

PLAN CHANGE 26 – ENERGY AND INFRASTRUCTURE

SUBMISSION ON PROPOSED PLAN CHANGE 26 TO THE MACKENZIE DISTRICT PLAN

FORM 5

UNDER CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

Details of Submitter

Full Name: <i>(Required)</i>	Helios Energy Limited
Contact Person: <i>(If different from above)</i>	Sarah Brooks, Senior Environmental Planner
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Fax <i>(Optional)</i>	

Trade Competition

~~I could~~ / I could not (*delete one*) gain an advantage in trade competition through this submission.

If you have selected could, please answer the question below:

I am / I am not (*delete one*) directly affected by an effect of the subject matter that:

- adversely affect the environment; and
- does not relate to trade competition or the effects of trade competition.

Submission Details

The specific provisions of the proposal that my submission relates to are as follows:

Please refer to attachment.

I support/oppose these provisions:
(include whether you support or oppose in full or in part)

Please refer to attachment.

The reason(s) for my submission are:
(state in summary your reasons, and whether you seek any amendments)

Please refer to attachment.

I seek the following decision from the Mackenzie District Council:
(give precise details)

Please refer to attachment.

- ☐ **I wish to be heard** in support of my submission.
☒ **I do not wish to be heard** in support of my submission.
(Tick one box)

If others make a similar submission I ~~would~~ **would not** (circle one) be prepared to consider presenting a joint case with them at any hearing.



Signature of submitter or person authorised to sign on behalf of submitter
(A signature is not required if you make your submission by electronic means.)

21 JANUARY 2024

Date:

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language; or
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Once the closing date for submissions has passed, Council will publicly notify all submissions received, prepare a summary of submissions, and will allow a period for further submissions in support of, or in opposition to, those submissions already made.

Council hearings for Plan Changes 23 to 27 will then be arranged to consider all submissions. Anyone who has made a submission and indicated that they wish to be heard will have the right to attend the hearings and present their submission.

If you have any questions regarding Plan Change 26 or the submission process, please do not hesitate to contact the Planning Department at 03 685 9010 or via email districtplan@mackenzie.govt.nz

Plan Change 26 - Renewable Electricity Generation and Infrastructure

Our submission points are as follows. Deletion is shown as ~~striketrough~~, new text as **bold underline**.

Submission point 1

The specific provisions of the proposal that my submission relates to are as follows:
Definitions - investigation activities
I support/oppose these provisions: <i>(include whether you support or oppose in full or in part)</i>
Support in full
The reason(s) for my submission are: <i>(state in summary your reasons, and whether you seek any amendments)</i>
A nice clear definition
I seek the following decision from the Mackenzie District Council: <i>(give precise details)</i>
No change.

Submission point 2

The specific provisions of the proposal that my submission relates to are as follows:
Definitions - regionally significant infrastructure
I support/oppose these provisions: <i>(include whether you support or oppose in full or in part)</i>
Oppose in part
The reason(s) for my submission are: <i>(state in summary your reasons, and whether you seek any amendments)</i>
<p>Electricity generation needs to be included in the definition, not just transmission and distribution. This is because generation infrastructure is an important part of overall electricity infrastructure, as well as there being a need to be consistent with the definition of regionally significant infrastructure in the Canterbury Regional Policy Statement, Chapter 5 - Land Use and Infrastructure (page 43):</p> <p><i>Without limiting the generality of infrastructure, in the Canterbury region it includes:</i></p> <ol style="list-style-type: none"> 1. Electricity generation, transmission and distribution 2. Fuel distribution networks (including by pipeline, road, rail or sea) 3. Main highways and roads 4. Infrastructure for the irrigation of crops and pasture 5. Railways 6. River stopbanks and training 7. Supply of potable water for communities 8. Sewerage reticulation, treatment and disposal 9. Stormwater drainage reticulation 10. Telecommunication networks 11. Transport hubs, including airports and seaports <p>Seek amendment by inserting 'electricity generation infrastructure' into the definition..</p>
I seek the following decision from the Mackenzie District Council: <i>(give precise details)</i>

Amend to as follows:

means:

- a. strategic land transport network and arterial roads
- b. telecommunication facilities
- c. the electricity transmission network
- d. wastewater collection, treatment and disposal networks
- e. community land drainage infrastructure
- f. community potable water systems
- g. established community-scale irrigation and stockwater infrastructure
- h. electricity distribution network
- i. **electricity generation infrastructure**

Submission point 3

The specific provisions of the proposal that my submission relates to are as follows:
Definitions - transmission line
I support/oppose these provisions: (include whether you support or oppose in full or in part)
Oppose in part
The reason(s) for my submission are: (state in summary your reasons, and whether you seek any amendments)
The definition does not take into account the transmission infrastructure (such as transmission lines) required from a solar farm to a substation, which may not be part of the National Grid.
Seek amendment.
I seek the following decision from the Mackenzie District Council: (give precise details)
Amend to as follows: <ol style="list-style-type: none">a. means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity <u>to and</u> in the national grid; andb. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a. applies; butc. does not include an electricity substation.

Submission point 4

The specific provisions of the proposal that my submission relates to are as follows:
INFRASTRUCTURE - Rule INF-R5 Navigational Aids, Meteorological, Sensing and Environmental Monitoring Equipment (including air quality and meteorological)
I support/oppose these provisions: (include whether you support or oppose in full or in part)
Support in part.
The reason(s) for my submission are: (state in summary your reasons, and whether you seek any amendments)
It is unclear to the Plan user if this rule would apply to meteorological equipment for REG activities.
Seek amendment/clarification.
I seek the following decision from the Mackenzie District Council: (give precise details)

Suggest a note is provided in Rule INF-R5 and Rule REG-P5 to confirm the status of this rule in relation to Infrastructure and REG activities.

Submission point 5

The specific provisions of the proposal that my submission relates to are as follows:
INFRASTRUCTURE - Standard INF-S3 Pole and Tower Height
I support/oppose these provisions: <i>(include whether you support or oppose in full or in part)</i>
Oppose in part
The reason(s) for my submission are: <i>(state in summary your reasons, and whether you seek any amendments)</i>
<p>The permitted maximum height standard for the Rural Zone within an ONF or ONL is quite restrictive, it is very uncommon to have poles or towers that could meet a maximum 20m height.</p> <p>The permitted maximum height standards in this standard (including both in an outside an ONF or ONL) which would apply to both new and existing pole and tower structures are potentially more restrictive than the permitted activity clause 14(3) of Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). Clause 14(3) permits alteration, relocation or replacement structures to be no more than 15% higher than its base height. In certain circumstances this may mean existing support structures Helios needs to alter or replace as part of a solar farm development may meet the NESETA requirements but not the Proposed District Plan.</p> <p>Clause 14(3) of NESETA states:</p> <p><i>14. Transmission line support structures: Alteration, relocation, and replacement</i></p> <p>.....</p> <p><i>3. If a transmission line support structure is increased in height (including by being replaced with another structure),—</i></p> <p><i>(a) the structure may be made no more than 15% higher than its base height; and</i></p> <p><i>(b) the additional height must comply with any height restrictions for airport purposes, or any public view shafts, specified in a rule.</i></p> <p>We seek amendment to wording in Standard INF-S3 to differentiate between new structures having maximum heights, and additional wording to differentiate existing poles, tower or other support structures to be consistent with Clause 14 NESETA wording.</p>
I seek the following decision from the Mackenzie District Council: <i>(give precise details)</i>
<p>Amend to as follows:</p> <ol style="list-style-type: none"> The height of any new pole, tower or other support structure shall not exceed: <ol style="list-style-type: none"> 5m above the permitted height limit in any residential, commercial and mixed use, or industrial zone. 25m in any Rural Zone outside an ONF or ONL. 205m in any Rural Zone within an ONF or ONL. 20m in any other zone. The increase in height of an existing pole, tower or other support structure shall not exceed the permitted height increase identified in clause 14(3) of the Resource Management (National

Environmental Standards for Electricity Transmission Activities) Regulations 2009.

Submission point 6

The specific provisions of the proposal that my submission relates to are as follows:
RENEWABLE ENERGY - Rule REG-R5 Investigation Activities
I support/oppose these provisions: <i>(include whether you support or oppose in full or in part)</i>
Support in full
The reason(s) for my submission are: <i>(state in summary your reasons, and whether you seek any amendments)</i>
This rule covers a good range of investigation activities with an expanded timeframe for up to 60 months (from the draft District Plan timeframe which was up to 34 months).
I seek the following decision from the Mackenzie District Council: <i>(give precise details)</i>
No change.

Submission point 7

The specific provisions of the proposal that my submission relates to are as follows:
RENEWABLE ENERGY - Rule REG-R7 Any Renewable Electricity Generation Activities Not Otherwise Listed
I support/oppose these provisions: <i>(include whether you support or oppose in full or in part)</i>
Oppose in part
The reason(s) for my submission are: <i>(state in summary your reasons, and whether you seek any amendments)</i>
<p>The purpose of Plan Change 13 was to insert provisions into the District Plan to protect the Mackenzie Basin's outstanding natural landscapes by implementing additional objectives, policies, rules and changes to planning maps. As this plan change has been completed and there is no ability to change these provisions, it would therefore be more appropriate to have a Restricted Discretionary Activity status for this rule, given the known objectives and policies imposed for the Mackenzie Basin ONL, significant indigenous vegetation, significant habitat of indigenous fauna, effects associated with not meeting setback distances identified in Table NATC-1, and the higher order objectives and policies in the NPS-HPL in relation to HPL.</p> <p>Further having a Discretionary Activity status does not work towards enabling the establishment of new REG in line with the proposed Energy Chapter, which can provide for new renewable electricity generation activities subject to certain tests.</p>
I seek the following decision from the Mackenzie District Council: <i>(give precise details)</i>
Change the activity status of Rule REG-R7 from a Discretionary Activity to a Restricted Discretionary Activity.