seascapes</p> <p><i>The areas and the values of outstanding <del>and highly valued</del> natural features, landscapes and seascapes are identified using the following attributes:...”</i></p>

CONSEQUENTIAL AMENDMENTS			
Consequential amendments		Meridian accepts that consequential amendments to pORPS21 may be needed to give full effect to the preceding submissions.	Make all consequential amendments to the pORPS21 to give full effect to the preceding submissions.