

NZ Transport Agency Waka Kotahi Reference: 2023-1598

28 February 2024

Mackenzie District Council  
PO Box 52  
Main Street  
Fairlie 7949

Via email: [districtplan@mackenzie.govt.nz](mailto:districtplan@mackenzie.govt.nz)

### **Further Submission on Proposed Change 26 to the Mackenzie District Plan**

The NZ Transport Agency Waka Kotahi (NZTA) thanks Mackenzie District Council for the opportunity to engage in this Mackenzie District Plan Review process. Please find attached our further submissions on Proposed Change 26 to the Mackenzie District Plan.

These further submissions focus on ensuring that the NZTA state highway assets are adequately provided for in the draft provisions, as sought to be amended by other submitters, that the approach to the transport planning in the Mackenzie District align with the NZTA strategic direction, and that NZTA delivers on the mandate from Central Government to promote best practice transport solutions across the country.

We welcome the opportunity to discuss the contents of our further submissions with council officers as required.

If you have any questions, please contact me.

Yours sincerely / nāku noa, nā



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**Form 6**

**NZ Transport Agency Waka Kotahi Further Submissions on the notified Plan Change 26:  
Renewable Electricity Generation and Infrastructure under Clause 8 of Schedule 1 of the Resource  
Management Act 1991**

**To:** Mackenzie District Council

**Name of Submitter:** NZ Transport Agency Waka Kotahi

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**This is a further submission in support of, and in opposition to, submissions on a change proposed to the following plan:**

Mackenzie District Plan – Plan Change 26: Renewable Electricity Generation and Infrastructure

**The NZ Transport Agency Waka Kotahi (NZTA) is a Crown entity representing a relevant aspect of the public interest, and which has an interest in the proposal that is greater than the interest the general public has for the following reasons:**

The provisions of the proposed Plan Change 26 have the potential to have a direct effect on the ability of NZTA to carry out its statutory functions under the Land Transport Management Act 2003 (LTMA). These are set out in Section 95 of the LTMA and include, amongst others, the requirements to contribute to an effective, efficient, and safe land transport system in the public interest and to manage the state highway system in accordance with LTMA and the Government Roading Powers Act 1989.

Overall, NZTA has an interest in the Proposed Mackenzie District Plan Change process as a result of its role as a transport investor; a planner of land transport networks; a provider of access to, and the use of, the land transport system; and a manager of the state highway network.

**NZTA supports or opposes the submissions on Plan Change 26 as detailed in Table 1 (attached). Table 1 clearly indicates which parts of the original submissions NZTA supports or opposes, and the reasons for the support or opposition. It also details which submissions NZTA seeks to be allowed or disallowed.**

**NZTA requests to be heard in support of its submissions and further submissions.**

Signature of person authorised to sign on behalf of Waka Kotahi:



**Nick Reuther**

Senior Planner – Poutiaki Taiao | Environmental Planning  
NZ Transport Agency Waka Kotahi

**Table 1: Decisions Sought on the Proposed Mackenzie District Plan Change 26**

Submitter Name/Contact	Submission Number	Chapter / Provision	Support or oppose	The particular parts of the submission NZTA supports or opposes are:	The reasons for our support or opposition are:	NZTA seeks that the whole or part (describe part) of the submission be accepted or rejected:				
<b>Part 1 – Introduction and General Provisions</b>										
<b>Interpretations</b>										
<b>Definitions</b>										
Opua Water Limited (OWL)	PC26.16	Upgrade	Support	Considers that the definition needs to be clearer so as to include new buildings or structure that may be required as part of an upgrade and seeks that the definition be amended to include new buildings and structures required for the purposes of increasing the capacity, operational efficiency, security of safety of existing assets and activities.	In addition to the changes sought on this definition, NZTA supports the addition requested by OWL.	The submission should be accepted.				
Genesis Energy Limited (GEL)	PC26.15	New Definition – Minimise	Support	GEL and MEL seek the inclusion of a new definition for the term 'minimise' as it is used in Policies INF-P4 and INF-P6 but is not defined in the plan change.	In light of the NZTA submission on Policy INF-P4, the inclusion of this definition is supported if the relief sought on the drafting of that policy is not accepted.	The submission should be accepted, subject to any changes in the drafting of Policy INF-P4.				
Meridian Energy Limited (MEL)	PC26.18			<i>Minimise means: to reduce to the smallest amount reasonably practicable</i>						
<b>Part 2 – District Wide Matters</b>										
<b>Energy, Infrastructure and Transport</b>										
<b>INF- Infrastructure</b>										
<b>Objectives</b>										
Genesis Energy Limited (GEL)	PC26.15	INF-O3	Support	GEL and MEL sought relief that infrastructure of local and national significance along with lifeline utility infrastructure should also be included alongside regionally significant infrastructure. Corresponding amendments to the policy have been sought.	NZTA as a lifeline utility and provider of nationally significant infrastructure supports this request.	The submission should be accepted.				
Meridian Energy Limited (MEL)	PC26.18									
<b>Policies</b>										

Submitter Name/Contact	Submission Number	Chapter / Provision	Support or oppose	The particular parts of the submission NZTA supports or opposes are:	The reasons for our support or opposition are:	NZTA seeks that the whole or part (describe part) of the submission be accepted or rejected:
Chorus, Connexa, FortySouth, One NZ, Spark	PC26.02	INF-P2	Support	The submitters seek the deletion of the word 'minor' in 'minor upgrades' to provide a more suitable term to use in the policy.	In light of the NZTA submission on this policy, this suggested change is supported and would address the concerns raised by NZTA.	The submission should be accepted.
Genesis Energy Limited (GEL)	PC26.15	INF-P3	Support	GEL and MEL consider that co-location of structures and facilities should only be encouraged when their functioning/operation are related to each other and the efficiency and/or effectiveness of their construction and use is improved by co-location.	NZTA supports this suggested change.	The submission should be accepted.
Meridian Energy Limited (MEL)	PC26.18					
Director General of Conservation	PC26.03	INF-P4	Oppose	The submission requests to amend the policy by replacing the term 'surrounding environment' with 'wider environment' to allow an adequate assessment of environmental effects.	NZTA considers that the use of the term 'surrounding environment' is appropriate in the context of this policy as the policy appears to address the management of infrastructure that already exists, and therefore forms part of the environment. For existing infrastructure, there should be a general acceptance that it requires management within the environment it is located in. In order to efficiently and effectively manage existing infrastructure, consideration of the effects on the localised scale is therefore considered appropriate. A change to require consideration of the infrastructure's effect on the 'wider environment' may impact on future efficient and effective operation, maintenance and upgrades of the transport network.	The submission should be rejected.
Transpower New Zealand Limited	PC26.07	INF-P4	Support	Transpower seeks that the Policy is amended to clearly express that operational needs and functional needs may limit the extent to which effects can be minimised.	NZTA supports this approach and requested changes (in addition to the relief sought by the NZTA submission on this policy).	The submission should be accepted.
Director General of Conservation	PC26.03	INF-P5	Oppose	The submission seeks better alignment of the policy with best practice, as it would otherwise allow loss of significant indigenous vegetation and habitats and their values.	The RMA effects management hierarchy is to avoid adverse effects, and when they cannot be avoided, they should be remedied or mitigated. The suggested changes to the policy wording are not aligned with this effects management approach. NZTA is therefore not	The submission should be rejected.

Submitter Name/Contact	Submission Number	Chapter / Provision	Support or oppose	The particular parts of the submission NZTA supports or opposes are:	The reasons for our support or opposition are:	NZTA seeks that the whole or part (describe part) of the submission be accepted or rejected:
					supportive of the suggested changes to this policy.	
<b>Genesis Energy Limited (GEL)</b>	PC26.15	INF-P6 & INF-7	Support	GEL and MEL consider that it is possible that nationally significant infrastructure, that is not otherwise described in the definition of 'regionally significant infrastructure' or 'lifeline utility infrastructure', may have a functional need or operational need to be located on highly productive land.	NZTA supports the inclusion of a reference to 'nationally significant infrastructure' in Clause 2 of the policies.	The submission should be accepted.
<b>Meridian Energy Limited (MEL)</b>	PC26.18					
<b>Matters of Discretion</b>						
<b>REG – Renewable Electricity Generation</b>						
<b>Objectives</b>						
<b>Director General of Conservation</b>	PC26.03	REG-O2	Support	The submission states that reference to "appropriately managed" is uncertain and provides no effective direction. Relief is sought for the objective to clearly align with the related policies, methods and rules.	NZTA generally supports the relief sought and for the objective to provide more clarity. However, the term 'minimised', as suggested by the submitter, should be replaced with 'remedied or mitigated'.	The submission should be accepted subject to the amendments sought.