

Environment Canterbury Submission on: The Proposed National Policy Statement for Renewable Electricity Generation

To the Chairperson
Board of Inquiry

This is a submission on the Proposed National Policy Statement for Renewable Electricity Generation that was publicly notified on 6 September 2008.

The specific provisions of the proposal that my submission relates to are:
The entire Proposed National Policy Statement

The Councils submission is:

Introduction

1. Environment Canterbury thanks the Ministry for the Environment and the Board of Inquiry for the opportunity to comment on the Proposed National Policy Statement for Renewable Electricity Generation (the PNPS).
2. Environment Canterbury makes this submission in recognition of its:
 - Environmental management responsibilities under the Resource Management Act (the Act) generally;
 - Regional advocacy responsibilities, whereby it represents over 480,000 people within the 4.22 million hectares that make up the Canterbury region on matters of regional interest and concern.
3. This submission includes a number of general and themed comments, together with comments on the specific PNPS provisions. Due to the format of the submission there is some repetition between the general and specific comments.

General

4. Environment Canterbury believes that there is a need to diversify the nation's electricity generation types in order to ensure that a secure and resilient supply of electricity can be maintained into the future.
5. Environment Canterbury understands that electricity demand is likely to increase and that development of new generation capacity is vital to ensuring the economic development of New Zealand. To this end, Environment Canterbury commends the actions by central government that will ensure the ongoing development of generation capacity, particularly where the adverse effects of such development are appropriately managed.
6. Environment Canterbury recognises the government's strategic target for 90% of the nation's electricity to be generated from renewable sources by 2025.
7. Environment Canterbury also recognises the national significance of the need to reduce carbon emissions to meet our obligations under the Kyoto Protocol, and agrees that a reduction in emissions in the electricity sector may result in significant economic benefits to New Zealand.
8. For reasons set out in this submission Environment Canterbury does not believe that the PNPS is the most appropriate means of achieving a specified target of electricity

generation for renewable resources and submits that the PNPS does not add useful guidance over and above the status quo.

9. Environment Canterbury is particularly concerned that policy intervention at the NPS level will carry significant implementation costs to local government and, with regard to the PNPS, will not result in achieving the Objective.
10. The Section 32 report recognises that recent developments under the existing Resource Management Act framework (including the 2004 amendments to the Act and emerging case law) have resulted in an increase in the number of resource consents granted for renewable electricity generation activities and that it is possible that the status quo will lead to further development of renewable electricity generation activities. Environment Canterbury agrees with this point and submits that the PNPS does not achieve the purpose of the Act in a more efficient or effective way than the status quo.
11. Environment Canterbury submits that a reduction in greenhouse gas emissions could be achieved in a more efficient manner (than the PNPS would enable) if the government were to direct focus towards making efficiency gains in the end use of electricity, continuing with the moratorium on thermal electricity generation and allowing natural attrition to occur replacing thermal generation facilities with renewable generation facilities as the thermal plant reaches the end of its useful life. The status quo within the Act would support this action, without the need for National Policy intervention.
12. Environment Canterbury submit that the 90% target will not be achieved through the removal of regulatory barriers alone, but will be much more reliant on market demand, government strategy and co-operation within the electricity generators' industry.

Problem Definition

13. Environment Canterbury considers that the Section 32 report describes the resource management issues for the establishment of renewable electricity generation activities well, but does not believe the problem identified has been adequately addressed by the PNPS.
14. The Section 32 analysis identifies the following problems with the status quo:
 - Many plans and policy statements do not have specific provisions to guide assessments of applications to develop renewable energy resources and as a result plans tend to be skewed towards identifying and evaluating adverse effects of renewable electricity generation, rather than identifying benefits of the proposals.
 - As resource consents expire, existing generation activities must go through a resource consent process that is as onerous as if the application was for a new activity. There is a general lack of policy that recognises the benefits of existing generation infrastructure.
 - Processing times for resource consents for significant generation activities are generally considered to be long.
 - Decisions made at the local level, often overlook, or do not give appropriate weight to the national benefits of renewable energy, and few decisions have given weight to national generation benefits as a counter-balance of adverse effects.
 - Consent conditions can result in projects becoming un-economical to pursue.
 - Future renewable energy generation projects are likely to be more costly to develop, resource consents are likely to be more complex to process and projects are more likely associated with significant adverse effects.
15. While the PNPS seeks to address these identified problems, for reasons set out in this

submission, overall Environment Canterbury does not believe that the provisions of the PNPS will sufficiently and effectively resolve them. Of key note is the notion that “*Decisions made at the local level, often overlook, or do not give appropriate weight to the national benefits of renewable energy...*”. Environment Canterbury agrees that the national benefits of individual projects are not always recognised at the local level where the adverse effects of the proposal are more often felt. However Environment Canterbury also notes that the provisions of the Act require that Section 6 matters (resources that typically bear the cost of electricity generation) are given priority over Section 7 matters (recognising the benefits of renewable energy), and the PNPS can not alter this hierarchy. Thus while the PNPS elevates the need to develop renewable electricity generation activities to a matter of national significance, it does not (and can not) afford the matter equal or greater weight than Section 6 matters.

16. Environment Canterbury submits that the hierarchy between sections 5, 6 and 7, and how to consider s7 matters has already been effectively addressed by the Court under the existing Resource Management Act framework and as such, an NPS addressing this issue is not necessary. Relative case law is copied below for completeness:

*Those administering the Act must give particular weight to the matters of s 7. This provision imposes a high test and creates a duty to be on inquiry. Merely passive action or inquiry by a consent authority, not amounting to consultation, does not meet the test. The matters in s 7 must be recognised as “important to the particular decision and therefore to be considered and carefully weighed in coming to a conclusion”.*¹

In balancing adverse effects against benefits however, it has been established that:

*... [Section 5(2)] involves the weighting of individual factors, but s 5 is not about achieving a balance between benefits and adverse effects. Adverse effects must be avoided, remedied, or mitigated, irrespective of the benefits that may accrue from the activity. Cases that address the weighting exercise include: Campbell v Southland DC W114/94 (PT); Mataka Station Ltd v Far North DC A069/95 (PT) (papakainga housing), Coleman v Tasman DC EnvC W067/97 (upheld on appeal in Coleman v Tasman DC [1999] NZRMA 39 (subdivision and roading), Solid Energy NZ Ltd (formerly Coal Corp of NZ) v Grey DC EnvC A008/98 (noise), Burnett v Tasman DC [1995] NZRMA 280 (PT) and Sutherland v Tasman DC W038/95 (PT) (value of rural land v residential development).*²

17. Given the decisions of the Court, Environment Canterbury does not consider that policy statements and plans must repeat the provisions of the Act in order for decision makers to give effect to those provisions.
18. While Environment Canterbury can see value in guidance on what national benefits are to be gained from the use and development of renewable electricity generation, it is submitted that this guidance would be more appropriate if in the form of non-statutory guidance notes. In addition, although not favoured by Environment Canterbury in all circumstances, greater use could be made of the call-in process where significant schemes are being proposed.

¹ Gill v Rotorua DC (1993) 2 NZRMA 604 (PT); Marlborough DC v Southern Ocean Seafoods Ltd [1995] NZRMA 220 & 336 (PT).

² Brookers Resource Management 2008

The Intent of the NPS and Achieving the Purpose of the Resource Management Act 1991

19. Environment Canterbury notes that an NPS's purpose is to state objectives and policies for matters of national significance that are relevant to achieving the purpose of the Act (s45). The Section 32 report states that the intent of the PNPS is to:

...clarify the RMA decision-making framework to foster consistent interpretation of Section 7(i) and 7(j) of the RMA, and to promote the achievement of the Government's target of 90 % renewable electricity generation by 2025. The proposed NPS seeks to do this by articulating the government's position on the benefits of renewable electricity generation.

20. This intent is reflected in the PNPS provisions, particularly the objective. It is noted however that a 90% renewables target is not the same thing as sustainable management (the purpose of the Act). As such, the PNPS does not set out to achieve the purpose of the Act, and indeed could be considered to be contrary to, or inconsistent with it.

21. With reference to the stated intent of fostering consistent interpretation of Section 7(i) and 7(j) of the RMA, Environment Canterbury submits that the PNPS does not actually achieve this. Sections 7 (i) and (j) state:

(7) *In achieving the purpose of this Act, all persons exercising functions and powers under it ... shall have particular regard to:*

...

(i) *the effects of climate change:*

(j) *the benefits to be derived from the use and development of renewable energy.*

22. As noted within the Section 32 report, there is case law emerging that interprets these sections effectively. Environment Canterbury is concerned that the PNPS is adding very little value to achieving consistency in this interpretation, but will still require significant implementation costs to borne by local government. Some recent findings regarding Section 7 (i) and (j) are copied below:

Paragraphs (i) and (j) require particular regard be had to the effects of climate change and benefits to be derived from use and development of renewable energy³

Any positive effects of a proposal in terms of climate change and renewable energy [in that case, for a wind farm] were required to be considered as part of the overall balancing exercise. Therefore the contribution of the wind farm to reducing greenhouse gas emissions and the increased generation of electricity from the proposal was not merely a de minimus matter that could be disregarded. That does not mean, however, that climate change matters will dominate all other values such as the landscape and Maori values of the particular area in question. A balancing exercise may be required to manage the adverse effects on an outstanding natural landscape⁴

23. In seeking to address this interpretation issue, Policy 1 of the PNPS provides examples of benefits that could be derived from the use and development of renewable energy (s 7(j)), but does not provide anything further in the way of explanation as to how decision makers should be balancing these benefits, particularly against Section 6 matters of

³ Genesis Power Ltd v Franklin DC [2005] NZRMA 541 (EnvC).

⁴ Outstanding Landscape Protection Soc Inc v Hastings DC [2008] NZRMA 8 (EnvC).

national importance. As such, it is submitted that this provision is ineffective in addressing this matter. As stated previously, Environment Canterbury considers that non-statutory guidance notes should be considered as an alternative to the PNPS.

24. Environment Canterbury submits that the overall effect of the PNPS will be to impose disproportionate implementation costs to local government, while not necessarily achieving the intent or Objective of the PNPS, or achieving the purpose of the Act. It is noted that the Section 32 report estimates a total cost to local government over 20 years to be \$23.3 million.
25. In summary, Environment Canterbury submits that while there is merit in increasing the proportion of New Zealand's electricity generated from renewable resources, the PNPS is not the most appropriate means of achieving this as:
- Regulatory constraints under the existing Resource Management Act framework are not the only constraints to achieving the 90% target.
 - The PNPS does not effectively address the issues identified with the status quo.
 - The intent or the Objective of the PNPS does not seek to achieve the purpose of the Act.
 - There are significant implementation costs associated with the PNPS and Environment Canterbury does not believe that such costs are warranted given the problems summarised above.

Primary relief sought

That the Board of Inquiry withdraw the PNPS in its entirety and recommend to the Minister that within the Resource Management Act framework, the strategic target of producing 90% of the nation's electricity from renewable sources by 2025 can be more effectively and efficiently achieved by retaining the status quo.

The Minister should consider alternate means of achieving the strategic target for renewable energy generation, i.e. through means other than Resource Management Act intervention.

As an alternative to the PNPS, the Minister should consider providing non-statutory guidance notes on the benefits to be derived from the use and development of renewable energy and the use of the call-in process in limited circumstances.

Specific Comments

Objective

31. Environment Canterbury submits that the Objective is currently inappropriate because:
- It does not achieve the purpose of the Act;
 - The Objective can not be achieved through Resource Management Act intervention alone; and
 - The Objective will not necessarily result in a reduction in greenhouse gas emissions.

Achieving the Purpose of the Act

32. As indicated previously, NPSs have the specific function of stating objectives and policies for matters of national significance that are relevant to achieving the purpose of the Act. Environment Canterbury submits that, due to the inclusion within the Objective of the 90% renewables target, the Objective is not consistent with achieving the purpose of the Act. Achieving the 90% target will not necessarily achieve an environmental outcome (arguably, apart from some saving in carbon emissions) that

avoids, remedies or mitigates adverse effects, particularly if the target does not include retiring existing non-renewable generation activities. Environment Canterbury notes that the 90% target was not developed with the intention of achieving the purpose of the Act but was developed as part of the government's New Zealand Energy Strategy to 2025. There does not appear to be any justification within the Section 32 report, or within the New Zealand Energy Strategy that identifies how achieving this target will promote the sustainable management of natural and physical resources.

32. The Act is designed so that activities can be assessed on their individual merits, with their effects being avoided, remedied or mitigated. The Objective does not recognise the need to appropriately manage adverse effects.
33. While it is agreed that a diverse and secure supply of electricity will assist in providing for the economic wellbeing of the community, it is not agreed that the use of renewable forms of electricity generation will always be the most efficient and effective way of achieving this supply security. Further, it is not agreed that renewable forms of generation will promote the sustainable management of natural and physical resources any more than electricity generation from non-renewable sources as both forms of generation will present adverse effects that will need to be avoided, remedied or mitigated.

Resource Management Act Intervention

34. As discussed under the general comments, it is not considered that the PNPS alone can achieve the 90% target. Accomplishing this target will be far more dependant on non-Resource Management Act matters such as the willingness of the generation sector to establish new generation activities, emissions trading legislation, government initiative (non-statutory and statutory) and application of continued moratoriums on the establishment of non-renewable electricity generation activities.

Reducing Greenhouse Gas Emissions

35. The preamble of the PNPS states that one of the major challenges in meeting New Zealand's energy demands in the future is to respond to the risks of climate change by reducing greenhouse gas emissions. The 90% target is not qualified by any statement about retiring existing non-renewable sources of electricity generation. Without such a qualifier, there are no grounds to argue that greenhouse gas emissions will be reduced. Further, as the target is proportional, there is no guarantee that new non-renewable electricity facilities will not be established, so in achieving this target, there is potential for greenhouse gas emissions to actually increase.
39. Environment Canterbury submit that should the Board of Enquiry choose to continue with the PNPS, the Objective should be revised so that it is not aligned with the 90% target.

Policy 1

40. Policy 1 states that that the benefits of renewable generation at any scale are of national significance. Given the definition of "renewable electricity generation", this means that all renewable generation, from a large scale hydro generation scheme to a single photo voltaic cell are of national significance. Environment Canterbury understands that the words *at any scale* have been included in the policy to recognise the cumulative significance of small scale generation activities. Environment Canterbury agree that cumulatively, small scale generation is of national significance and submit that the policy (should it be retained) should explicitly state that *cumulatively, small scale generation is of national significance*.

41. Policy 1 of the PNPS provides examples of benefits that could be derived from the use and development of renewable energy, but does not provide anything further in the way of explanation as to how decision makers should be balancing these benefits, particularly against Section 6 matters of national importance. Overall, it is submitted that this provision is ineffective and does not provide any additional value than is already achieved by the status quo. As the policy will carry some implementation costs to local government and is unlikely to result in any significant added value to the status quo, Environment Canterbury submits that Policy 1 should be deleted from the PNPS in the first instance and as an alternative the Minister should consider the development of non-statutory guidance notes on the benefits to be derived from the use and development of renewable energy. Should the Board of Inquiry choose to retain Policy 1, an alternative policy should be developed that provides guidance on weighting of Section 6 matters against Section 7 matters. A suggested alternative follows:

Where a renewable electricity generation activity is proposed that can be shown to have nationally significant benefits but will significantly adversely affect a matter of national importance, preference will be given to the protection of the matter of national importance.

Policy 2

42. Policy 2 seeks that consent authorities have particular regard to the practical constraints associated with the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities. Environment Canterbury supports this policy but asks for additional guidance on how it is intended that this policy is to be implemented.

Policy 3

43. While Environment Canterbury supports Policy 3 in principle and insofar as it is intended to apply only to nationally significant infrastructure, there are concerns regarding the interpretation and potential consequences of this policy.
44. As it is currently written this policy has the potential to set a precedent regarding the relative reversibility of all activities (not just renewable generation activities). The potential consequence of this is that adverse effects of many activities (e.g. a dwelling in an outstanding landscape, creating a large impervious surface, extracting water volumes exceeding minimum environmental flows) could be assessed as being reversible and therefore acceptable.
45. The policy appears to favour the establishment of smaller to mid-scale generation activities. As small to mid-scale generation activities (e.g. a 50 turbine wind farm), are relatively more reversible than larger scale generation activities (e.g. a 200 turbine wind farm), given the investment in infrastructure required, the policy may result in a proliferation of small to mid-scale generation activities. It should be noted that the adverse effects of many smaller to mid scale generation activities are potentially much greater than the effects of a large wind farm, as a large wind farm will consolidate adverse effects into one area.
46. Section 104 of the Act requires that a consenting authority must take into account the economic investment an applicant has made in infrastructure when considering whether to renew a consent or not. This provision diminishes the consent authority's ability to require adverse effects to be reversed. For example, if the relative reversibility argument was considered and a consent for a wind farm was granted for ten years on that basis, when it came time to renew the consent, the scales would be tipped far more in the

applicants favour as they would have made significant investment. In this way the relative reversibility of the effects is reduced, the more investment an applicant makes.

47. Regardless of Section 104, the reversibility of adverse effects will always diminish as a generation facility is developed (including technologies other than wind farms). This is because all generation facilities will require associated infrastructure, such as transmission lines, access tracks etc. This infrastructure will always require significant investment and removing the generation facility will automatically become an inefficient use of resources, and therefore the purpose of the Act will always be better achieved by not reversing the adverse effects of the generation facility.
48. Given the identified concerns Environment Canterbury requests that Policy 3 is deleted. It is suggested that the intent of Policy 3 may be better achieved with the introduction of National Environmental Standards that are technology specific (i.e. apply individually to wind generation, tidal generation etc), and where there are truly reversible effects to be considered, the generation facilities can be given a maximum life span, with provision for bonding requirements to ensure effects are reversed.

Policy 4

49. While Environment Canterbury supports the intent of Policy 4, it is not clear that such a policy is actually required at NPS level. The Section 32 report suggests that policy statements and plans require amendment to remove impediments to research and investigation for new renewable electricity generation activities and technologies. It is not clear within the Section 32 report that there have been issues with such activities not being able to gain resource consent or being put through too onerous a process. Environment Canterbury submits that Policy 4 is addressing a perceived problem, rather than a real problem and this is inappropriate. Environment Canterbury is particularly concerned at the requirement to change plans and policy statements as this will carry significant costs to local authorities, with no apparent benefit.
50. It is noted that this policy requires regional policy statements to “enable” particular activities – as activities can only be “enabled” through a rule, it is not considered appropriate to require regional policy statements to enable such activities.
51. It is noted that the policy requires changes to be made to plans regardless of whether it is considered that the policy intent is achieved within existing plan provisions. This requirement should be revised so that it only applies where a plan is not currently giving effect to the policy.
52. If Policy 4 is to be retained, it is suggested that to ensure this policy can be implemented consistently, definitions should be developed for “research-scale investigation” and “emerging technologies”. Suggested definitions follow:

“Research-scale investigation” means research and development activities that are of a scale where the adverse effects of those activities on the environment are less than minor.

“Emerging technologies” include technologies for the generation of electricity from renewable sources that have not been previously tested in the local area, have a significant point of difference to technologies that are in common use, and have significant potential to increase the nation’s electricity generation capacity.
53. Overall, it is suggested that Policy 4 could be more effectively achieved through the introduction of National Environmental Standards which can set an activity status for specific activities. Such action would be more efficient as it would not require all local government agencies to undergo plan changes.

Policy 5

54. Policy 5 is supported by Environment Canterbury. Environment Canterbury commends MfE for this policy and suggests that Policy 5 is given more prominence within the PNPS.
55. It is considered however that Policy 5 could be constrained by the current definition of “small and community-scale distributed renewable electricity generation”. The reason for this is that the definition uses an installed capacity limit (four megawatts) to define small and community-scale. It is considered that small and community-scale could be better defined by relative scale and intensity of a generation activity. In removing the focus away from installed capacity, the PNPS could allow for greater generation capacity where adverse effects are minor. A suggested alternative definition follows:

“Small and community-scale distributed renewable electricity generation” means electricity generation from a renewable source, for the purpose of supplying electricity to a particular site or an immediate community via local transmission lines, and where the adverse effects of the generation activity are minor or less than minor.

Additional Considerations:

56. Environment Canterbury notes that there are currently three additional proposed National Policy Statements in the consultation process (proposed NPS on Freshwater Management, Flood Risk Management, and the Proposed National Coastal Policy Statement). All three proposed NPSs are likely to generate significant implementation costs for local authorities (particularly Regional Councils). Environment Canterbury seeks that some alignment is made with implementation requirements across all currently proposed NPSs, such that the number of Plan Changes and variations to plans may be limited, and are able to occur at the same time.
57. Environment Canterbury seeks that the Board of Inquiry consider including a policy within the PNPS that will encourage new generation activities to be located in already compromised environments, and / or the upgrade of existing generation activities is given preference to the establishment of new generation activities. It is noted that the Proposed National Coastal Policy Statement includes such a provision.
58. Environment Canterbury asks the Board of Inquiry to consider including a policy within the PNPS that will require those seeking to establish new generation activities to show that the additional generation capacity that will be created by a proposed new generation facility, is necessary. Any person wishing to develop additional electricity generation should be able to show that the additional capacity is necessary in order to achieve a secure supply of electricity, and the demand for that additional capacity can not be efficiently met through demand management mechanisms such as improving efficiency in the end use of energy.

Summary of relief sought should the Board of Inquiry choose to pursue the PNPS.

Objective:

The Objective is amended such that it is not aligned with the 90% strategic target. A suggested alternative Objective is:

To recognise the national significance of renewable electricity generation by promoting the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities, where doing so will promote sustainable management of natural and physical resources and where those adverse

effects to the environment which can not be avoided, remedied or mitigated are outweighed by the benefits to the local, regional and national community.

Policy 1:

Policy 1 is deleted in the first instance and alternative non-statutory guidance notes are developed as an alternative solution to the issue of inconsistent application of Section 7 (i) & (j) of the Act.

Should the Board of Inquiry wish to pursue Policy 1, Environment Canterbury seek that a new policy is developed that will assist in balancing section 7 matters against section 6 matters in a consistent way. A suggested new Policy 1 follows:

Where a renewable electricity generation activity is proposed that can be shown to have nationally significant benefits but will significantly adversely affect a matter of national importance, preference will be given to the protection of the matter of national importance.

If Policy 1 is to be retained, the words “at any scale” should be removed from the first sentence and replaced with the following statement:

“Large scale renewable electricity generation activities and cumulatively, small scale generation activities are of national significance”.

Policy 2:

Guidance is sought on how the Board intends this policy to be implemented.

Policy 3:

Policy 3 is deleted and the Board considers setting National Environmental Standards for specific renewable electricity generation technologies as an alternative to this policy.

Policy 4:

Policy 4 is deleted as it is not considered necessary.

As an alternative, the Board should consider the development of National Environmental Standards that will assist in enabling appropriate research and development activities.

Should Policy 4 be retained, it should not require regional policy statements to “enable” activities.

Should Policy 4 be retained, it should not require plan changes to occur where it is considered that plans are already giving effect to the policy.

Should Policy 4 be retained, the following definitions (or similar) are added:

“Research-scale investigation” means research and development activities that are of a scale where the adverse effects of those activities on the environment are less than minor.

“Emerging technologies” include technologies for the generation of electricity from renewable sources that have not been previously tested in the local area, have a significant point of difference to technologies that are in common use, and have significant potential to increase the nation’s electricity generation capacity.

Policy 5:

Policy 5 is retained and re-numbered “Policy 1” in order to give it more prominence within the PNPS. In addition, it is sought that the definition of “small and community-scale distributed

renewable electricity generation” is amended to read as follows:

“Small and community-scale distributed renewable electricity generation” means electricity generation from a renewable source, for the purpose of supplying electricity to a particular site or an immediate community via local transmission lines, and where the adverse effects of the generation activity are minor or less than minor.

Additional relief sought

Alignment is made with implementation requirements across all currently proposed NPSs, such that the number of Plan Changes and variations to plans required for the implementation of the proposed NPSs may be limited, and are able to occur at the same time.

The Board of Inquiry consider including a policy within the PNPS that will encourage new electricity generation activities to be located in already compromised environments, and / or the upgrade of existing generation activities is given preference to the establishment of new generation activities.

The Board of Inquiry considers including a policy within the PNPS that will require those seeking to establish new generation activities to show that the additional generation capacity that will be created by a proposed new generation facility is necessary.

Conclusion

59. Environment Canterbury supports the government’s initiative to move the nation towards a diverse and resilient renewable supply of energy. Environment Canterbury does not believe that the PNPS is the best way of achieving the strategic target of 90% renewable sourced generation by 2025 and considers that the target, while commendable, is not in keeping with the purpose of the Act.
60. Environment Canterbury does not believe that the PNPS effectively addresses the identified problems with the status quo, and notes that it will result in significant implementation costs for local government. Non-statutory guidance notes may provide an effective alternative to the PNPS.
61. Should the Board of Inquiry chose to pursue the PNPS, Environment Canterbury would like to see changes to the provisions of the PNPS that will assist local government in implementing it.
62. Environment Canterbury thanks the Ministry for the Environment and the Board of Inquiry for the opportunity to comment on the PNPS.
63. Environment Canterbury does wish to be heard in relation to this submission and will consider presenting a joint case at a hearing if any other party makes a similar submission

Yours faithfully

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