



Mackenzie DISTRICT PLAN REVIEW

TOMORROW'S MACKENZIE
KA AWATEA HŌU

Section 32 Report:

Plan Change 26 – Renewable Electricity Generation and Infrastructure

Final for Notification

4 November 2023

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1. Introduction

Purpose of this Report

- 1.1. Section 32 ('s32') of the Resource Management Act 1991 ('the RMA', 'the Act') requires an evaluation to be undertaken of the changes proposed to the Mackenzie District Plan ('District Plan') through Plan Change 26 ('PC26'). The evaluation must be provided in a report which examines whether the objectives are the most appropriate in achieving the purpose of the RMA, and whether the policies and methods, taking into account their costs, benefits, efficiency and effectiveness, are the most appropriate way to achieve the objectives. The report must also assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the RMA.

Topic

- 1.2. This s32 report relates to the management of renewable electricity generation ('REG') and infrastructure activities throughout the District. PC26 proposes to delete the Section 16 ('Utilities') and replace it with two new chapters, one relating to REG activities and one relating to all other types of infrastructure ('INF').

District Plan Review Process

- 1.3. The introduction of the Renewable Electricity Generation and Infrastructure chapters is part of Stage 3 of the overall review of the District Plan. The following process was undertaken to review the REG and infrastructure provisions within the District Plan.
 - 1.4. Background technical work was undertaken which involved:
 - a review of the Operative District Plan ('Operative Plan') provisions;
 - identification of key issues arising from the current provisions;
 - a review of relevant planning documents; and
 - a review of the approach taken in other district plans.
 - 1.5. Direct engagement on the current provisions and approach planned was also undertaken with existing and prospective energy generators and infrastructure providers. Engagement with the community was undertaken as part of a broad range of topics in Stage 3. The background technical work, as well as the feedback received was then used to inform a 'Preferred Approach' to the management of REG and infrastructure activities. The Preferred Approach was then used to draft a set of provisions, which were provided to interested parties as part of a further round of engagement. The proposed provisions, which are evaluated in this report, reflect the outcomes of this engagement.

Provisions

- 1.6. This s32 report relates to the following chapters proposed within Part 2 – District-wide Matters of the District Plan:

- Energy, Infrastructure, and Transport
 - Renewable Electricity Generation (REG)
 - Infrastructure (INF)

1.7. PC26 also proposes to amend Rule 1.1.1.1. a) in Section 19 to cross-reference to with the proposed Infrastructure chapter, and to introduce two new rules, relating to the clearance of indigenous vegetation associated with infrastructure or renewable electricity generation activities, respectively.

1.8. PC26 proposes to introduce the following definitions:

- antenna
- earthworks
- electricity distribution corridor
- functional need
- hazardous substances
- investigation activities
- lifeline utility infrastructure
- line
- national grid
- national grid support structure
- national grid yard
- network utility operator
- pole
- regionally significant infrastructure
- sensitive activity
- sensitive area
- small-scale renewable electricity generation activity
- subdivision
- telecommunications
- temporary infrastructure
- tower
- transmission line
- upgrade

1.9. PC26 proposes to amend the planning maps to include electricity transmission and distribution lines with a voltage of 33kV or above.

1.10. As a consequence of the above, PC26 proposes to delete Section 16 – Utilities, those provisions in Section 7 that relate to renewable electricity generation or infrastructure, and the definitions of antenna, mast, radiocommunications facility, telecommunication facility, telecommunication line and utility.

2. Statutory Context

2.1. Sections 74 and 75 of the RMA set out legal obligations when changing a District Plan. Consideration needs to be given to matters including whether the plan accords with the

Council's functions under Section 31 of the RMA and the provisions of Part 2 of the RMA. They also direct how the plan is to be drafted/considered in relation to a range of other statutory documents. The following section sets out those matters addressed in sections 74 and 75 that are relevant to this topic.

Functions under s31

- 2.2. Section 31 sets out the functions given to territorial authorities for the purpose of giving effect to the RMA in their district. Of relevance to this topic, territorial authorities have the function of: establishing, implementing and reviewing objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources in the district (s31(1)(a)); and controlling the actual and potential effects of use, development or protection of land (s31(1)(b)). They also have the function of maintaining indigenous biological diversity (s31(1)(b)(iii)) which is relevant to how REG activities and infrastructure is managed with respect to its effects on indigenous biodiversity.

Part 2 of the RMA – Sections 5, 6, 7 & 8

- 2.3. Section 5 of the RMA sets out the purpose of the RMA as being to promote the sustainable management of natural and physical resources.
- 2.4. Sustainable management, as defined in section 5, relates to how natural and physical resources are managed so as to provide for the well-being and for the health and safety of people and communities while also managing the adverse effects of activities on the environment. This is relevant to PC26, as REG activities and infrastructure are important for the well-being of the community and its health and safety, but these activities can also have a range of adverse effects on the environment.
- 2.5. Section 6 contains a number of matters which requires persons exercising functions under the Act to recognise and provide for, as matters of national importance. This includes a number of important areas which REG and infrastructure activities may impact on, including areas of natural character (s6(a)), outstanding natural features and landscapes (s6(b)), areas of significant indigenous vegetation and significant habitats of indigenous fauna (s6(c)), and areas of importance to Māori (s6(e)). Management of REG and infrastructure activities therefore needs to be cognisant of, and provide for these matters.
- 2.6. Section 7 includes other matters to which particular regard must be had and relevant to the REG and infrastructure provisions, includes:
 - the efficient use and development of natural and physical resources (s7(b));
 - the efficiency of the end use of energy (s7(ba));
 - the maintenance and enhancement of amenity values (s7(c));
 - the maintenance and enhancement of the quality of the environment (s7(f));
 - the effects of climate change (s7(i)); and
 - the benefits to be derived from the use and development of renewable energy (s7(j)).

2.7. The effects of climate change and the benefits to be derived from renewable energy are particularly relevant to the REG chapter provisions. For both chapters, consideration of the effects of these activities on amenity values and environmental quality are also relevant. How these activities are managed also needs to be cognisant of the efficient use and development of natural and physical resources and the end use of energy.

2.8. Section 8 requires that the principles of Te Tiriti o Waitangi / the Treaty of Waitangi shall be taken into account when exercising powers and functions under the RMA. These principles are relevant to PC26, because REG and infrastructure activities can have impacts on areas which are of value to mana whenua.

National Planning Standards

2.9. Section 75(3)(ba) of the RMA requires the district plan to give effect to any national planning standard. The District Plan Structure Standard provides for an Energy, Infrastructure, and Transport section. However, there is discretion as to what specific chapters are included within this section. PC26 proposes a separate chapter for each of Renewable Electricity Generation and Infrastructure. A separate Transport chapter is proposed as part of PC27. The District-wide Matters Standard directs that provisions relating to energy and infrastructure that are not specific to the Special Purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading.

Planning Documents

Table 1: Planning Documents

National Policy Statements Relevance: District Plan must give effect to (Section 75(3)(a))		
Document	Summary	Relevance
Renewable Electricity Generation 2011	<p>The overarching objective, Policy A and Policies E1-E3 direct recognition of the national significance of REG activities and its benefits, by providing for the development, operation, maintenance and upgrading of new and existing REG activities, including solar, biomass, hydro-generation, and wind energy generation activities.</p> <p>Policies C1 and C2 list matters that decision-makers must have particular regard to, including locational, logistical and technical requirements; as well as management of effects.</p> <p>Policy D requires decision-makers, to the extent reasonably possible, to manage activities to avoid reverse</p>	<p>To achieve the objective, the District Plan will need to demonstrate provision for both new and existing electricity generation activities.</p> <p>The Plan provisions will need to take into account locational, logistical and technical requirements, and ensure consideration of effects aligns with the direction.</p> <p>In circumstances where reverse sensitivity effects may arise, the Plan will also need to identify how these effects are to be avoided as far as possible.</p>

	sensitivity effects on consented and on existing REG activities.	
Electricity Transmission 2008	<p>The overarching objective, and Policies 1 & 2 direct recognition of the national significance of the electricity transmission network, including its benefits, by facilitating its operation, maintenance, upgrade and development, while managing both its effects, and the effects of other activities on it.</p> <p>Policies 3-8 provide particular direction on what must be given regard to when considering management of effects of the network. Policies 7 & 8 also include specific direction on how effects on specified activities or areas are to be managed.</p> <p>Policies 10 and 11 require activities to be managed to avoid reverse sensitivity effects on the network and to ensure that its operation, maintenance, upgrading, and development is not compromised. Policy 11 specifically requires consultation with the network operator to identify an appropriate buffer corridor within which sensitive activities will generally not be provided for in plans and/or given resource consent.</p>	<p>To achieve the objective, plan provisions will need to facilitate network activities, as well as include direction on how its effects are to be managed. Provisions will also need to be included to manage the potential effects of other activities on the network.</p> <p>Policy direction will need to align with the matters specified in these policies.</p> <p>The Operative Plan does not include provisions aimed at managing the potential effects of activities on the national grid. Identification of buffer corridors and other provisions to manage reverse sensitivity and other effects that may compromise the network are required in order to give effect to these policies.</p>
Indigenous Biodiversity 2023	<p>Under Clause 1.3 (3), this NPS does not apply to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities and electricity transmission network assets and activities (i.e. the national grid). It is, however, relevant to other infrastructure activities.</p> <p>The National Policy Statement for Indigenous Biodiversity ('NPSIB') recognises both the intrinsic values of indigenous biodiversity, as well as its value to people and communities. Its objective is to maintain indigenous biodiversity so that there is at least no overall loss in indigenous biodiversity. Policy 7 directs protection of Significant</p>	<p>The direction in the NPSIB does not apply to the REG chapter.</p> <p>Indigenous biodiversity is predominantly managed in Section 19 of the District Plan, which will need to be reviewed and brought in line with the NPSIB within the timeframe specified within it.</p> <p>However, the provisions in the Infrastructure Chapter as they relate to indigenous biodiversity must give effect to the NPSIB. In this regard, PC26 proposes to amend Section 19 to amend or include rules specific to infrastructure. It also includes policy</p>

	<p>Natural Areas ('SNAs') by avoiding or managing adverse effects from new subdivision, use and development. Clause 3.5(1)(b) requires consideration that the protection, maintenance, and restoration of indigenous biodiversity does not preclude subdivision, use and development in appropriate places and forms. Clause 3.10 requires specified adverse effects on an SNA from new subdivision, use and development to be avoided; and other adverse effects to be managed through application of the effects management hierarchy.</p> <p>Exceptions to the avoidance requirement apply to construction of upgrade of specified infrastructure that provides significant national or regional public benefit, where there is a functional or operational need for that location and there are no practicable alternative locations. Specified infrastructure includes infrastructure that delivers a service operated by a lifeline utility, regionally or nationally significant infrastructure identified in a national or regional policy statement.</p> <p>Under 3.15, the maintenance, operation and upgrade of an established activity are to be enabled, where the effects of the activity on an SNA do not increase in intensity, scale, or character and do not result in the loss of extent, or degradation of ecological integrity, of an SNA.</p>
Highly Productive Land 2022	<p>The overarching objective of this policy statement ('NPSHPL') is to protect highly productive land for use in land-based primary production. To this end, policy direction includes prioritising and supporting the use of highly productive land for land-based primary production (Policy 4) and protecting such land from inappropriate use and development (Policy 8). Clause 3.9 provides further direction in relation to this, stating that use or development is inappropriate, except where specified circumstances apply. These circumstances include</p>

	<p>where it is a small-scale land-use activity that has no impact on the productive capacity of the land, or it is associated with the maintenance, operation, upgrade, or expansion of specified infrastructure, and provided that there is a functional or operational need for it to be on the highly productive land. Specified infrastructure includes infrastructure that delivers a service operated by a lifeline utility, or which is regionally or nationally significant. In the context of the NPSHPL, such infrastructure would also include REG activities. There are also additional exemptions in Clause 3.10.</p>	
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Regional Policy Statements

Relevance: District Plan must give effect to (Section 75(3)(c))

Canterbury Regional Policy Statement	<p>Chapter 5 is focused on the relationship between land use and infrastructure. Objective 5.2.1 seeks, amongst other things, that development is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure (RSI). Objective 5.2.2 seeks more specifically to recognise that RSI enables people and communities to provide for their social, economic and cultural well-being, while managing its adverse effects on the environment. Policies 5.3.2 and 5.3.9 similarly require that development is managed so that it does not compromise existing or consented RSI, or constrain its ability to be developed and used without constraints from reverse sensitivity or safety effects; and that the maintenance, operation and expansion of existing infrastructure is provided for. In relation to new RSI, Policy 5.3.9 directs that this is provided for, while managing effects in a prescribed way, including that logistical, technical or operational constraints of RSI are recognised, and that as far as practicable, adverse effects on significant natural and physical resources and cultural values are</p>	<p>The Operative Plan does not include provisions for managing the effects of development on RSI, including potential reverse sensitivity. This has been identified as a gap with respect to the national grid as well as to electricity distribution lines.</p>
		<p>The provisions in the INF and REG chapters must also provide for RSI, managing effects in the manner directed in Policy 5.3.9.</p>

	<p>avoided. It also directs that when considering proposals within sensitive environment, alternate sites, routes, methods and design of all components and associated structures are considered.</p>	
	<p>Chapter 16 of the Canterbury Regional Policy Statement ('CRPS') relates to Energy and includes objectives and policies that are directive by requiring that REG is recognised, promoted and encouraged throughout Canterbury. The CRPS seeks to enable the upgrade of existing, or development of new electricity generation infrastructure, with a particular emphasis on encouraging the operation, maintenance and upgrade of REG activities and associated infrastructure. The CRPS requires consideration to be given to the impacts of energy generating activities on character values and visual amenity.</p>	<p>The provisions in the REG chapter must appropriately recognise and promote renewable electricity generation, through enabling those activities identified, while managing effects on character values and visual amenity.</p>
National Environmental Standards		
Relevance: District Plan must not duplicate or conflict unless specified in NES (Sections 43B and 44A of the RMA)		
Telecommunication Facilities 2016	<p>The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 ('NESTF') apply to a range of telecommunications infrastructure.</p>	<p>The District Plan cannot duplicate the provisions within the NESTF relating to telecommunications infrastructure. However, when the standards in the NESTF are not met, recourse is to be had to the District Plan, requiring it to contain rules relating to these circumstances. There are also some telecommunications activities that are not regulated under the NESTF that the District Plan must manage.</p>
Electricity Transmission Activities 2009	<p>The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ('NESETA') apply to the operation, maintenance, upgrading, relocation or removal of national grid transmission lines that were operating or able to be operated on, or prior to, 14 January 2010 and remain part of the national grid.</p>	<p>The District Plan cannot duplicate the provisions within the NESETA. Therefore, the rules in the Plan will not apply to national grid transmission lines that were in existence at 14 January 2010. However, they will apply to new lines.</p>

Plans or strategies prepared under other legislation Relevance: District Plan must have regard to (Section 74(2)(b)(i))		
Economic Development Strategy 2021-2025	<p>Sets out the criteria that Council uses to guide decision making relating to the District's economic and business sector development.</p> <p>Of relevance to this topic, it includes a focus on responding to climate change and the need for decarbonisation in an economically sustainable way. It also identifies renewable energy as an industry of opportunity.</p>	The REG chapter will align with the focus on how renewable energy can assist in responding to climate change and the need for decarbonisation.
Upper Waitaki Zone Implementation Programme	<p>The Upper Waitaki Zone Implementation Programme ('UWZIP') is a non-statutory document prepared under the Canterbury Water Management Strategy ('CWMS') in a collaborative manner by the Upper Waitaki Zone Committee. The UWZIP is a set of integrated actions and proposals, to give effect to the CWMS in the Upper Waitaki Zone and is intended to be given consideration by the Council.</p>	The UWZIP largely relates to the management of the zone's water resources and is therefore not particularly relevant to the District Plan. However, it includes recognition of the Waitaki Hydro Electric Power Scheme, and a priority outcome identified is that the zones contribution to New Zealand's security of electricity supply is maintained or increased.
Iwi Management Plans Relevance: District Plan must take into account (Section 74(2A))		
Waitaki Iwi Management Plan 2019	<p>Describes the values of the Te Papatipu Rūnaka (Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki) in relation to the Waitaki River and the wider catchment that provides a life source to the river (Aoraki / Mount Cook to the sea). The plan outlines the issues relating to the area, and direction for how these are addressed and how their relationship with the identified resource can be provided for.</p> <p>This includes in relation to the operating range for the hydro-electric lakes, and other hydrological alteration.</p>	While the Waitaki Iwi Management Plan does include reference to hydro-electricity, it is in the context of the Regional Council functions and therefore not directly relevant to the REG chapter.

3. Strategic Directions

3.1. The following Strategic Directions are relevant to this topic:

ATC-O1 Live, Work, Play and Visit

The Mackenzie District is a desirable place to live, work, play and visit, where:

1. *there are a range of living options, businesses, and recreation activities to meet community needs;*
2. *activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and*
3. *the anticipated amenity values and character of different areas are maintained or enhanced.*

ATC-03 Infrastructure

The importance to the District and beyond of infrastructure, particularly nationally and regionally significant infrastructure, is recognised and provided for.

ATC-04 Renewable Electricity

The local, regional and national benefits of the District's renewable electricity generation and electricity transmission activities and assets are recognised and their development, operation, maintenance and upgrade are provided for and reverse sensitivity effects on those activities and assets are avoided.

ATC-06 Incompatible Activities

The location and effects of activities are managed to:

1. *minimise conflicts between incompatible activities; and*
2. *protect important existing activities from reverse sensitivity effects.*

MW-01 Mana Whenua Values

The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.

NE-01 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. *mahika kai resources;*
2. *night sky darkness;*
3. *outstanding natural features and landscapes;*
4. *significant indigenous biodiversity; and*
5. *water bodies and their margins.*

UFD-O1 Urban Form and Development

The District's townships and settlements grow and develop in a consolidated way that:

...

3. *is integrated with the provision of infrastructure and facilities which support the functioning of the community; ...*
- 3.2. A number of the Strategic Directions are relevant to this topic. ATC-O3 and ATC-O4 are specific to infrastructure and renewable electricity respectively, and seek that its importance / benefits are recognised and provided for. ATC-O1 is relevant because infrastructure and renewable electricity are important to the community's social, economic and cultural wellbeing, but can also have impacts on the anticipated amenity values and character of the areas they are located within or traverse through. MW-O1 and NE-O1 also include specific direction in relation to areas or values which infrastructure and REG activities can impact on. Both ATC-O4 in relation to REG and electricity transmission activities and assets, and ATC-O6 in relation to important existing activities more broadly, include direction relating to reverse sensitivity effects. UFD-O1 also seeks that the growth and development of the Districts townships is integrated with the provision of infrastructure.

4. Current Approach

Section 16 – Utilities Chapter

- 4.1. Section 16 of the Operative Plan pertains to Utilities. It contains two objectives: the first relates to avoiding, remedying or mitigating adverse effects on the surrounding environment from the functioning and operation of utilities; and the second relates to enabling the establishment, efficient use and maintenance of utilities. The related policies provide direction on how adverse effects are to be managed; and how utilities are to be enabled. Some of the policies regarding management of adverse effects are somewhat limited, simply referring again to avoiding, remedying or mitigating adverse effects.
- 4.2. The rules in section 16 are stated as taking precedence over any other rules that may apply to utilities in the District Plan, unless specifically stated to the contrary. Rule 1.1 permits a range of specified utilities, subject to them meeting standards set out in Rule 1.2, which include size and height limits. Different standards also apply in different areas, for example within Sites of Natural Significance, Lakeside Protection Areas and Scenic Viewing Areas. Utilities which do not meet the permitted activity standards, as well as utilities not otherwise specified within the rules, are a discretionary activity.

Designations

- 4.3. Appendix A of the Operative Plan contains designations. This includes a range of designations, including those relating to electricity substations; schools; police stations; state highways; telecommunication and radiocommunication facilities; landfills; wastewater facilities; water supply infrastructure; and cemeteries. Facilities associated with hydro electricity schemes are not designated.

Section 7 – Rural Zone

4.4. Section 7 of the Operative Plan contains provisions relating to the Rural Zone. As noted above, the rules in section 16 take precedence over the zone rules which would normally apply, unless otherwise specified. Within Section 7 the following are specific rules applying to some utilities:

- Rule 15.1.1.a restricts irrigators in specified areas.
- Rule 15.1.1.j permits the construction, commissioning and operation of power generation facilities outputting up to 25 kilowatts (outside existing scheduled areas – refer subsection below)

4.5. Because parts of the Waitaki Power Scheme ('WPS') are located within the Te Manahuna / the Mackenzie Basin, there are also provisions in Section 7 which apply to the WPS. Rural Objective 3B applies to activities in the Mackenzie Basin ONL, and includes specific outcomes relating to the WPS, seeking the maintenance and development of structures and works for the WPS. Similarly, Policy 3B6, relating to Lakeside Protection Areas, includes clauses specific to the WPS. Policy 3B8 is specific to renewable energy and directs that the use and development of existing renewable energy generation and transmission infrastructure and operations is recognised and provided for, while, as far as practicable, avoiding, remedying or mitigating significant adverse effects on the outstanding natural landscape and features of Te Manahuna / the Mackenzie Basin. These provisions are outside the scope of PC26, but are proposed to be shifted into the REG chapter as REG-O3, REG-P2 and REG-P3.

4.6. Rural Objective 11 relates to rural infrastructure, seeking that such infrastructure enables the District and the wider community to maintain their economic and social wellbeing.

Scheduled Activities

4.7. Section 7 also contains a separate suite of rules applying to Scheduled Activities. The WPS is listed as a scheduled activity, and the Plan details the structures and facilities which are part of the Scheme and form part of the scheduled activity. Activities included within the scheduled activity rules are not subject to the Site and Zone Standards of the Rural Zone, or the rules for Utilities.

Opuha Dam Zone

4.8. The Opuha Dam Zone is a specific Special Purpose Zone located between the north and south branches of the Opūaha / Opuha River and applies to the Opuha dam, the weir, storage lake, recreation areas which front onto the lake and adjacent riparian areas. At the time the zone provisions were introduced, they made provision for the construction of the dam, as well as for associated public access and recreation activities. This is reflected in the permitted activities, being: the construction, maintenance and operation of an earth dam, hydrogeneration electricity plant and associated structures/facilities; the formation and operation of a lake; recreation activities and associated structures (picnic areas and boat launching ramps). These are subject to a range of standards. Ongoing rural uses are also provided for.

4.9. While the Opuha Dam Zone is more related to Plan Change 23, the ongoing operation, maintenance, repairs, replacement and upgrades to the hydroelectric power scheme will be managed in the proposed Renewable Electricity Generation Chapter.

Section 19 – Ecosystems and Indigenous Biodiversity

4.10. Section 19 was introduced through PC18, and includes rules relating to indigenous vegetation clearance. They are explicitly stated as applying in addition to the rules in Section 16; meaning that where indigenous vegetation clearance is undertaken as part of the operation, maintenance and development of any utility, the provisions in Section 19 will apply to the vegetation clearance. However, clearance within 2m of and for the purpose of the maintenance or repair of existing listed infrastructure, or associated with the operation, maintenance, repair or upgrade of network utilities permitted by Rule 16.1.1.(j) is permitted. There is also a separate and specific suite of rules for the clearance of indigenous vegetation associated with the WPS, national grid or Opuha Scheme.

5. Issues

Investment Logic Map (ILM)

5.1. The ILM development for the District Plan review identified four key problems which the Plan Review should address. Of particular relevance to this topic are:

- Uncoordinated & fragmented development is enabled, disrupting social & economic wellbeing, putting pressure on infrastructure.
- Failure to protect our natural landscapes, water & indigenous biodiversity, erodes Te Manahuna / the Mackenzie's unique environment.
- The outdated & permissive nature of the plan, results in inconsistent and ad hoc decision making, creating perverse & undesirable outcomes.

5.2. As noted above, utilities are largely governed by rules in Section 16 of the Plan and therefore not subject to rules relating to landscapes. As such there is a risk that utilities may establish in sensitive locations without sufficient control. The precedence of Section 16 over the remainder of the Plan has also led to some administrative difficulties and differing internal interpretations of what constitutes a utility. Further, the outdated nature of the Plan's infrastructure provisions means they do not give effect to the relevant higher order documents, including the CRPS, NPSET and NPSREG.

Effects of Renewable Electricity Generation and Infrastructure Activities

5.3. REG and infrastructure are essential in providing for the health, safety and well being of people, not only those living, working and visiting the District, but also beyond the District. However, these activites can have a range of adverse effects on the surrounding environment, including visual impacts, and impacts on values of importance. Some of these effects can be avoided or mitigated, but some, due to locational or technical requirements of utilities, cannot.

5.4. In the Mackenzie District the natural resources from which electricity are generated (namely high-country water and land environments) coincide with areas of significant natural

character, significant amenity values, historic and cultural heritage, outstanding natural features and landscapes, significant indigenous vegetation and significant habitats of indigenous fauna. Other infrastructure is required to be located in these areas due to operational or locational reasons. There can also be potential conflicts with the relationship of Māori with their taonga and the role of kaitiaki.

- 5.5. A key issue is therefore how the adverse effects of REG activities and other infrastructure are weighed against the matters of national importance set out in section 6 of the RMA, along with matters to which decision-makers are required to have particular regard under section 7.

Providing a planning framework to assess development, including new technology

- 5.6. Te Manahuna / Mackenzie District, like other areas, has seen an increased interest in solar energy, with consent queries and applications for large industrial scale solar arrays/farms. In addition, solar photovoltaic connections for personal use are gaining in popularity, particularly as part of new house builds. Changes in both technology and wholesale electricity pricing have meant that solar energy is now economically viable. While large scale wind farms are not anticipated within the District in the near future, small-scale wind turbines to power rural based industries or for dairy farms may be feasible on a case-by-case basis. Wilding pines also provide a supply for a potential bioenergy resource. For example, resource consent was granted to utilise wilding trees harvested on Pukaki Downs for biomass production.
- 5.7. New larger-scale renewable electricity also requires connection to the national grid, and may also necessitate further development of the electricity transmission and distribution network.
- 5.8. Over recent years, advancements in technology have seen a range of changes in telecommunications. Growth of the District's townships also requires integration with necessary network infrastructure upgrades or improvements.
- 5.9. The review of the utilities provisions therefore provides an opportunity to introduce a targeted and fit-for-purpose planning framework to provide appropriate guidance for consideration of these types of energy and infrastructure developments, as well as other infrastructure opportunities that may arise over the life of the Plan.

Protection of Infrastructure

- 5.10. The CRPS, NPSET and NPSREG also include direction seeking to protect existing infrastructure. The Operative Plan does not include these types of provisions which are commonly applied in other plans, including controls on buildings and earthworks within proximity to national grid lines and in some cases local distribution lines and setbacks from other infrastructure e.g. wastewater treatment plants.

Policy Direction

- 5.11. While network utility operators are able to use the designation process to establish new infrastructure, the Plan's objective and policy framework can provide direction on how the provision and management of REG and infrastructure is to be considered, whether it be by way of outline plan, notice of requirement, or through a resource consent.

6. Consultation

- 6.1. In accordance with Schedule 1, clause 3(1), consultation was undertaken with the Minister for the Environment, other Ministers of the Crown who may be affected the plan change, adjoining local authorities who may be affected, the Regional Council, and tangata whenua. Mana Whenua, via Aoraki Environmental Consultants Limited staff being part of the project team, have been involved in the background work associated with, and drafting of, the provisions proposed in PC26, particularly in terms of the how REG and infrastructure activites are to be managed where located in an identified Site or Area of Signficance to Māori.
- 6.2. Prior to the drafting of each chapter, direct engagement was undertaken on the general direction of the REG and Infrastructure chapters with existing infrastructure operators in the District (including the Council, Transpower, Alpine Energy, telecommunications providers); existing electricity generators in the District; and parties with known interests in future electricity generation. Feedback included:
 - Support for standalone chapters with clear reference to other parts of the Plan where they are relevant.
 - The need to consider underground services in sensitive areas differently to above ground infrastructure.
 - The need to manage buildings and other sensitive activities within proximity to high voltage electricity lines.
 - The need to carefully consider the planning framework for REG in more sensitive areas, to avoid unnecessarily disincentivising them.
- 6.3. As part of the early community engagement undertaken on all Stage 3 topics, people were surveyed on several matters, including how REG and infrastructure should be managed in the District Plan. Feedback received included:
 - Support for considering and planning for additional REG infrastructure.
 - The need to consider that REG infrastructure has already “compromised” large portions of the natural landscape to help supply national needs and concerns about further impacts from additional REG infrastructure.
 - Seeking that particular infrastructure upgrades are undertaken.
 - The need to manage the effects of infrastructure and to ensure infrastructure planning is integrated.
- 6.4. In August 2023, additional community engagement was undertaken, including circulation of draft chapters to interested parties. A summary of the broad themes raised in this engagement is set out in the table below, along with the response to the feedback.
- 6.5. In addition to the broader themes set out below, a number of parties sought specific changes to the drafting to improve the readability and clarity of provisions, better align with the direction in relevant NPS' or the CRPS, correct errors, or generally improve the provisions. Where these were considered to improve the drafting overall, they have been included in the drafting proposed in PC26.

Table 2: Consultation Feedback

Matter Raised	Response
Use of Largely Standalone Chapters	
Support proposed approach to the chapters being relatively standalone, with some listed exceptions.	No changes are proposed to this general approach.
All provisions relating to REG should be included in REG chapter, and the only provisions in the plan that should apply to REG activities are those in the Strategic Direction and REG chapters.	<p>The other chapters in the Plan which are proposed to apply to REG activities are considered to be appropriate. For example, light emissions should be controlled to achieve the outcomes sought in the LIGHT chapter, and noise levels in accordance with the noise rules. Having no control over these matters is not considered appropriate. There are also specific rules relating to the Waitaki Power Scheme in Section 19 which have been recently considered through Plan Change 18 and it is not considered appropriate to disregard these.</p> <p>It is also considered appropriate to continue to apply the rules in Section 19, noting that PC26 proposes an additional those these.</p>
Earthworks for access tracks should be managed in the REG and/or INF chapter and not deferred to Earthworks chapter	<p>It is considered that the effects of the construction of access tracks are similar to those of other tracks (e.g. farm tracks) and therefore should be treated on the same basis. It is more efficient to rely on the rules in the Earthworks chapter to manage these, rather than replicate the suite of rules and standards in the REG and INF chapters.</p>
Concern that only the rules in the Ecosystems and Indigenous Biodiversity chapter would apply, and not the objectives and policies. This would leave a policy gap in processing consents.	<p>For the INF chapter, the drafting is deliberate, as it is intended that the objectives and policies in the INF chapter apply, rather than those applying in Section 19. As such, there is not considered to be a policy gap, as consents which are triggered under Section 19 would be assessed against the policy direction in the INF chapter. While this is the same for the REG chapter, there are already some policies and objectives within section 19 that apply to some specific REG activities, and therefore these should continue to apply. This has been clarified as it was not intended that the REG chapter override these.</p> <p>To give effect to the NPSIB, an additional policy specific to significant indigenous vegetation and significant habitats of indigenous fauna is considered to be required in the INF chapter. The same does not apply to the REG chapter because the NPSIB does not apply to REG activities.</p>
Concern that landscape provisions are not applied to REG	<p>As noted above, the intent of the drafting is that the direction applying to REG, with respect to landscapes, is contained in the REG chapter, and that this, in effect, modifies the policy approach that would otherwise apply if the NFL chapter applied. This is considered to appropriately balance to direction in the NPSREG and that within s6 of the RMA. Changes have however been made to more explicitly refer to ONLs and ONFs within the relevant policy direction.</p>
Objectives	
General support for objective framework	Noted.

Add reference to effects management hierarchy in REG-O2	At an objective level, what is described is the outcome sought - which is that effects are appropriately managed. How that is achieved is then set out in the implementing policies and rules. As such, <i>how</i> the effects are managed (such as in accordance with an effects management hierarchy) is set out in the policies, as that is the action, not the outcome.
The reference to “appropriately managed” (in REG-O2) is uncertain. A clearer approach would be to avoid adverse effects in sensitive areas where possible and minimise adverse effects elsewhere	At an objective level, what is described is the outcome sought - which is that effects are appropriately managed. How effects are to be managed in an appropriate way is set out more specifically in the policies.
INF-O3 should apply to all regionally significant infrastructure, not just particular asset for which there are related rules	The objective was intentionally limited to national grid and Electricity Distribution network on the basis that policies and rules were only proposed in relation to those types of infrastructure. This is because specific rules were not considered necessary in relation to other types of infrastructure. However, at an outcome level it is accepted that this outcome is still sought in relation to all regionally significant infrastructure, and the objective would provide a basis for additional rules to be added in future, should specific intervention be warranted in relation to potential adverse effects of activities on other infrastructure. Therefore INF-O3 is now proposed to relate to all regionally significant infrastructure.
Sensitive Areas	
Include SONS, ONFs and ONLs as sensitive areas.	<p>Sites of Natural Significance (SONS) are managed through the rules in Section 19, including the additional rule proposed in relation to indigenous vegetation clearance associated with infrastructure. This is considered to be more efficient given that not all significant areas are mapped, and targets intervention to the key risk, being clearance of indigenous vegetation.</p> <p>Consideration was given to whether or not infrastructure within an Outstanding Natural Landscape ('ONL') should require consent in all instances, and it was determined that some small-scale infrastructure (i.e. as limited through the permitted thresholds and subject to meeting reflectivity requirements) could be permitted without compromising the values of the ONL. However, highly sensitive areas have been identified within the Te Manahuna / Mackenzie Basin ONL (e.g. Scenic Viewing Areas, Scenic Grasslands, and Lakeside Protection Areas) and a consent requirement within ONLs included for some infrastructure activities that are considered to have potentially greater effects, e.g. new lines with more than 3 support structures.</p> <p>A definition is now proposed to be clearer about what 'sensitive areas' as referred to in the INF chapter include.</p> <p>Within the REG chapter, the policy direction has been amended to more explicitly list areas that the policy is intended to apply to, and this includes SONS, ONLs and Outstanding Natural Features.</p>

Sensitive areas should be defined	A definition is now proposed to be clearer about what 'sensitive areas' as referred to in the INF chapter include.
Approach to REG activities	
Caution regrading allowing large-scale solar farms into ONL area	The proposed REG chapter allows for case-by-case assessment of any proposals for solar farms. The policy direction does not exclude their establishment within ONL areas but provides strong guidance as to what matters need to be addressed.
Opposed to solar farms and wind turbines	Prohibiting or discouraging these would be inconsistent with the direction in the NPSREG, CRPS and would not have appropriate regard to the benefits to be derived from the development of renewable energy under s7(j) of the RMA.
The objective and policy framework should be amended to explicitly enable any development, operation, maintenance and upgrading of new and existing renewable electricity generation activities	This would be inconsistent with the drafting approach taken in the District Plan, which affords a permitted (or controlled) activity status to activities that are 'enabled'. Instead, where resource consent is proposed to be required, the policy direction is to provide for REG activities, where the effects are managed in the manner set out in the relevant policies.
Remove the effect management hierarchy from the policy framework and require that: <ul style="list-style-type: none"> - outside sensitive areas adverse effects are avoided, remedied or mitigated. - and within sensitive areas, where there are locational, functional or operational needs for the activity to be in that location, adverse effects on the values of the sensitive areas are avoided as far as practicable, and otherwise remedied or mitigated 	The policy direction in PC26 is considered to be more appropriate because it provides more guidance to decision makers on how effects should be managed, while still providing for REG activities. Reference to offsetting and compensation are also consistent with Policy C2 of the NPSREG.
Add reverse sensitivity policies to other chapters of the plan where this is relevant.	Potential reverse sensitivity effects that may arise with established REG activities relate to activities managed through other chapters in the Plan. It is therefore considered appropriate that the policy direction be included in these chapters (namely the General Rural Zone and Subdivision chapters)
Rule REG-R4 would make any new generation associated with an existing HEP station a controlled activity, with control limited to water levels. This is far too broad, and would	The proposed rule largely reflects the approach taken in the Operative Plan. The Council is not aware of any issues with the current approach. The rules do not apply to non-renewable electricity generation which is managed under the INF chapter and would be a discretionary activity under that chapter. It is also noted that there are a range of matters which the Council can control,

<p>allow, for example, addition of wind turbines or coal-fired generation co-located with an existing HEP station. Such co-location can be attractive to generators as it avoids the need for additional transmission and allows balancing of energy sources (co-location of wind and HEP is already common at a smaller scale).</p>	<p>with the water levels being a standard, which if breached, makes the development restricted discretionary.</p>
<p>Add additional clauses to the policy relating to sensitive areas, to require that some specified adverse effects relating to indigenous biodiversity are avoided in all cases.</p>	<p>This type of requirement would be similar to that set out in INF-P7. However, that policy reflects the direction in the NPSIB, and does not apply to REG. Notwithstanding this, that does not preclude the District Plan including such provisions, if they are the most appropriate way to achieve the Plan's objectives. However, in order to consider whether this is the case, ecological input would need to be sought on the effect of such direction in light of the District's indigenous biodiversity.</p>
NPSIB	
<p>While supporting the use of offsetting and compensation where appropriate, it would be good practice to revise REG-P6 reflect the approach and drafting in the NPSIB. This would also provide consistency when the ECO provisions of the plan are updated to give effect to the NPSIB.</p>	<p>The NPSIB does not apply REG activities.</p>
<p>While supporting the use of offsetting and compensation where appropriate, now that the NPSIB is in effect the references to offsetting and compensation, and use of the effects management hierarchy, in INF-P5 need to be revised to reflect the NPSIB.</p>	<p>This has been reflected in the proposed policy INF-P7.</p>
<p>REG-P6 and INF-P6 would allow for effects which are less than significant but more than minor, and therefore enables direct and cumulative loss of the relevant values of the sensitive areas. Residual effects should only be acceptable if they are no more</p>	<p>While the concern is acknowledged, it is considered that in taking into account the benefits of these activities, that the threshold should be set at a higher level.</p>

than minor (unless specifically provided for in the NPSIB).	
Electricity Corridors	
The use of corridors for infrastructure is supported, but they should not be restricted to one specific utility, and various utilities should be encouraged to use the same corridor.	The purpose of the electricity infrastructure corridors are to protect these assets from the effects that other activities in close proximity can have on them. Encouraging other utilities within this corridor may be inconsistent with this and does reflect that different utilities have different operational and logistical reasons to be in particular locations. At a policy level however, co-location of infrastructure is encouraged where possible.
22kV lines should be added	Council have not had requests from the local lines operators to include the 22kV lines in the electricity distribution corridor and so it is not considered necessary to include these.
The electricity distribution corridor provisions should be removed as the network does not require the same level of protection as the national grid	The electricity distribution network is defined as regionally significant infrastructure under the CRPS, which directs that development is located and designed so as to ensure the continued safe, efficient and efficient use of such infrastructure. Encroachment on existing and future significant electricity distribution line corridors, has the potential to add risk to electricity security of supply and reliability. The 33kV lines to which the provisions relate are critical to the supply of electricity to Twizel, Takapō / Tekapo, Fairlie and Aoraki / Mount Cook communities, and if compromised, are difficult to replace with alternative electricity supply quickly. The corridor rules will help minimise the risk to this infrastructure and enable lines operators to continue to provide safe and reliable electricity within Te Manahuna / the Mackenzie District.
Terminology in Policy Framework	
Various terms used in the objective and policy framework should be defined (e.g. offsetting, compensation, minor upgrading, sensitive areas)	The policy framework provides direction which is then implemented through the rules. For example, INF-P1 directs that minor upgrading is enabled. This is reflected with a permitted activity status, with the thresholds set in the permitted activity rule outlining what is considered to be 'minor'. Upgrading beyond this (i.e. where a consent is required) would then be assessed against INF-P4 and where relevant INF-P5. With respect to offsetting and compensation, more specific reference to principles in the NPSIB is contained in the matters of discretion which implement the policy direction. As noted above, sensitive areas, as they are referred to in the INF chapter have now been defined, and more explicit policy direction has been provided in the REG chapter to make it clear which areas the related policy applies to.
Consistency Across Chapters	
The upgrading rules across the REG and INF chapters should be consistent, and in particular, allow for appropriate refurbishment / upgrading of the Opuha Dam infrastructure regardless of	This feedback identified that there was a gap in the rule framework in terms of what minor upgrades were permitted with respect to the non-hydro electricity components of the Opuha Dam. A new minor upgrading rule has been added to reflect this.

whether it is part of the hydro-electric component of their operations or not.	
Terms should be consistent within each chapter, and across both the REG and INF chapters. Some terms used should be defined.	The terms used in each chapter have been deliberately chosen. For example, refurbishment is defined and relates only to REG activities and therefore is not used in the INF chapter, which instead refers to upgrading. The terms used in the REG chapter are also consistent with those in the NPSREG. Some additional terms have been defined where this is considered appropriate and necessary to assist in the application of rules.
Other	
Pole and tower heights should be 25m in the Rural Zone (outside ONLs) to reflect the NES-TF and in urban zones should be 5m above the height limit otherwise applying	This is considered to be a reasonable approach and is reflected in the heights proposed INF-S3.
Consider amending INF-R7 to apply to all lines regardless of voltage, as voltage in itself does not have an adverse effect, but the scale of the structure and the electric and magnetic fields would all managed by the proposed standards.	It was proposed to require consent in all instances for new lines of above 110kV. This has been amended, with INF-S7 now applying to all new lines, as this rule requires compliance with INF-S1 in terms of locating outside sensitive areas and INF-S3 in relation to height, and limits additional structure being located in ONLs.

7. Scale and Significance

- 7.1. Section 32(1)(c) of the RMA requires that the s32 evaluation report contains a level of detail that corresponds with the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- 7.2. The following have been considered in determining the scale and significance of the effects anticipated from the implementation of the PC26 provisions:
 - The PC26 provisions relate to matters which are of significance to not only the District, but in some cases, the region and nation. This is in terms of both the activities involved, as well as the values that they may impact on.
 - The provisions are directly relevant to how resources that are matters of national importance under s6 of the RMA are managed in relation to effects of REG activities and infrastructure on these resources.
 - The current provisions were introduced before the NPSREG, NPSET and current CRPS. As such, they are not considered to give full effect to these documents. However, the proposed provisions are broadly consistent with the approach taken or proposed in other district plans.

- The provisions are of most relevance to infrastructure providers, but how these activities are managed has the potential to impact on the well-being of the community, not only in the District but also beyond.
- The Operative District Plan already includes a separate section on Utilities which largely provides a standalone set of provisions for REG and infrastructure activities. The approach proposed in PC26 is similar, but proposes to provide greater direction on the relationship between these activities and other identified areas managed in the District Plan (e.g. outstanding natural landscape and features, sites and areas of significance to Māori).
- In broad terms, the proposed provisions provide a significant update on the current provisions, for example through introducing a new suite of rules aimed at a broader range of infrastructure. However the general approach remains similar, and in particular, the extent to which activities are permitted or require resource consent remains similar.

7.3. Having considered the above matters, the scale and significance of the proposed provisions introduced by PC26 is considered to be moderate-high.

8. Evaluation of objectives – Renewable Electricity Generation

Introduction

8.1. Section 32(1)(a) requires an evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. PC20 (which is operative) determined that the Strategic Directions are the most appropriate way to achieve the purpose of the RMA. This section of the report therefore considers whether the objectives relating to this topic are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

Table 3: Renewable Electricity Generation Objectives

Proposed Objectives
REG-O1 General Output <i>The output from renewable electricity generation activities in the District for national, regional and local use is maintained or increased.</i>
REG-O2 Adverse Effects <i>The adverse effects of renewable electricity generation activities are appropriately managed.</i>
Relevant Strategic Directions
<p>ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <i>1. there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>2. activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> <i>3. the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>ATC-O4 Renewable Electricity <i>The local, regional and national benefits of the District's renewable electricity generation and electricity transmission activities and assets are recognised and their development, operation, maintenance and upgrade are provided for and reverse sensitivity effects on those activities and assets are avoided.</i></p>

MW-01 Mana Whenua Values

The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.

NE-01 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. *mahika kai resources;*
2. *night sky darkness;*
3. *outstanding natural features and landscapes;*
4. *significant indigenous biodiversity; and*
5. *water bodies and their margins.*

Assessment

These objectives are considered the most appropriate way to achieve the purpose of the Act because they:

- Address an identified resource management issue, by providing a planning framework to assess development of new REG activities, including its adverse effects, and through giving effect to the NPSREG and CRPS.
- Respond to the purpose of the Act, by acknowledging the contribution which renewable electricity makes to community wellbeing, while also directing that the effects of REG activities on the environment are to be managed, which in turn will assist in providing for the wellbeing and health and safety of the community.
- Recognise matters in s6 of the RMA, through seeking appropriate management of effects, noting that what is appropriate in terms of s6 areas is further detailed in the policies.
- Align with s7(i) and s7(j), as providing for the maintenance and enhancement of the output from REG activities recognises the benefits of renewable energy and the contribution it can make towards addressing the effects of climate change.
- Will assist in maintaining and enhancing the amenity values and qualities of the environment (s7(c) and s7(f)) by appropriately managing effects.
- Assist the Council to carry out its functions under s31, by providing objectives that seeks to provide an integrated management approach to REG activities, by seeking to maintain or enhance outputs from it, while appropriately controlling the actual and potential effects of its development.
- Give effect to the direction in the NPSREG to recognise and provide REG activities and its benefits, through maintaining outputs.
- Give effect to the CRPS by appropriately recognising and promoting REG, while seeking to manage its effects.
- Align with the Strategic Directions, by:
 - o directly recognising the benefits of the REG, and providing an overarching framework for its development, operation, maintenance and upgrade;
 - o providing for an activity that is important to the community's wellbeing, while managing effects, which includes those on the anticipated amenity values and character, sites and areas of significance to mana whenua, and important values of the natural environment.
- Are consistent with a priority outcome in the UWZIP.

- Are consistent with feedback from consultation with key stakeholders, iwi and the community.
- Will not result in unjustifiably high costs on the community or any part of the community.
- Have an acceptable level of uncertainty or risk associated with them.

An alternate option considered, similar to the status quo, was to not provide separate objectives (nor a chapter) specific to REG activities, and instead rely on the broader direction in the Infrastructure Chapter, noting that REG activities are a sub-set of infrastructure. However, given that REG is subject to a separate National Policy Statement, the presence of nationally significant existing assets located within the District, and the separate Strategic Objective relating to renewable electricity, a separate chapter with specific objectives is considered a more appropriate way to achieve the purpose of the RMA, give effect to the NPSREG and CRPS and implement the Plan's Strategic Objectives.

Consideration was also given to more explicitly referring to recognition of the benefits of renewable electricity within the objective. However, as this is already included in ATC-O4, it is not considered necessary to duplicate this in the REG chapter, with REG-O1 instead more focussed on maintaining or increasing generation output as being an explicit manner in which to appropriately recognise the benefits of, and provide for, REG activities.

Summary

8.2. Overall, the proposed objectives for renewable electricity generation are considered to provide clear and explicit direction in relation to renewable energy, which aligns with ATC-O4, as well as the other outcomes sought at the Strategic Direction level. They are also considered to assist in giving effect to the relevant direction in the CRPS and the NPSREG. They are therefore considered the most appropriate way to achieve the purpose of the RMA.

9. Evaluation of Objectives - Infrastructure

Introduction

9.1. Section 32(1)(a) requires an evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. PC20 (which is operative) determined that the Strategic Directions are the most appropriate way to achieve the purpose of the RMA. This section of the report therefore considers whether the objectives relating to this topic are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

Table 4: Infrastructure Objectives

Proposed Objectives
INF-O1 Infrastructure <i>Infrastructure is developed and maintained to meet the needs, and provide for the health, safety and wellbeing, of people and communities and is integrated with subdivision, use and development.</i>
INF-O2 Adverse Effects of Infrastructure <i>The adverse effects of infrastructure on the surrounding environment are managed according to the sensitivity of the environment and the functional needs or operational needs of the infrastructure.</i>

INF-O3 Adverse Effects on Infrastructure <i>The efficient operation, maintenance, upgrading and development of regionally significant infrastructure is not constrained or compromised by other activities.</i>
Relevant Strategic Directions
ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i> 1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i> 2. <i>activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> 3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i>
ATC-O3 Infrastructure <i>The importance to the District and beyond of infrastructure, particularly nationally and regionally significant infrastructure, is recognised and provided for.</i>
ATC-O6 Incompatible Activities <i>The location and effects of activities are managed to:</i> 1. <i>minimise conflicts between incompatible activities; and</i> 2. <i>protect important existing activities from reverse sensitivity effects.</i>
MW-O1 Mana Whenua Values <i>The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.</i>
NE-O1 Natural Environment <i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i> 1. <i>mahika kai resources;</i> 2. <i>night sky darkness;</i> 3. <i>outstanding natural features and landscapes;</i> 4. <i>significant indigenous biodiversity; and</i> 5. <i>water bodies and their margins.</i>
UFD-O1 Urban Form and Development <i>The District's townships and settlements grow and develop in a consolidated way that:</i> ... 3. <i>is integrated with the provision of infrastructure and facilities which support the functioning of the community; ...</i>
Assessment These objectives are considered the most appropriate way to achieve the purpose of the Act because they: - Address an identified resource management issue, by: ○ providing a planning framework to assess development of infrastructure, including its adverse effects, with specific reference to the sensitivity of the environment the infrastructure is located in;

- explicitly addressing the need to protect regionally significant infrastructure; and
 - giving effect to the NPSET and CRPS.
- Respond to the purpose of the RMA, by acknowledging the importance of infrastructure to people and community's wellbeing, while also directing that its effects on the environment are to be managed, which in turn will assist in providing for the wellbeing and health and safety of the community.
- Recognise matters in s6 of the RMA, through seeking management of effects relative to the sensitivity of the environment.
- Will assist in maintaining and enhancing the amenity values and qualities of the environment (s7(c) and s7(f)) by managing effects in a way that takes into account the values and qualities in the relevant environment.
- Assist the Council to carry out its functions under s31, by providing objectives that seeks to provide an integrated management approach to infrastructure, by acknowledging its importance to community wellbeing at the same time as managing its effects.
- Give effect to the direction in the NPSET to avoid reverse sensitivity effects on the national grid and ensure that its operation, maintenance, upgrading, and development is not compromised.
- Give effect to the CRPS by:
 - recognising that RSI enables people and communities to provide for their well-being, while managing its adverse effects on the environment;
 - ensuring development does not compromise or constrain the RSI of relevance in this District; and
 - explicitly acknowledging the functional and operational needs of infrastructure.
- Align with the Strategic Directions, by:
 - directly recognising and providing for the importance of infrastructure;
 - providing for an activity that is important to the community's wellbeing, while managing effects, which includes those on the anticipated amenity values and character; sites and areas of significance to mana whenua, and important values of the natural environment; and
 - providing a framework to minimise conflicts between infrastructure and incompatible activities, as well as protecting important existing infrastructure from reverse sensitivity effects.
- Are consistent with feedback from consultation with key stakeholders, iwi and the community.
- Will not result in unjustifiably high costs on the community or any part of the community.
- Have an acceptable level of uncertainty or risk associated with them.

An alternate option considered was retention of the existing objectives in Section 16, which are focussed on establishment, efficient use and maintenance of utilities, necessary for the well-being of the community; and avoiding, remedying and mitigating adverse effects of utilities on the environment. It is considered that these are broadly similar to INF-O1 and INF-O2, but the latter is considered to provide greater direction on the outcome sought through management of effects – namely that it is relative to the sensitivity of the environment, and also to more explicitly take into account functional and operational needs. This is considered to be an improvement on the Operative Plan objectives.

The current objectives also provide no outcome with respect to managing effects of activity on key infrastructure, which is not considered to assist in giving effect to the NPSREG, CRPS or ATC-O6.

Summary

9.2. Overall, the proposed objectives for infrastructure are considered to provide clear direction in relation to the provision for, and management of, infrastructure throughout the District, which aligns with ATC-O3, as well as the other outcomes sought at the Strategic Direction level. They are also considered to assist in giving effect to the relevant direction in the CRPS and the NPSET, and in particular address the current gap in the Plan in terms of managing the way in which other activities would constrain or compromise existing key infrastructure. They are therefore considered the most appropriate way to achieve the purpose of the RMA.

10. Evaluation of Proposed Policies, Rules and Other Methods – Renewable Electricity Generation

Introduction

10.1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

10.2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

10.3. All the proposed provisions relating to Renewable Electricity Generation have been grouped together for the purposes of this assessment.

Renewable Electricity Generation Provisions

10.4. The provisions assessed in this section are:

Table 5: Renewable Electricity Generation Provisions

Policies	<p>REG-P1 Benefits <i>Recognise and provide for the national, regional, and local benefits of renewable electricity generation activities, including avoiding, reducing, or displacing greenhouse gas emissions.</i></p> <p>REG-P4 Investigation Activities and Small-Scale Renewable Electricity Generation Activities <i>Enable investigation and identification of renewable electricity generation sources and small-scale renewable electricity generation activities while managing adverse effects relative to the sensitivity of the area in which they are located.</i></p> <p>REG-P5 Other Renewable Electricity Generation Activities <i>Provide for new renewable electricity generation (not otherwise specified in REG-P4), while managing adverse effects by:</i></p>
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	<ol style="list-style-type: none"> 1. avoiding, remedying or mitigating significant adverse effects as far as practicable; 2. minimising other effects; 3. having regard to any offsetting measures and environmental compensation proposed; and 4. having particular regard to the: <ol style="list-style-type: none"> a. functional needs and operational needs of renewable electricity generation activities; and b. location and efficient use of existing electricity generation and distribution infrastructure. <p>REG-P6 Other Renewable Electricity Generation Activities – Within areas of significant indigenous vegetation and significant habitats of indigenous fauna, ONLs, ONFs, riparian areas and SASM or on highly productive land</p> <p>Provide for renewable electricity generation activities (not otherwise specified in REG-P4) within areas of significant indigenous vegetation and significant habitats of indigenous fauna, Outstanding Natural Landscapes, Outstanding Natural Features, Sites and Areas of Significance to Māori, riparian areas, or within area of Highly Productive Land, where:</p> <ol style="list-style-type: none"> 1. there is a functional need or operational need for the activity to be in that location; 2. adverse effects on the values of the area are avoided as far as practicable, including through site, route or method selection, design measures and other management methods; 3. adverse effects that cannot be avoided are remedied or mitigated, where practicable; 4. regard is had to any offsetting measures or environmental compensation, where there are residual adverse effects that cannot be avoided, remedied or mitigated; and 5. following application of 1. - 4. above, there are no significant adverse effects remaining.
Rules	REG-R1 – REG-R7, REG-MD1, REG-MD2, REG-MD3, REG-MD4 New rule in Section 19
Definitions	<i>Investigation activities, significant external modification, small-scale renewable electricity generation, upgrade.</i>
Consequential Changes	Deletion of Rules 13, 13.1, 13.1.1, 13.2, 13.2.1, 13.3, 13.3.1, 15.1.1.j, 15.2.1.r, 16.11, 16.13.j and Schedule A from Section 7 – Rural Zone.

10.5. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 6: Renewable Electricity Generation - Assessment Against Relevant Objectives

Relevant Strategic Directions
ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i>

<ol style="list-style-type: none"> 1. there are a range of living options, businesses, and recreation activities to meet community needs; 2. activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and 3. the anticipated amenity values and character of different areas are maintained or enhanced.
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ATC-O4 Renewable Electricity

The local, regional and national benefits of the District's renewable electricity generation and electricity transmission activities and assets are recognised and their development, operation, maintenance and upgrade are provided for and reverse sensitivity effects on those activities and assets are avoided.

MW-O1 Mana Whenua Values

The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.

NE-O1 Natural Environment

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. mahika kai resources;
2. night sky darkness;
3. outstanding natural features and landscapes;
4. significant indigenous biodiversity; and
5. water bodies and their margins.

Relevant Objectives

REG-O1 General Output

The output from renewable electricity generation activities in the District for national, regional and local use is maintained or increased.

REG-O2 Adverse Effects

The adverse effects of renewable electricity generation activities are appropriately managed.

	Benefits	Costs
Environmental	Providing for REG activities will assist in addressing climate change effects. The targeted approach to managing effects of REG activities will assist in managing important environmental values.	There may be some adverse effects on the environment from the activities that are permitted, but these are generally considered to be low risk because of the scale and nature of these activities.
Social	The contribution of REG in addressing the effects of climate change and assisting in decarbonising the economy will contribute towards social wellbeing.	There may be some localised social impacts from REG activities, e.g. visual impacts on the surrounding area.
Economic	Enabling investigation of new REG sources and small-scale REG will assist in incentivising investment in these activities.	There are costs associated with the consenting process for those activities requiring consent.

	<p>Increased supply of renewable energy benefits the economy.</p> <p>Protecting existing REG from reverse sensitivity effects will ensure that existing investment in this infrastructure is not compromised.</p>	
Cultural	<p>The consent pathway for new larger-scale REG activities will provide for appropriate management of effects on sites and areas of significance to Māori. Policy direction includes consideration of the impact on the values of these areas.</p>	<p>There may be some adverse effects on sites of significance to Māori from the activities that are enabled in these areas (e.g. investigation activities and small-scale REG), but these are generally considered to be low risk because of the scale and nature of these activities.</p>
Efficiency		
<p>The proposed provisions will be efficient in achieving the relevant objectives by providing a targeted regime which enables activities which are of a scale and nature that are not considered to warrant regulatory intervention, while providing a consenting pathway for those activities that require further consideration, with clear policy direction to guide such consents. This will overall assist in increasing the output from REG activities, while targeting management of effects. While there are some costs associated with this approach, they are considered to be outweighed by the benefits.</p>		
Effectiveness		
<p>The proposed provisions are considered the most effective at achieving the objectives because they provide a targeted framework for managing effects of REG activities, while still providing a framework that will assist in increasing the output from such activities.</p>		
Alternative Approach 1		
<p>Continuation of the current policies and rules.</p>		
Appropriateness Assessment		
<p>The current approach provides for a suite of rules applying to the WPS. The intent of these are generally considered to be appropriate, but there are some inefficiencies in the drafting, for example, inclusion of information requirements which are tied to the activity status, which is not considered to be best practise.</p> <p>The rules also permit small-scale power generation facilities (outputting up to 25 kilowatts) but the policy framework provides limited guidance as to how larger facilities are to be assessed.</p> <p>This option is considered to be slightly less efficient at achieving the objectives because of the drafting inefficiencies noted above (albeit these are relatively minor) and due to lack of policy direction to provide guidance to applicants and the Council. It is not considered to be as effective in directing how effects are to be appropriately managed.</p>		
Alternative Approach 2		
<p>Application of a non-complying activity status to REG activities in Te Manahuna / the Mackenzie Basin ONL, silent file areas and rock art protection sites.</p>		
Appropriateness Assessment		
<p>The higher sensitivity of Te Manahuna / the Mackenzie Basin and specific SASM sites are considered to result in large-scale REG activities not generally being compatible with the values in these areas. A non-complying activity status was considered during drafting, to signal this. However, concerns were raised by stakeholders that this approach would not be consistent with the NPSREG, and a fully discretionary activity status, with clear policy direction that there are to be no significant adverse effects remaining after application of an effects management hierarchy, is considered to provide clear guidance as to what must be met in order for consent to be granted.</p>		

Risk of Acting or Not Acting

- 10.6. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 10.7. The proposed framework is similar to that of the Operative Plan, particularly in terms of activity status. However, the increased policy direction and matters of discretion provide greater certainty about how REG activities are to be managed. The risk of acting is therefore considered to be low.

Overall Evaluation of Appropriateness

- 10.8. Overall, the proposed provisions are considered the most appropriate way to achieve the outcomes sought, because they provide a clear and certain framework for consideration of REG activities.

11. Evaluation of Proposed Policies, Rules and Other Methods – Infrastructure

Introduction

- 11.1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.
- 11.2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.
- 11.3. The proposed provisions relating to Infrastructure have been grouped, for the purposes of this assessment, as follows:
 - provisions that relate to how infrastructure is developed and maintained to meets needs, integrated with subdivision, use and development, and how effects of infrastructure are managed.
 - provisions that relate to how other activities are managed in relation to infrastructure.

Developing, Maintaining, Integrating and Managing Infrastructure

- 11.4. The provisions assessed in this section are:

Table 7: Developing, Maintaining, Integrating and Managing Infrastructure Provisions

Policies	<i>INF-P1 Benefits of Infrastructure</i>
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	<p><i>Recognise the national, regional and local benefits of infrastructure to the economic, social, cultural and environmental wellbeing, and health and safety, of people and communities, and the functioning of the District and beyond, by providing for infrastructure throughout the District.</i></p> <p>INF-P2 Ongoing Use of Existing Infrastructure</p> <p><i>Enable the operation, maintenance, replacement, reconstruction, and minor upgrades to, existing infrastructure.</i></p> <p>INF-P3 Integration of Infrastructure</p> <p><i>Encourage:</i></p> <ol style="list-style-type: none"> 1. coordination of infrastructure planning and delivery with land use, subdivision, development and urban growth; and 2. the co-location of structures and facilities; and 3. technological improvements and enhancements. <p>INF-P4 Managing Adverse Effects of Infrastructure</p> <p><i>Manage infrastructure, including ancillary earthworks, so that:</i></p> <ol style="list-style-type: none"> 1. its form, location and scale minimises adverse effects on the environment; and 2. it is compatible with the values and anticipated character of the surrounding environment; <p><i>while having regard to the operational needs and functional needs of the infrastructure.</i></p> <p>INF-P5 Infrastructure in Sensitive or Significant Areas</p> <p><i>Avoid locating infrastructure in identified sensitive areas (outside the road reserve) or within an area of significant indigenous vegetation or significant habitat of indigenous fauna, unless:</i></p> <ol style="list-style-type: none"> 1. there is a functional or operational need for the infrastructure to be in that location; 2. it is demonstrated through site, route or method selection, design measures and other management methods how significant adverse effects on the values of the sensitive or significant area have been avoided as far as practicable, and otherwise remedied or mitigated; 3. where there are more than minor adverse effects that cannot be avoided, remedied or mitigated, regard is had to any offsetting or compensation; and 4. Following application of 1. - 3. above, there are no significant adverse effects remaining, (except that this clause shall not apply to the national grid). <p>INF-P6 Infrastructure on Highly Productive Land</p> <p><i>Avoid locating infrastructure on Highly Productive Land, unless:</i></p> <ol style="list-style-type: none"> 1. it is small-scale and does not impact the productive capacity of the land; or 2. it is regionally significant infrastructure or lifeline utility infrastructure and has a functional need or operational need to be located on the highly productive land; and
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	<p>3. for both 1. and 2. above, any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land within the District is minimised or mitigated.</p> <p>INF-P7 Infrastructure in Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna</p> <p>Avoid new infrastructure (excluding the national grid) that has adverse effects on the following, in an area of significant indigenous vegetation and significant habitats of indigenous fauna:</p> <ol style="list-style-type: none"> 1. loss of ecosystem representation and extent; 2. disruption to sequences, mosaics, or ecosystem function; 3. fragmentation of significant indigenous vegetation and significant habitats of indigenous fauna or the loss of buffers or connections within significant indigenous vegetation and significant habitats of indigenous fauna; 4. a reduction in the function of the significant indigenous vegetation and significant habitats of indigenous fauna as a buffer or connection to other important habitats or ecosystems; and 5. a reduction in the population size or occupancy of Threatened or At Risk (declining) species that use a significant indigenous vegetation and significant habitats of indigenous fauna for any part of their life cycle, unless it is lifeline utility infrastructure or regionally significant infrastructure, in which case INF-P5 applies instead, where: <ol style="list-style-type: none"> 6. the infrastructure provides significant national or regional public benefits; 7. there is a functional need or operational need for the infrastructure to be in that particular location; and 8. there are no practicable alternative locations for the infrastructure outside of an area of significant indigenous vegetation and significant habitats of indigenous fauna. <p>INF-P8 Radiofrequency, Electric and Magnetic Fields</p> <p>Require compliance with national environmental standards or other nationally recognised standards or guidelines to manage the potential adverse effects of radiofrequency, electric and magnetic fields.</p>
Rules	INF-R1 to INF-R16, INF-S1 to INF-S3, INF-MD1 to INF-MD2 New rule in Section 19
Definitions	New definitions for antenna, earthworks, functional need, lifeline utility infrastructure, line, pole, sensitive area, subdivision, telecommunications, temporary infrastructure, tower, upgrade.
Consequential Changes	Deletion of definition of antenna, mast, radiocommunications facility, telecommunication facility, telecommunication line and utility from Section 3. Amendments to Section 7 – Rural Zone. Deletion of “Section 16 – Utilities”

11.5. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes

identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 8: Developing, Maintaining, Integrating and Managing Infrastructure - Assessment Against Relevant Objectives

Relevant Strategic Directions		
<p>ATC-O1 Live, Work, Play and Visit</p> <p><i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <i>1. there are a range of living options, businesses, and recreation activities to meet community needs;</i> <i>2. activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and</i> <i>3. the anticipated amenity values and character of different areas are maintained or enhanced.</i> <p>ATC-O3 Infrastructure</p> <p><i>The importance to the District and beyond of infrastructure, particularly nationally and regionally significant infrastructure, is recognised and provided for.</i></p> <p>MW-O1 Mana Whenua Values</p> <p><i>The role of mana whenua is recognised and their historic and contemporary relationship with the District's land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for.</i></p> <p>NE-O1 Natural Environment</p> <p><i>The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:</i></p> <ol style="list-style-type: none"> <i>1. mahika kai resources;</i> <i>2. night sky darkness;</i> <i>3. outstanding natural features and landscapes;</i> <i>4. significant indigenous biodiversity; and</i> <i>5. water bodies and their margins.</i> <p>UFD-O1 Urban Form and Development</p> <p><i>The District's townships and settlements grow and develop in a consolidated way that:</i></p> <p style="text-align: center;">...</p> <ol style="list-style-type: none"> <i>3. is integrated with the provision of infrastructure and facilities which support the functioning of the community; ...</i> 		
Relevant Objective		
<p>INF-O1 Infrastructure</p> <p><i>Infrastructure is developed and maintained to meet the needs, and provide for the health, safety and wellbeing, of people and communities and is integrated with subdivision, use and development.</i></p> <p>INF-O2 Adverse Effects of Infrastructure</p> <p><i>The adverse effects of infrastructure on the surrounding environments are managed according to the sensitivity of the environment and the functional needs or operational needs of the infrastructure.</i></p>		
	Benefits	Costs

Environmental	The targeted approach to managing effects of infrastructure will assist in managing important environmental values.	There may be some adverse effects on the environment from the activities that are permitted, but these are generally considered to be low risk because of the scale and nature of these activities.
Social	Infrastructure is important for the community's well-being and how the community functions.	There may be some localised social impacts from infrastructure activities, e.g. visual impacts on the surrounding area.
Economic	The targeted framework ensures that consenting costs are targeted to those activities where further scrutiny is required.	There are costs associated with the consenting process for those activities requiring consent.
Cultural	The consent requirement in silent file and rock art protection sites will provide for appropriate management of effects on these sites, which are considered to have a higher level of sensitivity,	There may be some adverse effects on sites of significance to Māori from the activities that are enabled in these areas, but these are generally considered to be low risk because of the scale and nature of these activities.
Efficiency		
The proposed provisions will be efficient in achieving the relevant objectives by providing a targeted regime which enables infrastructure which is of a scale and nature that is not considered to warrant regulatory intervention, while providing a consenting pathway for those activities that require further consideration, with clear policy direction to guide such consents. This appropriately recognises and provides for the importance of infrastructure, and allows for it to be developed and maintained to meet community needs, in a way that targets the management of effects. While there are some costs associated with this approach, they are considered to be outweighed by the benefits.		
Effectiveness		
The proposed provisions are considered the most effective at achieving the objectives because they provide a framework for the development and maintenance of infrastructure, which targets the management of effects in terms of both the sensitivity of the receiving environment as well as the functional and operational needs of the infrastructure.		
Alternative Approach 1		
Continuation of the current policies and rules.		
Appropriateness Assessment		
The current policy and rule framework is dated, particularly given more recent developments in technology, and does not reflect things such as the NES-TF. This can be inefficient, because consent requirements may be triggered for activities with limited effects on the environment, because they reflect technology that was not in existence when the operative rules were put in place. The policy framework also provides limited guidance as to how infrastructure which requires consent is to be assessed.		

Risk of Acting or Not Acting

11.6. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

11.7. The proposed framework is similar in intent to that of the Operative Plan, but reflects the greater range of infrastructure and changes to technology that have occurred since the operative rules were put in place. The proposed updates to provisions are consistent with other more recent district plans, and the increased policy direction and matters of discretion provide greater certainty about how infrastructure is to be managed. The risk of acting is therefore considered to be low.

Managing Effects on Infrastructure

11.8. The provisions assessed in this section are:

Table 9: Managing Effects on Infrastructure - Provisions

Policies	<p>INF-P9 Managing Activities in the National Grid Yard</p> <p><i>Within the national grid yard, avoid sensitive activities, and avoid earthworks, buildings and structures that may compromise the safe, effective and efficient operation, maintenance, upgrading and development of the national grid, or constrain access to it.</i></p> <p>INF-P10 Managing Activities in the Electricity Distribution Corridor</p> <p><i>Manage activities in the electricity distribution corridor to ensure they do not compromise the safe, effective and efficient operation, maintenance, upgrading and development, or unduly constrain access to, the electricity distribution network.</i></p>
Rules	INF-R17 to INF-R31, INF-S4, INF-MD3
Definitions	<i>Electricity distribution corridor, hazardous substances, national grid, national grid support structure, national grid yard, network utility operator, regionally significant infrastructure, sensitive activity, sewage, transmission line.</i>
Planning Maps	Identification of 33kV distribution lines and 110kV, 220kV, or 350kV national grid transmission lines.

11.9. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions, and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

Table 10: Managing Effects on Infrastructure - Provisions - Assessment Against Relevant Objectives

Relevant Strategic Directions
ATC-O1 Live, Work, Play and Visit <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i>

1. there are a range of living options, businesses, and recreation activities to meet community needs;
2. activities that are important to the community's social, economic and cultural wellbeing, including appropriate economic development opportunities, are provided for; and
3. the anticipated amenity values and character of different areas are maintained or enhanced.

ATC-03 Infrastructure

The importance to the District and beyond of infrastructure, particularly nationally and regionally significant infrastructure, is recognised and provided for.

ATC-06 Incompatible Activities

The location and effects of activities are managed to:

1. minimise conflicts between incompatible activities; and
2. protect important existing activities from reverse sensitivity effects.

Relevant Objective

INF-03 Adverse Effects on Infrastructure

The efficient operation, maintenance, upgrading and development of regionally significant infrastructure is not constrained or compromised by other activities.

	Benefits	Costs
Environmental	None identified.	None identified.
Social	The provisions will help protect the functioning of key electricity infrastructure that is of importance to the social wellbeing of the community.	None identified.
Economic	Protecting key electricity infrastructure from adverse effects of other activities will ensure that existing investment in this infrastructure is not compromised.	The provisions will introduce restrictions on activities able to be undertaken in proximity to high voltage lines.
Cultural	None identified.	None identified.

Efficiency

It is accepted that there are costs to landowners associated with the proposed suite of provisions. However, the benefits of protecting the functioning of these assets, given their values to the wider community is considered to outweigh these costs.

Effectiveness

The provisions will be effective at managing the types of activities that might constrain or compromise these key electricity assets, and minimise potential conflict between activities that might be sensitive to this type of infrastructure.

Alternative Approach 1

Status quo – no equivalent policies and rules.

Appropriateness Assessment

The current approach does not give effect to the NPSET with respect to the national grid, nor the CRPS with respect to both the grid and the electricity distribution network.

Alternative Approach 2

Include provisions only in respect of the national grid.

Appropriateness Assessment

Some activities, when located in proximity to significant electricity distribution lines, have the potential to risk electricity security of supply and reliability. The 33kV lines are critical to the supply of electricity to Twizel, Tekapo, Fairlie and Aoraki/Mount Cook communities, and if compromised, are difficult to replace with alternative electricity supply quickly. In addition, new distribution lines may be required to connect new larger-scale REG activities to the national grid in future, and therefore play an essential role in connecting these energy resources to local and national networks. Given this, not including provisions relating to 33kV electricity distribution lines would be less effective in ensuring the District is a desirable place to live, nor in recognising the importance of this particular type of infrastructure and minimising potential conflict between it and other activities. This approach would also not align with the direction in the CRPS to ensure development is compatible with the continued safe, efficient and effective use of RSI (which includes the electricity distribution network) and does not compromise it.

Risk of Acting or Not Acting

- 11.10. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 11.11. While the suite of provisions proposed are new for the Te Manahuna / The Mackenzie District, they are consistent with those applied around the country in terms of the national grid, and in more recent district plans in the Canterbury Region with respect to the electricity distribution network. There is considered to be a sufficient understanding from these plan processes regarding the risks to this infrastructure that can result from inappropriate development in proximity to these assets, and the restrictions, particularly in terms of the national grid, are reasonably well understood and have been tested through plan processes elsewhere. Therefore the risk of acting in the manner proposed is low. Conversely, the risk of not acting is that development could occur which might compromise or constrain these assets.

Overall Evaluation of Appropriateness

- 11.12. Overall, the proposed provisions for infrastructure are considered to be the most appropriate way to achieve the outcomes sought. The proposed provisions provide for infrastructure to be developed to meet community needs, in a way that is integrated with other activities, and controlled in a manner that is targeted towards the sensitivity of the environment it is located in, while acknowledging its functional and operational needs.
- 11.13. The proposed provisions provide for an updated suite of rules which reflect newer technology, and provide greater policy direction. The main change from the current approach is the introduction of corridors around key electricity lines. These provisions are consistent with other district plans and are necessary to ensure that these assets, and the benefits they provide to the community, are not constrained or compromised by other activities.

12. Conclusion / Reasons

- 12.1. This evaluation has been undertaken in accordance with Section 32 of the RMA. It has provided an assessment of the appropriateness of the provisions within PC26, which relates to Renewable Electricity Generation and Infrastructure, at achieving the purpose of the Act. This

has included considering their efficiency and effectiveness, their alignment with relevant direction in other statutory documents, and their contribution towards achieving the Strategic Directions.

- 12.2. PC26 seeks to introduce specific chapters for managing renewable electricity generation activities and infrastructure. These build on the Operative Plan framework, in terms of providing for these activities, while appropriately managing their effects. Overall, the objectives are considered to be the most appropriate to achieve the purpose of the RMA and the higher level Strategic Directions, as well as the NPSREG, NPSET and CRPS.
- 12.3. The changes proposed also update the framework so that it reflects changes in technology as well as giving effect to the NPSREG, NPSET and CRPS. Key changes from the operative District Plan approach are to provide increased policy direction and related rules, which are intended to provide greater certainty about how these activities are to be managed. New provisions are also proposed to protect the functioning of key electricity lines. Overall, while there are costs associated with the proposed suite of provisions, the benefits of the approach are considered to outweigh these, with the suite of provisions collectively providing an appropriately targeted framework that is both efficient and effective at achieving the outcomes sought in these chapters, as well the Strategic Direction chapters, and the higher order documents. Taking into account efficiency and effectiveness, including costs and benefits, the proposed provisions are therefore considered to be the most appropriate way to achieve the objectives.