



PROPOSED INVERCARGILL CITY DISTRICT PLAN

Report No. 12

Energy

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COUNCIL CHAMBERS
CIVIC ADMINISTRATION BUILDING**

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1. EXECUTIVE SUMMARY

This report is on the Energy Provisions of the Proposed District Plan.

As the main urban area of the Southland region, Invercargill is a major consumer of energy and the region is home to New Zealand's largest electricity user, the New Zealand Aluminium Smelter. Like all of New Zealand, the region faces many challenges ahead with regards to energy. Energy in all its forms is a key part of everything we do, so it is extremely important that we continue to have a secure supply in the future.

Energy is indirectly addressed in the Operative District Plan through the infrastructure provisions, which are inclusive of energy generation, and through provisions such as height and private open space and density, which help improve energy efficiency. However the Operative District Plan is largely silent on matters specifically relating to energy and therefore in order for the Council to meet its functions and responsibilities under the RMA, a more specific response to energy has been provided in the Proposed District Plan. This includes a new district wide section on the issues, objectives and policies for energy and new district wide rules.

In developing the Energy provisions the Council has had regard to the efficiency of the end use of energy; the effects of climate change, and the benefits to be derived from the use and development of renewable energy. Effect has also been given to National Policy Statement for Renewable Electricity Generation 2011 and Southland's Regional Policy Statement.

The objectives and policies of the Proposed District Plan recognise the benefits of renewable generation but acknowledge that the development of these resources, and non-renewable resources, can have adverse impacts on the environment, and that this may give rise to competing values. Provisions have also been developed which promote the conservation and efficient use of energy through subdivision design, building design and site layout.

Twenty five submission points and one further submission were received on the Energy Provisions of the Proposed District Plan. Fifteen of the submission points were in support, nine were in general support with amendments and one opposed the provisions in part.

One of the key issues raised in the submissions was the distribution of electricity. One of the submitters questioned whether the distribution of electricity should be regulated by the energy provision, considering that it is already subject to regulation under the Infrastructure Rule. The secure and sustainable supply of energy is essential to meet the purpose of the RMA and therefore it is essential for the District Plan to provide this function. My report recommends amending the Energy Rule to remove energy distribution activities from the rule. Several other minor amendments to the provisions are also recommended which are considered to help clarify the issue of energy and the intent of the provisions.

In this report:

- Part 2 considers several key procedural issues.
- Part 3 provides background information on the topic of Energy.
- Part 4 summarises the various statutory provisions that apply to the consideration of the Proposed District Plan.
- Part 5 assesses the relevant issues raised by the submitters.
- Part 6 provides a discussion on the Section 32 matters.
- Part 7 sets out the overall conclusions.

- Appendix 1 sets out the recommendations on each of the submission points.
- Appendix 2 sets out the recommended changes to the text of the Proposed District Plan.

2. INTRODUCTION

2.1 Report Author

My name is Joanna Louise Shirley. I am a Policy Planner at the Invercargill City Council, a position I have held since February 2014. I hold a Bachelor of Environmental Management and am an associate member of the New Zealand Planning Institute. I have five years experience in the planning field as a Resource Management Officer, which has involved implementing the District Plan and producing various planning documents.

2.2 Peer Review

This report has been peer reviewed by Dan Wells and John Edmonds, from John Edmonds and Associates Ltd. Both John Edmonds and Dan Wells are practising resource management planners with a variety of experience throughout the plan change preparation process. Dan Wells has a Bachelor of Resource and Environmental Planning (Hons) and a Post Graduate Diploma in Development Studies, both from Massey University. John has a Bachelor of Regional Planning from Massey University.

2.3 How to Read this Report

This report is structured as follows:

- Interpretation (an explanation of some of the terms used).
- A summary of the hearing process.
- Background to the Energy topic, and the provisions of the Proposed Invercargill City District Plan 2013.
- Description of the statutory framework within which the proposed provisions have been developed.
- Analysis of the submissions, including a discussion of the key issues raised through the submissions and further submissions received.
- Assessment of the proposed changes under Section 32 of the RMA.
- Concluding comments.
- Recommendations on individual submissions.
- Tracked changes of the Proposed District Plan provisions relating to Energy.

To see my recommendation on an individual submission please refer to the table in **Appendix 1**. The table sets out the name and relevant submission number of those that submitted on the Energy provisions; a brief summary of their submission and decisions requested, followed by my recommendation and the reasons for it.

2.4 Interpretation

In this report, the following meanings apply:

“Council” means the Invercargill City Council

“FS” means further submitter in Appendix 2

“Hearings Committee” means the District Plan Hearings Committee

“NPS ET” is the National Policy Statement on Electricity Transmission
“NPS REG” is the National Policy Statement for Renewable Electricity Generation 2011
“Operative District Plan” means the Invercargill City District Plan 2005
“Proposed District Plan” means the Proposed Invercargill City District Plan 2013
“Provisions” is a term used to collectively describe Objectives, Policies and Rules
“RMA” means the Resource Management Act 1991
“RPS” means Southland’s Regional Policy Statement
“Submitter” means a submitter to the Proposed District Plan

2.5 The Hearing Process

A number of hearings are to be held to consider the submissions lodged to the Proposed Invercargill City District Plan 2013. The hearings have been divided up to ensure that submissions on similar issues have been grouped together and to enable the District Plan Hearings Committee to make decisions on the provisions relating to those issues. This report applies to the Energy provisions of the Proposed District Plan.

The Hearings Committee comprises of accredited Invercargill City Councillors, with the assistance of an Independent Hearings Commissioner. This Committee is to consider the Proposed Plan and the submissions and further submissions lodged. The Hearings Committee has full delegation to issue a decision on these matters.

This report is prepared pursuant to Section 42A of the Resource Management Act 1991 (the “RMA”). Section 42A provides for a report to be prepared prior to a hearing, setting out matters to which regard should be had in considering a Proposed District Plan and the submissions lodged to it. This report highlights those matters that are considered appropriate by the author for the Hearings Committee to consider in making decisions on the submissions lodged. This report has been prepared on the basis of information available prior to the hearing.

While the Hearings Committee is required to have regard to this report, regard must also be given to the matters raised in submissions, and presentations made at the hearing. The comments and recommendations contained in this report are not binding on the Hearings Committee and it should not be assumed that the Hearings Committee will reach the same conclusions set out in the report having heard from the submitters and Council advisers.

The hearing is open to the public, and any person may attend any part of the hearing. Those persons who lodged a submission have a right to speak at the hearing. They may appear in person, or have someone speak on their behalf. They may also call evidence from other persons in support of the points they are addressing.

At any time during or after the hearing, the Hearings Committee may request the preparation of additional reports. If that is done, adequate time must be provided to the submitters to assess and comment on the report. The Hearings Committee may determine that:

- The hearing should be reconvened to allow responses to any report prepared, or
- Any responses be submitted in writing within a specified timeframe.

At the conclusion of the hearing process, the Hearings Committee will prepare a written decision. The decision is sent to all persons who lodged a submission. If not satisfied with the decision the submitters have a right of appeal to the Environment Court. If an appeal is lodged, the RMA requires a copy to be served on all submitters with an interest in that matter. Any submitter served may, if they wish, become a party to the appeal either in support or opposition to it.

If there is an appeal, the Environment Court will provide an opportunity for mediation between the parties. If mediation is not accepted, or does not resolve the issues, a further hearing will take place before a Judge and Court appointed Commissioners.

Except on points of law, the decision of the Environment Court is final.

3. BACKGROUND

This report relates to the specific provisions in the Proposed District Plan addressing Energy. This includes:

- Section 2.6, which contains the issues, objectives, policies and methods of implementation;
- Section 3.6, which contains the District Wide Rules specific to Energy; and
- Section 4, which contains definitions relevant to the energy provisions.

As the main urban area of the Southland region, Invercargill is a major consumer of energy and the district is the site of New Zealand's largest electricity user, the New Zealand Aluminium Smelter. Like all of New Zealand, the region faces many challenges ahead with regards to energy.

Price increases of electricity and fossil fuels, and forecast increasing costs of oil are placing a higher priority on energy efficiency and the use of renewable energy resources. We must acknowledge that we are part of a global trading nation, and subsequently demand and supply worldwide will influence our local energy resource availability and its price locally. Energy, in all its forms, is a core part of everything we do, so it is extremely important that we continue to have a secure supply in the future.

In exercising the Council's duties and functions under the RMA particular regard must be given to the efficiency of the end use of energy; the effects of climate change, and the benefits to be derived from the use and development of renewable energy¹.

The benefit of renewable energy is recognised by central government through the National Policy Statement for Renewable Electricity Generation 2011 (NPS REG). The NPS REG requires district plans to include objectives, policies and methods to provide for development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. The NPS REG supports the New Zealand Energy Efficiency and Conservation Strategy 2011 – 2016, which sets a renewable electricity target of 90 per cent by 2025.

Energy is indirectly addressed in the Operative District Plan through the infrastructure provisions, which are inclusive of energy generation, and through provisions such as height and private opens space and density, which help improve energy efficiency. However the Operative District Plan is largely silent on matters specifically relating to energy and therefore in order for the Council to meet its functions and responsibilities under the RMA, a more specific response to energy has been provided in the Proposed District Plan. This includes a new district wide section on the issues, objectives and policies for energy and new district wide rules.

3.1 Proposed Issues, Objectives and Policies

Section 2.6 of the Proposed District Plan contains the District Wide Issues, Objectives, Policies and Methods of Implementation relating to energy.

¹ Section 7 of the RMA

Four significant resource management issues for energy have been identified in the Proposed District Plan. These issues are:

1. Energy can be lost through inefficiency in building design and urban design resulting in adverse effects on people, communities and the environment.
2. Development and use of Invercargill's energy resources gives rise to competing values, with adverse environmental impacts arising at the same time as benefits at a local, regional and national level.
3. There are energy resources available for use in Invercargill that are under utilised and capable of being developed at a small scale for individual use, and at a large scale for transmission or transportation throughout the city and beyond.
4. Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure.

Six objectives and eight policies have been developed to address the significant resource management issues.

The Objectives and Policies recognise the wide ranging benefits of renewable electricity generation as a matter of national significance. The Invercargill district has a range of renewable energy resources suitable for development such as wind, solar, tidal and wave generation. The Proposed District Plan recognises that the development of these resources and the generation of energy can provide wide ranging benefits, but also recognises that they can give rise to adverse environmental effects. The objectives and policies seek to balance these adverse effects with the benefits that will arise from the energy resource. The benefits of small and community scale renewable energy are also recognised and encouraged when proven to be suitable.

As well as renewable resources, the district also has the potential for the development of non-renewable resources. Energy has a very important role in our society, and therefore consideration needs to be given to all energy sources, including those that are non renewable. The Proposed District Plan provides for the investigation into the development and operation of mineral and non-renewable energy where adverse effects can be mitigated. However, where there is an opportunity for renewable energy it will be promoted ahead of non-renewable resources.

There is potential for large energy losses to occur from inefficient use of transport, roading patterns, land use and development. For example spatial patterns and increased separation of activities through suburban development increases travel distances and therefore increases energy consumption. Also, developments that do not design for maximum solar gain consume more energy than developments with north face living designed to maximise solar gain.

Objectives and policies have been developed promoting conservation and efficient use of energy through subdivision design, building design and site layout. These are woven throughout the different sections of the Plan and will help improve energy efficiency and reduce pressure on existing energy production and infrastructure.

Reverse sensitivity, management of effects, and management and upgrading of existing renewable energy facilities are also provided for in the policies.

Note: Issues, objectives and policies relating to transmission and distribution of energy resources are covered in the Infrastructure and Transportation Sections of the Plan.

3.2 Proposed Rule

Section 3.6 of the Proposed District Plan sets out the District Wide Rules for Energy. This is a new addition to the Plan from what was included in the Operative District Plan and focuses on electricity generation and distribution activities.

In general, the rules allow for small and community renewable energy generation and distribution, subject to certain controls on sites where there is significant indigenous biodiversity, heritage values, or outstanding natural features or landscapes. Large scale renewable energy generation is permitted in the Industrial 4 Zone and the investigation, development and operation of non-renewable energy generation and distribution is discretionary.

Outside of the Industrial 4 Zone, the Council has discretion over activities involving the investigation into the development of renewable energy generation and distribution. It is also a non-complying activity to carry out the investigation into the development of any large scale non-renewable energy generation and distribution activity, and to operate any large scale energy generation and distribution activity.

Rule 3.6.5 provides an extensive list of matters that should be addressed where an application for resource consent is required.

Similar to the Operative District Plan, rules around height of structures and incidence of sunlight and outdoor living have been developed in the Zone Specific Section of the Proposed District Plan, for each of the different zones. These help to ensure adequate incidence of daylight to a residence is provided, thereby reducing demand for energy to heat the residence. Further, the zoning of the district and residential density rules guide where development should occur and where business should be located in relation to residential areas. This provides for effective efficient integration of new development into the existing infrastructure, decreasing travel distances and energy consumption. Good urban design and connectivity also form part the assessment matters for subdivision applications.

Note: This report is focused on the specific provisions of Energy. Submissions on height, incidence of sunlight and outdoor living, transportation, zoning, and residential density will be addressed in later reports to the Hearings Committee.

4. STATUTORY CONTEXT / LEGISLATIVE REQUIREMENTS

4.1 Resource Management Act 1991

In reviewing the District Plan, the Council must follow the process outlined in Schedule 1 of the RMA.

The First Schedule procedure includes notification for submissions (clause 5) and further submissions (clause 8), holding a hearing into submissions (clause 8(b)), and determining whether those submissions are accepted or rejected and giving reasons for the decisions (clause 10).

Clause 29(4) of the First Schedule to the RMA states that, after considering a plan, the local authority may decline, approve, or approve with modifications, the plan change, and shall give reasons for its decisions.

Under Section 74 of the RMA, in relation to changes to the District Plan, Council must consider Part 2 of the RMA (purposes and principles), Section 32 (alternatives, benefits and costs), and relevant regional and district planning documents.

4.1.1 Part 2 of the RMA

Part 2 of the RMA (ss5-8) sets out its purpose and principles of the Act.

Section 5 states that the purpose of the RMA is to promote the sustainable management of natural and physical resources, which means managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety. Under Section 5(2), end use of minerals is excluded from this requirement.

Electricity supply is essential for everyday life and to enable its supply is essential to sustainable development and for the social, economic and cultural well-being of people. I confirm that the objectives and policies for Energy meet the purpose of the RMA. However, as discussed in Paragraph 5.2.1 of my report, I consider that the activity status given to large scale distribution activities under Rule 3.6.4 is far too restrictive and if kept as notified could adversely impact the well-being of the community. I have therefore recommended an amendment to the Energy Rule, which I consider meets the purpose of the Act.

Section 6 of the RMA sets out matters of national importance which must be recognised and provided for. The following matters are relevant and have been provided for in the Energy Provisions

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development; and*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

When making a decision on an application for resource consent the above matters will be among those considered by the Council.

Section 7 of the RMA sets out “other matters” for which particular regard shall be had. It is considered that the provisions relating to Energy in the Proposed District Plan demonstrate particular regard to these matters:

- (a) kaitiakitanga
- (aa) the ethic of stewardship
- (b) the efficient use and development of natural and physical resources
- (ba) the efficiency of the end use of energy
- (c) the maintenance and enhancement of amenity values
- (d) intrinsic values of ecosystems
- (f) maintenance and enhancement of the quality of the environment
- (g) any finite characteristics of natural and physical resources
- (h) the protection of the habitat of trout and salmon
- (i) the effects of climate change
- (j) the benefits to be derived from the use and development of renewable energy

In some instances the benefits of renewable energy generation can compete with matters of national importance set out in Section 6 of the RMA, and with the matters set out in Section 7 above. In considering the effects of the use and development of energy resources all matters relating to an effect must be considered, which may include balancing the significance of adverse effects with benefits that arise at a local, regional and national level.

Section 8 of the RMA obliges persons exercising functions and powers under the RMA to take account of the principles of the Treaty of Waitangi. The development of natural resources for energy generation can coincide with areas of outstanding natural features and landscapes, significant natural character, historic heritage, significant indigenous vegetation and significant habitats of indigenous fauna. This can create potential conflict with the relationship of Maori with their taonga and their role of kaitiaki. Representatives from Te Ao Marama Inc have been part of the Plan Review process as members of the Council’s Plan Group that worked on developing the Proposed District Plan. Consultation with Iwi has also occurred. The provisions relating to Energy recognise the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

4.1.2 Functions of Territorial Authorities under the RMA

Section 31 of the RMA states the functions of a territorial authority under that Act. One of the functions set out in Section 31(1)(a) is:

“The establishment, implementation, and review of 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 of the district.”

Under Section 31(1)(b) of the RMA a territorial authority is required to “... control ... any actual or potential effects of the use, development, or protection of land ...”

Provisions have been developed which recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resource, while recognising the need to avoid, remedy or mitigate adverse effects on the environment. Policies mitigating adverse effects of non-renewable energy resources have also been developed.

4.1.3 Consideration of alternatives, benefits, and costs

Section 32 of the RMA states the Council's obligations in assessing the alternatives, benefits and costs.

Whilst a Section 32 report was released at the time of notification of the Proposed District Plan, the Council is required to carry out a further evaluation through the hearing, consideration and deliberation process before making its decision on the Plan Change. Section 6 of this report includes my evaluation of the Proposed District Plan Provisions in accordance with Section 32AA.

4.2. Relevant Planning Policy Documents

The RMA specifies a number of documents that need to be considered in a decision on a Proposed District Plan and the weight that should be given to these. These are addressed in the following section.

4.2.1 New Zealand Coastal Policy Statement

Section 75 of the RMA requires that a District Plan must give effect to any New Zealand coastal policy statement. The New Zealand Coastal Policy Statement recognises that the coastal environment contains renewable energy resources of significant values that can provide social, economic and cultural benefits to people and communities². It requires the Council to take into account the potential renewable resources to meet the reasonably foreseeable needs of future generations. Policies on preservation of the natural character of the coastal environment and protection of natural features and landscapes are also provided.

The provisions of the Proposed District Plan recognise the benefits of renewable energy in accordance with the New Zealand Coastal Policy Statement. The proposed energy rule seeks to protect the natural character of the coastal environment and outstanding natural features landscapes.

4.2.2 National Policy Statements

In accordance with Section 75 of the RMA, a District Plan must give effect to National Policy Statements (NPS). The following National Policy Statements are relevant to Energy:

NPS for Renewable Electricity Generation 2011:

The NPS REG applies to renewable electricity generation activities at any scale, and covers the construction, operation, maintenance and upgrading of new and existing structures associated with renewable electricity generation. Under the NPS REG the Council is required to adopt a positive and proactive policy response to renewable electricity generation activities in the District Plan. The Plan provisions are to recognise and provide for the cumulative national, regional and local benefits of

² Policy 6 of the New Zealand Coastal Policy Statement

renewable electricity generation activities and have particular regard to the practical implications of achieving New Zealand's renewable electricity target of 90% by 2025.

The Energy provisions of the Proposed District Plan give effect to the NPS REG. The provisions recognise the importance of renewable energy generation and seek to balance any adverse effects with the benefits that will arise at a local, regional and national level.

NPS on Electricity Transmission 2008:

The National Policy Statement on Electricity Transmission complements the NPS REG and facilitates the operation maintenance, upgrading and development of the electricity transmission network.

A submission from Transpower New Zealand Ltd questions whether the NPS on Electricity Transmission is given effect to by the Energy Rule. As discussed later in my report (Paragraph 5.2.1) I consider that the NPS on Electricity Transmission is given effect to, but I acknowledge that the rule is too restrictive and an amendment is recommended to rectify this.

NPS for Freshwater Management 2011:

The National Policy Statement for Freshwater Management affects hydroelectricity generation and provides guidance on the framework required at a regional level to avoid over allocation of freshwater.

Hydroelectricity generation is not likely to be a significant source of energy within the Invercargill city district. Nevertheless, the allocation of freshwater is a function of Environment Southland and any new hydroelectric development will need to operate within the allocated framework or obtain consent from Environment Southland.

4.2.3 National Environmental Standards

Section 44A of the RMA prescribes how District Plans must be amended if a rule conflicts with a National Environmental Standard (NES). The NES for Electricity Transmission Activities 2009 is noted and applies to existing high voltage electricity transmission lines. The NES specifies that electricity transmission activities are permitted, subject to terms and conditions, to ensure that these activities do not have significant adverse effects on the environment.

The Energy Rule addresses energy generation and distribution activities, but the transmission of electricity is addressed in the Infrastructure Rules of the Proposed District Plan. The NES is given effect to through these provisions.

4.2.4 Regional Policy Statement

Under Section 75 of the RMA, a District Plan must give effect to an Operative Regional Policy Statement.

The objectives and policies on Mineral and Energy Resources from the Southland Regional Policy Statement (1997) are most relevant to the Energy Provisions of the Proposed District Plan. These are set out below:

Objective 14.1- To promote the sustainable management of energy resources and reduce the Region's dependence on non-renewable energy resources.

Objective 14.2 - To avoid, remedy or mitigate any adverse effects of mineral and energy resource development, production, use or transportation in the Region.

Objective 14.3 - To promote the use of renewable energy resources.

Objective 14.4 - To provide for the use, development and protection of mineral and energy resources.

Policy 14.1 - Promote the efficient use of all energy resources.

Policy 14.3 - Promote energy conservation.

Policy 14.4 - Recognise, and take into account, any adverse effects on mineral resources or resources suitable for energy production.

Policy 14.5 - Avoid, wherever practicable, remedy or mitigate the adverse effects of energy production, use, transmission and distribution.

Policy 14.6 - Recognise and provide for Maori cultural and traditional spiritual values in relation to energy production and use.

Policy 14.8 - Recognise the national significance of the lignite resources of Southland, and their potential as a fuel resource.

In order to give effect to the Regional Policy Statement, the Proposed District Plan provides a much more specific response to the issue of Energy than what was provided in the Operative District Plan. A new district wide section on the Issues, Objectives and Policies and a new district wide section on the rules have been developed. I consider the provisions to give effect to the objectives and policies of the RPS.

The provisions of the Proposed District Plan also give effect to the objectives and policies of the RPS on Biodiversity; Lakes, Rivers and Wetlands; Landscape and Natural Features; Built Environment; and Coast.

4.2.5 Proposed Regional Policy Statement

In accordance with Section 74, regard needs to be given to any proposed Regional Policy Statement. The Proposed Southland Regional Policy Statement was notified in May 2012. The following provisions on Energy have been given regard to in developing the provisions of the Proposed District Plan.

Objective ENG.1 - Efficient use of energy resources.

Objective ENG.2 – Use and development of local and regional energy resources is undertaken where the adverse effects on the environment and communities are avoided, remedied or mitigated.

Objective ENG.3 – Generation and use of renewable energy resources is increased.

Objective ENG.4 – To recognise the national significance of renewable electricity generation activities.

Policy ENG.1 – Promote energy efficiency and conservation.

Policy ENG.2 – Recognise and provide for the benefits of renewable energy.

Policy ENG.3 – Encourage small and community-scale distributed renewable electricity generation.

Policy ENG.4 – Potential sites and sources for renewable electricity generation. Provide for activities associated with the investigation, identification, and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators.

Policy ENG.5 – Provide for the development of mineral and non-renewable energy resources where the effects can be avoided, remedied or mitigated.

Policy ENG.6 – When considering any residual adverse environmental and social effects of new energy generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and the community affected.

Policy ENG.7 – Ensure that any potential adverse effects on local communities from the ongoing operation and subsequent closure of energy facilities are:

- a) appropriately addressed as part of associated resource consent processes; and*
- b) minimised.*

The objectives and policies of the Proposed RPS place a greater emphasis on the national significance of renewable energy. This is consistent with the NPS REG and the Energy Provisions of the Proposed District Plan.

4.2.6 Regional Plans

In accordance with Section 74 of the RMA, a District Plan must not be inconsistent with a Regional Plan. The Energy Provisions of the Proposed District Plan are consistent with the following Regional Plans:

Southland's Air Quality Plan

Southland's Air Quality Plan controls and manages discharges to the air. Using certain forms of energy can impact on air quality and contribute to the production of greenhouse gases and ozone depleting substances. The burning of wood and coal in domestic solid fuel heating appliances within the city has contributed to the permitted air shed levels being exceeded during the winter months.

The Proposed District Plan promotes energy efficiency and conservation through building design and development. Use of energy within buildings can be substantially reduced by design that makes best possible use of naturally available energy sources, such as the sun. Continued promotion of energy efficiency will help reduce the release of carbon dioxide and other pollutants into the air, improving air quality and reducing greenhouse gas emissions. This helps protect and enhance the air quality of the region and meets the purpose of the Air Quality Plan.

Southland's Regional Water Plan

The purpose of the Regional Water Plan is to promote the sustainable management of Southland's rivers, lakes, groundwater, surface water, and wetland resources. The plan is aimed at enabling the use and development of fresh water where this can be undertaken in a sustainable way, providing a framework for activities such as discharges to water, taking and using water, and structures and bed disturbance activities in river beds.

Renewable energy sources such as hydroelectricity and tidal generation can have impacts on water quantity and quality. The provisions of the Proposed District Plan seek to manage adverse effects of the use and development of energy resources, which is consistent with the Regional Water Plan. Any activity involving the abstraction, diversion and use of water will need to comply with the provisions of the Regional Water Plan or consent from Environment Southland will need to be obtained.

Southland's Coastal Plan

Southland's Coastal Plan promotes the sustainable management of the coastal marine area and seeks to maintain and enhance the area for the enjoyment of future generations. Objectives and policies have been designed to preserve and protect the natural character of the coastal marine area, outstanding natural features and landscapes, and amenity values.

The energy rule seeks to protect the natural character of the coastal environment and outstanding natural features landscapes. Where relevant an application for resource consent will need to show how they can avoid, remedy or mitigate the adverse effects of the activity on the natural character of the coastal environment and on any outstanding natural features and landscapes.

4.2.7 Iwi Management Plans

Section 74 of the RMA requires that a local authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority.

Ngai Tahu has lodged an Iwi Management Plan with the Council. The relevant document is the *Ngai Tahu Ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – The Cry of the People - Te Tangi a Tauria*.

The need to maintain a high quality of ambient air in Southland is of major concern to Ngai Tahu Ki Murihiku. Policies advocating the importance of air quality have been developed, including initiatives on improved efficiency of vehicles and discouragement of discharges to the air that have impacts on cultural well-being, health and amenity.

Water as taonga is also extremely important. Ngai Tahu Murihiku recognises that the welfare of the people and the success of their activities within the environment depend on water being maintained in the best possible conditions. An issue of particular importance to them is the impacts of hydro development on river health and natural character.

The Issues and Policies of the Iwi Management Plan have been given regard to in the development of the Proposed District Plan. The provisions acknowledge that there are competing values with the development and use of energy resources and potential impacts on the environment, such as visual impacts, ecosystem modification and land disturbance. These can create potential conflict with the relationship of Maori with their taonga and the role of Kaitiaki. The Energy provisions seek to manage and balance the effects from energy generation activities to ensure that the best outcome is achieved at a local, regional and national level. Consideration must also be given to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga as part of the resource consent process.

4.2.8 Management Plans and Strategies Prepared under other Acts

A District Plan is required to have regard to management plans and strategies prepared under different Acts. In developing the Energy provisions of the Proposed District Plan regard has been given to the following strategies and plans:

- The New Zealand Energy Strategy 2011 – 2021.
- The New Zealand Energy Efficiency and Conservation Strategy 2011 – 2016.
- The Southland Energy Strategy 2011.
- The Invercargill City Council Spatial Plan.

The New Zealand Energy Strategy sets the strategic direction for the energy sector and the role energy will play in the New Zealand economy. The goal of the strategy is for New Zealand to make the most of its abundant energy potential, for the benefit of all New Zealanders. It sets out four priority areas; Diverse resource development; Environmental responsibility; Efficient use of energy; and Secure and affordable energy.

The New Zealand Energy Efficiency and Conservation Strategy is specifically focused on the promotion of energy efficiency, energy conservation and renewable energy. It sets out six objectives for six sectors, which will contribute to the overall Energy Strategy goal. One of the targets is for 90% of electricity to be generated from renewable sources by 2025.

The Southland Energy Strategy provides a combined long term vision for the future of Southland's energy. The strategy focuses on issues and opportunities for energy over the next ten years. The vision of the strategy is for *“Southland communities to harness energy resources available to them, in a way that protects and enhances their environmental, social and economic well-being”*.

The Energy provisions of the Proposed District Plan have regard to the central government's goal for New Zealand and the vision for Southland, set out in the Southland Energy Strategy. The provisions seek to reduce the pressure on existing energy production and infrastructure through the promotion of energy efficiency and conservation in building design, transport planning and urban form. The importance of renewable energy ahead of non-renewable energy is prominent throughout the Energy Section of the Plan, which should help to achieve the energy target of 90% renewable electricity by 2025.

In developing the Proposed District Plan regard was also given to The Invercargill City Council's Non-Statutory Spatial Plan, The Big Picture. This document sets out the long term strategic direction for the city and promotes a compact and

well-connected urban form. This sets the direction for good urban design and connectivity, resulting in more efficient use of energy.

4.3 Summary

It is considered that the purpose and principles of the RMA are met by the Energy provisions set out in the Proposed District Plan. The proposed provisions fall within the functions of local authorities. The requirements of Section 32 of the RMA have been met through the evaluations carried out prior to notification and in this report. The various documents required to be considered have been appropriately addressed in the preparation of provisions relating to Energy.

5. ANALYSIS OF SUBMISSIONS

Twenty five submission points and one further submission were received on the Energy Provisions of the Proposed District Plan. Fifteen of the submission points were in support, nine were in general support with amendments and one opposed the provisions in part. These submissions are summarised in table format, along with recommended responses, in Appendix 2 of this report.

The key issues raised in the submissions are:

1. Objectives and Policies
 - New objective and policy needed to specifically recognise the benefits of non-renewable energy generation.
 - Provide for integrated planning in Objective 2.
 - Amend Policy 4 to avoid, remedy or mitigate adverse effects.
2. Rule 3.6 Energy
 - Consideration of distribution activities within the Energy Rule.

The key issues raised by the submissions are discussed below.

5.1 Objectives and Policies

Fourteen submissions points and one further submission were received on the objectives and policies of Energy. The submissions were in general support, but some amendments were sought.

5.1.1 **Include a new objective and policy specifically recognising the benefits of non-renewable energy generation.**

One submitter requested that a new objective and policy be developed which specifically recognises and provides for the regional benefits associated with the development of non-renewable energy.

I consider that Objective 2 and Section 104 of the RMA are sufficient to ensure that any benefits of non-renewable energy are considered as part of an application for resource consent.

Objective 2 seeks to balance the significance of adverse effects with the benefits that will arise from the use and development of local and regional energy resources. The Objective recognises that the development and use of energy resources may give rise to competing values, with adverse environmental impacts arising at the same time as benefits at a local, regional and national level.

Under Section 104 of the RMA, in considering an application for resource consent the Council must have regard to any actual and potential effects on the environment of allowing the activity. The term “effects” encompasses any positive or adverse effect and in determining an application all matters which relate to the effect should be considered.

I note that Policy 2 seeks to recognise the benefits of renewable energy. However, this policy has been purposely included as a response to the NPS for Renewable Electricity Generation and to help achieve the government's renewable electricity target of 90% by 2025. The policy also has particular regard to Section 7(j) of the RMA which draws particular attention to the benefits – or positive effects – arising from renewable energy. In general the Proposed District Plan does not include specific policies on recognising the benefits of an activity, as this is already provided for under Section 104 of the RMA.

Recommendation

That the submission be rejected. All effects associated with an activity, including benefits, will be considered as part of the resource consent process.

5.1.2 Amendment to Objective 2 to provide for integrated planning

Objective 2 of the Energy Provision provides for the management of the adverse effects of the use and development of local and regional energy resources in a way that recognises and balances the significance of those effects with the benefits that arise at a local, regional and national level.

One submitter notes that integrated planning has not been identified as an objective and suggests that Objective 2 be reworded to include consideration of this. A further submission opposing this view was received. The further submitter does not support a combined approach to the consideration of electricity generation and the transmission of electricity to where it is demanded.

I accept the submitter's submission. Integrated planning encourages issues to be considered within a wider perspective, examining all economic, social, cultural and environmental costs and benefits of a proposal. In considering the use and development of local and regional energy resources it is important that an integrated and comprehensive approach to the management of adverse effects is taken. This will help to determine the most appropriate action, providing for the ongoing needs of people and communities at a local, regional and national level.

The further submitter's comments are noted. I accept that there is a separation of roles between electricity generation and the transmission of electricity, which is discussed in more detail below under paragraph 5.3.1. However, I consider that providing an integrated approach in Objective 2 will not impact on the separate functions of these two roles.

Recommendation

Amend Objective 2 as follows:

An integrated planning approach is taken to the management of the adverse effects of resulting from the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional, and national level.

5.1.3 Amendment to Policy 4 to avoid, remedy or mitigate adverse effects

Policy 4 provides for the investigation into and development and operation of mineral and non-renewable energy resource where adverse effects can be mitigated.

A submitter has commented that the RMA allows effects to be remedied, and that in some cases there may be residual adverse effects that cannot be avoided remedied or mitigated, but that on balance the benefits of the activity outweigh any such effects. The submitter has requested that Policy 4 be amended to allow adverse effects to be “suitably avoided, remedied or mitigated”.

Case law supports the submitter’s submission. In the case *Elderslie Park Ltd v Timaru District Council*³, the court determined that it is appropriate to evaluate all matters which relate to an effect, including counterbalancing benefits and possible conditions.

I agree with the submitter and consider it reasonable to amend the policy to allow for adverse effects to be avoided, remedied or mitigated. However, I do not consider it to be necessary or appropriate to include the word “suitably” as it is too vague and could leave the policy open to debate. I believe that this matter is already adequately addressed in Objective 2 and does not need to be further clarified in the Policy.

Recommendation

Amend Policy 4 as follows:

To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be avoided, remedied or mitigated.

This amendment is in line with Objective 2 and Policy 5 of the Proposed RPS, and Part 2 of the RMA.

5.2. Rule 3.6 Energy

Six submission points were received on the Energy Rules. Of these submissions five were in support and one was partly opposed.

5.2.1 Consideration of distribution activities within the Energy Rule

Transpower New Zealand Ltd is the state owned enterprise that owns and operates the National Grid. The National Grid is the high voltage electricity transmission network and includes towers, poles, lines, cables and substations. It connects power stations owned by generating companies to substations feeding the local networks that distribute electricity to homes and businesses.

A submission from Transpower partly opposes Rule 3.6. They consider that the integrated approach to consent requirements for electricity generation and the transmission of electricity to where it is demanded may not be realistic or possible due to separation of the electricity industry. They consider that they are already subject to rules under the Infrastructure provisions of the Proposed District Plan and that the non-complying activity status under Rule 3.6.4 does not give effect to the National Policy Statement on Electricity Transmission (NPS ET).

The submitter raises an important point and highlights a possible oversight in the drafting of the Plan. The distribution of electricity is currently regulated by both the Energy and Infrastructure Rules of the Proposed District Plan. In my opinion this

³ *Elderslie Park Ltd v Timaru DC* (1995) NZRMA 433 (HC)

creates confusion over the status of the activity and conflict between the two sections of the Plan.

Under the Infrastructure Rule, infrastructure, which is inclusive of the supply and distribution of electricity, is permitted subject to certain controls over electricity lines and substations. Under the Energy Rule activities involving the distribution of energy range from permitted, for small and community scale energy distribution, to non-complying, for large scale energy distribution. In essence what this means is that electricity lines could be erected as a permitted activity but the distribution of electricity through the lines could be a non-complying activity.

I do not believe that this was intended by the provisions when they were drafted. The introduction to the Energy topic clearly specifies that the issues, objectives and policies relating to the transmission and distribution of energy resources are addressed in the Infrastructure and Transportation sections of the Plan. It is, therefore, logical for the rules to be addressed within these sections of the plan also.

I consider that the NPS ET is given effect to by the Proposed District Plan, as the Energy Rule regulates the distribution of energy not the transmission. The distribution of energy refers to conveyance of energy outside of the national grid and the transmission of energy refers to the conveyance of energy within the national grid. I do accept, however, that the rule places an unnecessary restriction on the distribution of energy which is contrary to the purpose of the RMA.

Electricity supply is essential for everyday life and to enable its supply is central to the main purpose of the RMA. The Proposed District Plan must therefore establish clear rules to provide for its distribution, in order to meet the economic, social and cultural wellbeing of the community. I consider that this can be best achieved by removing the distribution regulations from the Energy Rule and allowing these to be regulated through the Infrastructure provisions.

Transpower also submitted on the matters set out in Rule 3.6.5, which are to be considered by the Council as part of an application for resource consent. Although they believe that electricity generation and the transmission of electricity should be considered separately, they consider that the ability to transmit electricity generated by a large scale energy generator should be considered at the time of consent. They have requested that this be included as part of the considerations under Rule 3.6.5. I accept that it is important to consider the ability for energy generation activities to connect to the national grid, and agree that this should be considered at the time of consent.

Recommendation

Remove “distribution activities” from Rules 3.6.1 to Rules 3.6.4.

Add two new matters of consideration to Rule 3.6.5, as follows:

“(H) The ability to connect to existing National Grid transmission lines.

“(I) The need for, feasibility and effects of providing additional lines/connections to the National Grid including substations”

5.3 Minor Amendments

Minor changes are also recommended to the explanation of Policy 3, Energy Rule 3.6.5, and the definition of “large scale renewable energy generation and

distribution”. The recommended changes, set out below, are minor in effect and will result in no consequence to the intention and outcome of the provisions. It is considered that changes provide clarification of the issues and creates a more user friendly document. The effects of the amendments are such that they can be made at this stage under clause 16 (2) of the First Schedule of the RMA.

5.3.1 Policy 3 Explanation

One minor change to Policy 3 is recommended as follows:

“Explanation: Small scale renewable distributed generation has the benefit of increasing reliability of energy supply and reducing risk of energy supply failure for individuals and communities ...”

5.3.2 Energy Rule 3.6.5

Rule 3.6.5 sets out the matters which will be among those taken into account by the Council when considering an application for the investigation, development or operation of an activity that does not comply with Rules 3.6.3 and 3.6.4.

I consider that the matters set out in points B, C, and D, which are specific to renewable energy generation, are also relevant to the consideration of non-renewable energy. I recommend removing the word “renewable” from these matters to allow for the consideration of all energy sources.

Amend Rule 3.6.5 as follows:

“Rule 3.6.5 Applications under Rules 3.6.3 and 3.6.4 above shall address the following matters, which will be among those taken into account by the Council

- (B) The nature and location of the ~~renewable~~ energy source.*
- (C) Logistical or technical practicalities associated with developing, operating or maintaining the proposed ~~renewable~~ electricity generation activity.*
- (D) The nature and location of existing ~~renewable~~ electricity generation and distribution activities.”*

5.3.3 Section Four Definitions

Large scale non-renewable energy generation and large scale energy generation activities are referred to in Rule 3.6.4. However, no definitions have been provided for these activities in Section Four of the Proposed District Plan. I recommend that the definition of “Large scale renewable energy generation and distribution”, which is provided, be amended to include all energy sources.

The following wording is recommended:

***“Large Scale ~~Renewable~~ Energy Generation and Distribution:* Means ~~renewable~~ electricity generation from non-renewable and renewable sources for the primary purpose of supplying electricity to the national grid”**

6. DISCUSSION OF SECTION 32 MATTERS

Section 32 of the RMA establishes the framework for assessing objectives, policies and rules proposed in a Plan. This requires the preparation of an Evaluation Report. This Section of the RMA was recently amended (since the notification of the proposed District Plan) and the following summarises the current requirements of this section.

The first step of Section 32 requires that objectives are assessed to determine whether they are the most appropriate way to achieve the purpose of the RMA (as defined in Section 5).

The second step is to examine policies and rules to determine whether they are the most appropriate way to achieve the objectives. In this instance, the objectives are those proposed by the District Plan. This assessment includes requirements to:

- Identify the costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (including effects on employment and economic growth)
- Identify other reasonably practicable options for achieving the objectives; and
- Assess the efficiency and effectiveness of the provisions in achieving the objectives.

An Evaluation Report was released at the time of notification of the Proposed Plan.

Section 32AA of the RMA requires a further evaluation to be released with decisions outlining the costs and benefits of any amendments made after the Proposed Plan was notified.

Section 32 states that Evaluation Reports need to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. This means that if in its decision the Hearings Committee recommends minor changes from what was in the Proposed Plan, a further evaluation can be relatively brief.

6.1 Relevant Section 32AA Matters

Listed below are the matters considered relevant for further evaluation under Section 32AA of the RMA.

Section 2.6.1 Issues

- Amendment to Issues four to recognise the effects on the national grid.

Section 2.6.2 Objectives

- Amendment to Objective 2 to include integrated planning

Section 2.6.3 Policies

- Amendment to Policy 2 to acknowledge public health.
- Amendment to Policy 3 to acknowledge businesses.

- Amendment to Policy 4 to allow adverse effects to be avoided, remedied, or mitigated.
- Amendment to the wording of Policy 5

Section 3.6 Energy Rule

- Remove “distribution activities” from the regulations.
- Amendment to Rule 3.6.5 (B), (C), and (D) to include all energy sources.
- Addition of new matters to be considered under Rule 3.6.5

Section Four Definitions

- Amendment to the definition of Large Scale Renewable Energy Generation and Distribution.

The detail of the proposed changes to which this evaluation refers are set out in **Appendix 2**.

6.2 Section 32AA Further Evaluation

The Energy Section of the original Section 32 report is relevant to this report. The changes proposed are within the scope of the original evaluation findings and do not raise any additional matters of consideration.

The majority of the changes are minor in effect and are recommended to help clarify the issue of energy and the intent of the provisions. The recommended amendment to Policy 4 will allow for a more comprehensive assessment of the effects and to ensure that the best outcome is achieved at a local, regional and national level. The proposed wording is consistent with the provisions of the regional policy statement and Part 2 of the RMA.

The most significant change to the provisions is to remove “energy distribution” from the Energy Rule. This is considered necessary to meet the purpose of the RMA and to provide for the sustainable development of the district. It is considered that the amendment will improve the ability to distribute energy, which will have a positive impact on the economic, social and cultural well-being of the community.

7. CONCLUDING COMMENTS

Invercargill is a major consumer of energy and like all of New Zealand faces many challenges ahead with regard to energy. Energy in all its forms is a key part of everything we do, so it is extremely important that we continue to have a secure supply in the future.

A more focused and specific response to the issue of energy has been provided in the Proposed District Plan compared to the Operative District Plan. This includes a new district wide section on the issues, objectives and policies for energy and new district wide rules.

In developing the Energy provisions the Council has given effect to the National Policy Statement for Renewable Electricity Generation 2011 and Southland's Regional Policy Statement. The objectives and policies of the Proposed District Plan recognise the benefits of renewable generation but acknowledge that the development of these resources, and non-renewable resources, can have adverse impacts on the environment, and that this may give rise to competing values.

Twenty five submission points and one further submission were received on the Energy Provisions of the Proposed District Plan. Fifteen of the submission points were in support, nine were in general support with amendments and one opposed the provisions in part.

One of the key issues raised in the submissions was the distribution of electricity. It was questioned by a submitter whether the distribution of electricity should be regulated by the energy provisions, considering that it is already subject to regulation under the Infrastructure Rule. The secure and sustainable supply of energy is essential to meet the purpose of the RMA and therefore it is essential for the District Plan to provide this function. The regulation of energy distribution under two sections of the Plan creates confusion and is far too restrictive. It is therefore recommended that distribution activities be removed from the energy rule and left to be regulated by the Infrastructure provisions.

Several other minor amendments to the provisions are also recommended which I considered will help clarify the issue of energy and the intent of the provisions.

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APPENDIX 1 – RECOMMENDATIONS ON SUBMISSIONS

Submitter	Summary of Submission	Decision Requested
SECTION 2.6 ISSUES OBJECTIVES AND POLICIES		
General		
64.20 Department of Conservation	<p>Support. The submitter considers the objectives, policies and methods as they promote the management of adverse effects on the environment resulting from these activities and give effect to Part 2 of the RMA</p> <p>DECISION SOUGHT: Retain objectives, policies and methods</p>	<p>Accept(with amendments)</p> <p>Amendments are recommended to Objective 2 and Policies 2, 3, 4, and 5. See submission points 53.6, 77.17, 88.63, 24.19(b) and 65.15. The amendments are minor in nature and will not change the intent of the provisions.</p>
117.5 Southern District Health Board	<p>Agree with the Energy Issues, Policies, Objectives and Methods of Implementation</p> <p>DECISION SOUGHT: Supports the Energy Issues, Policies, Objectives and Methods of Implementation in general</p>	<p>Accept (with amendments)</p> <p>Amendments are recommended to Issue 4, Objective 2 and Policies 2, 3, 4, and 5. See submission points 87.8, 53.6, 77.17, 88.63, 24.19(b) and 65.15. The amendments are minor in nature and will not change the intent of the provisions.</p>
87.9 Transpower NZ Ltd	<p>The submitter supports the promotion and use of renewable energy, as well as the protection of existing energy generation from new development. Furthermore the submitter supports the separate consideration of generation and transmission given the separation of these roles in the electricity industry.</p> <p>DECISION SOUGHT: Retain 2.6.2 Objectives and 2.6.3 Policies as notified.</p>	<p>Accept (with amendments)</p> <p>Amendments are recommended to Objective 2 and Policies 2, 3, 4, and 5. See submission points 53.6, 77.17, 88.63, 24.19(b) and 65.15. The amendments are minor in nature and will not change the intent of the provisions.</p>

Submitter	Summary of Submission	Decision Requested
<p>24.19(a) South Port NZ Ltd</p>	<p>The submitter considers that it is appropriate to specifically recognise the benefits that can be obtained by the development of mineral and non renewable energy resources including both direct and indirect effects on the region. Similar objectives and policies relating to the investigation, development and benefits of non renewable energy sources need to be included.</p> <p>DECISION SOUGHT: Include an objective(s) and policy(ies) that also specifically recognise and provide for the regional benefits associated with the development of non-renewable energy generation.</p>	<p>Reject</p> <p>It is considered that Objective 2 and Section 104 of the RMA are sufficient to ensure that any benefits of non-renewable energy are considered as part of an application for resource consent.</p> <p>Under Section 104 of the RMA the Council must have regard to any actual and potential effects on the environment of allowing an activity. The term “effects” encompasses both positive and adverse effects and therefore all effects associated with an activity, including benefits, will be considered as part of the resource consent process.</p>
<p>Introduction</p>		
<p>24.14 South Port NZ Ltd</p>	<p>Support. The submitter considers it appropriate to recognise that the Port has a strategic role in assisting with the development of energy projects in the Region.</p> <p>DECISION SOUGHT Retain</p>	<p>Accept</p>
<p>65.14 ICC Environmental and Planning Services</p>	<p>Support in part. The submitter considers that it is not clear what the term “energy” encompasses and that this should be clarified.</p> <p>DECISION SOUGHT Amend Introduction to explain what “energy” encompasses.</p>	<p>Reject</p> <p>It is important that the introduction recognises that energy encompasses more than just electricity and can play an important role in the way buildings are designed, urban development, and the transportation network. I believe that the introduction adequately addresses this and discusses all of these aspects.</p>

Submitter	Summary of Submission	Decision Requested
2.6.1 Issues		
87.8 Transpower NZ Ltd	<p>The submitter supports the issues in part. The submitter seeks that Issue 4 include specific reference to the National Grid. This will highlight its national importance and give effect to the NPSET.</p> <p>DECISION SOUGHT:</p> <p>(i) The 2.6.1 Issues be amended as follows:</p> <p style="padding-left: 40px;">“The significant resource management issues for energy are:</p> <p style="padding-left: 80px;">.....</p> <p>4 Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure, <u>including the National Grid.</u>”</p> <p>(ii) And any consequential amendments</p>	<p>Accept</p> <p>The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment and is recognised by central government as a matter of national significance.</p> <p>Land use development can adversely impact on the National Grid and it is accepted that this is an issue that should be recognised by the Proposed District Plan.</p> <p>RECOMMENDATION</p> <p>Amend Issue 4 as follows:</p> <p>4 Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure, <u>including the National Grid.</u>”</p>
2.6.2 Objectives		
88.62 Federated Farmers	<p>The submitter supports Objective 1 in part. The submitter is cautious in respect to the extent to which Council may influence energy usage decisions which sit with private individuals and landowners and believes non-regulatory methods are the best way to ensure energy conservation is promoted through education and encouragement of environmental awards.</p> <p>DECISION SOUGHT:</p> <p>Adopt these Objectives as proposed, but focus on non-regulatory approaches for the promotion of more efficient use of energy.</p>	<p>Accept</p> <p>It is agreed that non-regulatory methods are an important and effective tool in the promotion of energy efficiency and conservation. The Council are involved in and supports a number of non-regulatory energy projects such as the Warm Homes Project, which works toward making existing homes more energy efficient by funding insulation. The Council also employs an Eco Design Advisor who provides free and impartial advice on sustainable building practices and on cutting energy consumption.</p>
24.15 South Port NZ Ltd	<p>The submitter supports Objective 2. The submitter considers it appropriate to adopt a balanced assessment when considering energy projects in the City this includes wider economic and social benefits such as use of the Port for delivery of components.</p> <p>DECISION SOUGHT:</p> <p>Retain</p>	<p>Accept with amendment</p> <p>As a consequence of submission 53.6, outlined below, an amendment is sought to Objective 2. The amendment is minor in nature and does not alter the intent of the Objective.</p>

Submitter	Summary of Submission	Decision Requested
53.6 NZ Transport Agency	<p>The submitter supports the intent of Objective 2 but notes that integrated planning has not been identified as an objective, and suggests that Objective 2 be reworded to include consideration of this.</p> <p>DECISION SOUGHT: Retain Objective 2 but reword as follows:</p> <p>“An integrated planning approach is taken to the management of adverse effects resulting from the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional, and national level.”</p>	<p>Accept</p> <p>Integrated planning encourages issues to be considered within a wider perspective, examining all economic, social, cultural and environmental costs and benefits of a proposal. In considering the use and development of local and regional energy resources it is important that an integrated and comprehensive approach to the management of adverse effects is taken. This will help to determine the most appropriate action, providing for the on-going needs of people and communities at a local, regional and national level.</p> <p>Amend Objective 2 as follows:</p> <p><u>An integrated planning approach is taken to the management of the adverse effects of resulting from the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional, and national level</u></p>
FS25.5 Transpower NZ Ltd	<p><i>Oppose in part submission 53.6</i></p> <p>The further submitter does not support a combined approach to the consideration of electricity generation and the transmission of electricity to where it is demanded, given the separation of these roles in the electricity industry and also the constraints on where electricity can be generated</p> <p>DECISION SOUGHT: Not stated.</p>	<p>The further submitter’s comments are noted. It is accepted that there is a separation of roles between electricity generation and the transmission of electricity, but it is considered that providing an integrated approach in Objective 2 will not impact on the separate functions of these two roles.</p> <p>It is considered that the submitter’s concerns may be alleviated by the recommendation to submission point 87.44.</p>
24.16 South Port NZ Ltd	<p>The submitter supports Objective 3. The submitter considers it appropriate to promote the generation and use of renewable energy resources in the City.</p> <p>DECISION SOUGHT: Retain</p>	<p>Accept</p>

Submitter	Summary of Submission	Decision Requested
24.17 South Port NZ Ltd	<p>The submitter supports Objective 4 in part. The submitter suggests that while it is entirely appropriate to recognise the national significance of renewable energy generation, the regional and/or local benefits (both direct and indirect effects) also need to be given adequate recognition within the Plan.</p> <p>DECISION SOUGHT: Expand the objective to also recognise the local and regional benefits of renewable energy generation activities.</p>	<p>Reject</p> <p>The local and regional benefits of renewable energy generation activities are recognised in Objective 2. It is not considered necessary for this to be repeated in Objective 4.</p>
2.6.3 Policies		
24.18 South Port NZ Ltd	<p>The submitter supports Policy 2. They consider that this policy properly recognises the relevant provisions within section 7 of the Act insofar as they relate to renewable energy.</p> <p>DECISION SOUGHT Retain</p>	<p>Accept</p>
77.17 Te Runaka o Waihopai and Te Runaka o Awarua	<p>The submitter supports Policy 2 in part. They consider that this policy needs to acknowledge public health.</p> <p>DECISION SOUGHT: Amend as follows: “... adverse effects on the environment <u>and public health</u> where this is practicable”</p>	<p>Accept</p> <p>The submission is accepted. As well as providing positive health benefits, renewable energy has the potential to adversely impact public health (for example as a result of noise from wind turbines).</p> <p>Amend policy 2 as follows:</p> <p>“Renewable energy: To recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resources while recognising the need to avoid, remedy or mitigate adverse effects on the environment <u>and public health</u>, where this is practicable.”</p>

Submitter	Summary of Submission	Decision Requested
<p>117.6 Southern District Health Board</p>	<p>The submitter supports Policy 2 and 5 in general. Due to energy demand projections, the submitter supports the intention to explore renewable energy sources in Southland. However, the submitter recommends a wording change to Policy 2 to recognise public health effects.</p> <p>DECISION SOUGHT: Support Policy 2 and 5 in general.</p> <p>Amend Policy 2: "...recognising the need to avoid, remedy or mitigate adverse effects on the environment <u>and public health</u> where this is practicable."</p>	<p>Accept</p> <p>See reasons and recommendation set out above in submission 77.17.</p>
<p>34.2 Silver Fern Farms Ltd</p>	<p>The submitter supports Policy 3.</p> <p>DECISION SOUGHT: Retain intent of policy to make provision for small scale renewable electricity generation activities.</p>	<p>Accept</p>
<p>88.63 Federated Farmers</p>	<p>The submitter supports Policy 3 in part.</p> <p>The submitter considers that given the increasing cost of energy and the importance of innovation in electricity generation, it is relevant for the Council to adopt a policy that specifically provides for the investigation and development and operation of renewable electricity resources for us by individuals and local communities. However they believe businesses should be specifically included and identified in this policy.</p> <p>DECISION SOUGHT: Adopt Policy 3, with the following wording amendment: Policy 3 Small and community scale renewable electricity: To provide for investigation into and development and operation of renewable electricity resources for use by individuals, <u>businesses</u> and local communities.</p>	<p>Accept</p> <p>The submission is accepted. There are opportunities for businesses to provide for their own needs through small scale electricity generation.</p> <p>Amend Policy 3 as follows:</p> <p>Small and community scale renewable electricity: To provide for investigation into and development and operation of renewable electricity resources for use by individuals, <u>businesses</u> and local communities.</p>

Submitter	Summary of Submission	Decision Requested
<p>24.19(b) South Port NZ Ltd</p>	<p>The submitter supports Policy 4 in part. They do not consider it appropriate to require that all adverse effects be mitigated. The RMA allows effects to be remedied, and in some cases there may be residual adverse effects that cannot be avoided, remedied or mitigated, but that on balance the benefits of the activity will outweigh any such effects. This is an entirely acceptable outcome under the provisions of the Act.</p> <p>DECISION SOUGHT: Amend Policy 4 as follows: “...where adverse effects can be <u>suitably avoided, remedied or mitigated.</u>”</p>	<p>Accept in part</p> <p>It is considered reasonable to amend the policy to allow adverse effects to be avoided, remedied or mitigated. However, it is not considered necessary or appropriate to include the word “suitably” as it is too vague and could leave the policy open to debate. Objective 2 recognises the need to balance effects, which is considered sufficient.</p> <p>Amend Policy 4 as follows:</p> <p>To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be <u>avoided, remedied or mitigated.</u></p> <p>This amendment is in line with Objective 2 and Policy 5 of the Proposed RPS; and Part 2 of the RMA.</p>
<p>65.15 ICC Environmental and Planning Services</p>	<p>The submitter considers that the explanation of Policy 5 should be reworded to acknowledge that whilst the use of renewable energy resources can impact on the environment, it is preferable to the use of non-renewable resources which reduces the resource as well as impacts on the environment.</p> <p>DECISION SOUGHT: Amend the explanation to Policy 5 to read:</p> <p>“<u>While the use of renewable energy resources can impact on the environment, p</u>Preferring the development and use of renewable energy resource over non-renewable energy resource when forming policy and making decisions on resource consents will provide for future generations by not reducing the resource or impacting on the climate.”</p>	<p>Accept</p> <p>Amend Policy 5 as follows:</p> <p>“<u>While the use of renewable energy resources can impact on the environment, p</u>Preferring the development and use of renewable energy resource over non-renewable energy resource when forming policy and making decisions on resource consents will provide for future generations by not reducing the resource or impacting on the climate.”</p>

Submitter	Summary of Submission	Decision Requested
SECTION 3 RULES		
87.44 Transpower NZ Ltd	<p>The submitter opposes Rule 3.6 in part.</p> <p>The submitter considers that the integrated approach to consent requirements for electricity generation and the transmission of electricity to where it is demanded may not be realistic or possible due to the separation of the electricity industry. However they recognise that the ability to transmit the electricity generated by a large scale energy generator should be considered at the time of consent for the generation activity.</p> <p>The submitter comments that they are subject to rules under the infrastructure rules in Section 3.9 of the Plan and consider that the non-complying activity status for a new line under Rule 3.6.4 does not give effect to the NPSET, in that it does not provide for the development or upgrading of the National Grid.</p> <p>The submitter considers that the development of new lines should always be considered under the provisions of Section 3.9 Infrastructure but that Section 3.6 Energy should include assessment matters that provide for the feasibility of connection required to the National Grid.</p> <p>DECISION SOUGHT:</p> <p>(i) Amend 3.6.1 as follows:</p> <p><i>“Small and community scale renewable energy generation and distribution is a permitted activity where the energy generation facility is not located.”</i></p> <p>(ii) Amend 3.6.3 as follows:</p> <p><i>“The following activities are discretionary activities:</i></p> <p><i>(A) Small and community scale renewable energy generation and distribution that does not comply with Rules 3.6.1 or 3.6.2 above.</i></p>	<p>Accept</p> <p>The submitter raises an important point and highlights a possible oversight in the drafting of the Plan. Currently the Proposed District Plan regulates the distribution of electricity through both the Energy and Infrastructure Rules. In my opinion this creates confusion and conflict between the two sections of the Plan, which provide conflicting activity statuses for the same activity.</p> <p>It is considered that the NPS on Electricity Transmission has been given effect to by the Proposed District Plan, as the Energy Rule regulates the distribution of energy, not the transmission. However, it is acknowledged that the Rule is not clear and that the distribution of energy is far too restrictive.</p> <p>Electricity supply is essential for everyday life and to enable its supply is central to the main purpose of the RMA. The Proposed District Plan must therefore establish clear rules to provide for its distribution, in order to meet the economic, social and cultural wellbeing of the community.</p> <p>I consider that this can be best achieved by removing the distribution regulations from the Energy Rule and allowing these to be regulated through the Infrastructure provisions.</p> <p>It is agreed that it is important to consider the ability for large scale energy generation activities to connect to the national grid as part of the resource consent process. The new additions to Rule 3.6.5 are therefore accepted. However, the submitter’s request to remove the consideration of the distribution network under Rule 3.6.5(E) is rejected. The submitter has provided no reason for its removal and unless there is a good reason for doing so it is considered relevant and should therefore remain.</p>

Submitter	Summary of Submission	Decision Requested
	<p>(B) Any activity associated with the investigation into the development of any large scale renewable energy generation and/or distribution, except as provided for in Rule 3.6.2 above.</p> <p>(C) Any activity associated with the investigation, development and operation of non-renewable energy generation and/or distribution in the Industrial 4 Zone.”</p> <p>(iii) Amend 3.6.4 as follows: <i>The following activities are non-complying activities:</i></p> <p>(A) Any activity associated with the investigation into the development of any large scale non-renewable energy generation and/or distribution, except in the Industrial 4 Zone.</p> <p>(B) Any large scale energy generation and/or distribution activity is a non-complying activity except in the Industrial 4 Zone.</p> <p>(iv) Amend 3.6.5 as follows: <i>Applications under Rules 3.6.3 and 3.6.4 above shall address the following matters, which will be among those taken into account by the Council:</i></p> <p>....</p> <p>(D) <i>The nature and location of existing renewable electricity generation and distribution activities.</i></p> <p>(E) <i>Any effects of connecting to existing infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the local electricity distribution network, and the national grid.</i></p> <p>....</p> <p><u>(H) The ability to connect to existing National Grid transmission lines.</u></p> <p><u>(I) The need for, feasibility and effects of providing additional lines/connections to the National Grid including substations.</u></p> <p>(v) And any consequential amendments</p>	<p>Amend Rule 3.6 as follows:</p> <p>“3.6.1 “Small and community scale renewable energy generation and distribution is a permitted activity where the energy generation facility is not located.”</p> <p>.....</p> <p>“3.6.2 Any activity associated with the investigation, development and operation of renewable energy generation and/or distribution in the Industrial 4 Zone is a permitted activity.”</p> <p>“3.6.3 “The following activities are discretionary activities:</p> <p>(A) Small and community scale renewable energy generation and distribution that does not comply with Rules 3.6.1 or 3.6.2 above.</p> <p>(B) Any activity associated with the investigation into the development of any large scale renewable energy generation and/or distribution, except as provided for in Rule 3.6.2 above.</p> <p>(C) Any activity associated with the investigation, development and operation of non-renewable energy generation and/or distribution in the Industrial 4 Zone.”</p> <p>“3.6.4 The following activities are non-complying activities:</p> <p>(A) Any activity associated with the investigation into the development of any large scale non-renewable energy generation and/or distribution, except in the Industrial 4 Zone.</p> <p>(B) Any large scale energy generation and/or distribution activity is a non-complying activity except in the Industrial 4 Zone.”</p> <p>3.6.5 Applications under Rules 3.6.3 and 3.6.4 above shall address the following matters, which will be among those taken into account by the Council:</p> <p>.....</p> <p>(D) The nature and location of existing renewable electricity generation and distribution activities.</p>

Submitter	Summary of Submission	Decision Requested
		<p>(E) Any effects of connecting to existing infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, <u>and</u> the local electricity distribution network. and the national grid.</p> <p>.....</p> <p>(H) <u>The ability to connect to existing National Grid transmission lines.</u></p> <p>(I) <u>The need for, feasibility and effects of providing additional lines/connections to the National Grid including substations</u></p>
52.6 NZ Police	<p>The submitter supports Rule 3.6.1 because it enables the installation and use of solar panels and other small generation infrastructure to provide energy to utility facilities.</p> <p>DECISION SOUGHT: Retain Rule 3.6.1.</p>	<p>Accept in part</p> <p>A minor amendment is recommended to rule 3.6.1. See reasons and recommendation outlined above in submission 87.44.</p>
64.21 Department of Conservation	<p>The submitter supports Rule 3.6.1, particularly the limits placed on small scale renewable energy projects to locate within areas of significant indigenous biodiversity, identified sites of heritage value, and within an identified outstanding natural feature or landscape.</p> <p>DECISION SOUGHT: Retain Rule 3.6.1 as notified.</p>	<p>Accept in part</p> <p>A minor amendment is recommended to rule 3.6.1. See reasons and recommendation outlined above in submission 87.44.</p>
102.10 Chorus NZ Ltd	<p>The submitter supports Rule 3.6.1, as they enable the installation and use of solar panels and other small-scale generation infrastructure to provide energy to utility facilities.</p> <p>DECISION SOUGHT: Retain Rule 3.6.1</p>	<p>Accept in part</p> <p>A minor amendment is recommended to rule 3.6.1. See reasons and recommendation outlined above in submission 87.44.</p>
104.10 Telecom NZ Ltd	<p>The submitter supports Rule 3.6.1, as they enable the installation and use of solar panels and other small-scale generation infrastructure to provide energy to utility facilities</p> <p>DECISION SOUGHT: Retain Rule 3.6.1</p>	<p>Accept in part</p> <p>A minor amendment is recommended to rule 3.6.1. See reasons and recommendation outlined above in submission 87.44.</p>

Submitter	Summary of Submission	Decision Requested
64.22 Department of Conservation	<p>The submitter supports Rule 3.6.5. They consider that this provision gives effect to part 2 of the RMA</p> <p>DECISION SOUGHT: Retain 3.6.5 as notified.</p>	<p>Accept in part.</p> <p>Minor amendments are recommended to Rule 3.6.5. See recommendation and reasons outline in submission 87.44, above</p>

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APPENDIX 2- RECOMMENDED CHANGES TO THE PROPOSED DISTRICT PLAN

(Underline indicates recommended additions, strikethrough indicate recommended deletions.)

SECTION TWO ISSUES, OBJECTIVES AND POLICIES

Section 2.6 Energy Introduction (pg 2-16)

As the main urban area of the Southland region, Invercargill is ~~also~~ a major consumer of energy.

Historically, readily available and relatively affordable energy has driven economic growth. It is therefore important to ensure that Invercargill has a secure supply of energy in order to be able to maintain economic growth and provide greater resilience to energy supply and price shocks.

Changes in behaviour as a result of fluctuations in availability and price of energy needed to be anticipated and planned for.

In particular, use of energy associated with urban development needs to be considered. If cities are spread out with inefficient roading patterns, transport energy is wasted. Use of energy within buildings can be substantially reduced by design that makes best possible use of naturally available energy sources, such as the sun.

There is potential for renewable energy development within the Invercargill district, particularly a wind resource in the Bluff and Greenhills areas, and options such as solar, tidal and wave energy. The Council recognises the benefits of renewable electricity generation is a matter of national significance.

Activities that harness the energy potential of the district's energy resources may generate adverse environmental effects, however, energy must be sourced from its location and any adverse effects considered alongside positive effects at a local, regional and national level. This gives rise to competing values between the energy resource and amenity, landscape and biodiversity values.

The presence of land suitable for development in close proximity to the port of Bluff provides an opportunity to locate facilities and plants to service and develop energy resources located elsewhere in the Southland region.

Note: Issues, objectives and policies relating to the transmission and distribution of energy resources are covered in the Infrastructure and Transportation sections of the Plan.

2.6.1 Issues (pg 2-16)

Issue 1 – No change

Issue 2 – No change

Issue 3 – No change

Issue 4

Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure, including the national grid.

2.6.2 Objectives (pg 2-17)\

Objective 1 – No change

Objective 2

An integrated planning approach is taken to the management of the adverse effects of resulting from the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional, and national level

Objective 3 – No change

Objective 4 – No change

2.6.3 Policies (pg 2-17 – 2-18)

Policy 1 - Efficiency and conservation – No change

Explanation – No change

Policy 2 - Renewable energy

To recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resources while recognising the need to avoid, remedy or mitigate adverse effects on the environment and public health, where this is practicable.

Explanation – No change

Policy 3 - Small and community scale renewable electricity

Small and community scale renewable electricity: To provide for investigation into and development and operation of renewable electricity resources for use by individuals, businesses and local communities.

Explanation –

Small scale renewable distributed generation has the benefit of increasing reliability of energy supply and reducing risk of energy supply failure for individuals and communities. There are real opportunities for individuals, businesses and community groups to provide for their own needs through small scale distributed generation. Council encourages the use of small scale energy production for individual domestic use where proven to be suitable, i.e. solar hot water systems for homes. However, there are adverse effects created by these systems, such as glare and noise generation. These effects on the expected amenities of the area should also be considered, avoided, remedied or mitigated.

Policy 4 - Non-renewable energy

To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be avoided, remedied or mitigated.

Explanation – No change

Policy 5 - Priority

While the use of renewable energy resources can impact on the environment, Preferring the development and use of renewable energy resource over non-renewable energy resource when forming policy and making decisions on resource consents will provide for future generations by not reducing the resource or impacting on the climate.

Explanation – No change

Policy 6 - Reverse sensitivity – No change

Explanation – No change

Policy 7 - Management of effects – No change

Explanation – No change

Policy 8 - Maintenance and upgrading – No change

Explanation – No change

2.5.4 Methods of implementation (pg 2-19)

Method 1 – No change

Method 2 – No change

Method 3 – No change

Method 4 – No change

Method 5 – No change

SECTION THREE RULES

3.6.1 Small and community scale renewable energy generation ~~and distribution~~ is a permitted activity where the energy generation facility is not located:

- (A) In an identified area of significant indigenous biodiversity.
- (B) On the site of an identified building, structure, place or area identified in Appendix II – Sites of Heritage Value in this District Plan, or
- (C) Within an identified outstanding natural feature or landscape.

3.6.2 Any activity associated with the investigation, development and operation of renewable energy generation ~~and/or distribution~~ in the Industrial 4 Zone is a permitted activity.

3.6.3 The following activities are discretionary activities:

- (A) Small and community scale renewable energy generation ~~and distribution~~ that does not comply with Rules 3.6.1 or 3.6.2 above.
- (B) Any activity associated with the investigation into the development of any large scale renewable energy generation ~~and/or distribution~~, except as provided for in Rule 3.6.2 above.
- (C) Any activity associated with the investigation, development and operation of non-renewable energy generation ~~and/or distribution~~ in the Industrial 4 Zone.

3.6.4 The following activities are non-complying activities:

- (A) Any activity associated with the investigation into the development of any large scale non-renewable energy generation ~~and/or distribution~~, except in the Industrial 4 Zone.
- (B) Any large scale energy generation ~~and/or distribution~~ activity is a non-complying activity except in the Industrial 4 Zone.

3.6.5 Applications under Rules 3.6.3 and 3.6.4 above shall address the following matters, which will be among those taken into account by the Council:

- (A) Any adverse effects on:
 - (a) The natural character of the coastal environment, wetlands, lakes and rivers and their margins.
 - (b) The protection of outstanding natural features and landscapes.
 - (c) Areas of significant indigenous biodiversity.
 - (d) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
 - (e) The safe and efficient movement of traffic.

- (f) Amenity values of any surrounding commercial, residential or rural areas and/or activities.
- (g) The safety and integrity of any high pressure gas line, high voltage electricity line or other significant network utility, infrastructure or service.
- (h) Heritage.
- (i) Any significant geological or archaeological values.
- (j) The visual character and amenity of the area, including:
 - (1) The extent to which the proposal will adversely impact on residences, key public places including roads, and recreation areas.
 - (2) The proximity of the proposal to any significant ridgelines.
 - (3) The visibility of the proposal with particular regard to any highly visible landscapes.
 - (4) Glare and light flicker.
- (B) The nature and location of the renewable energy source.
- (C) Logistical or technical practicalities associated with developing, operating or maintaining the proposed renewable electricity generation activity.
- (D) The nature and location of existing renewable electricity generation ~~and distribution~~ activities.
- (E) Any effects of connecting to existing infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, and the local electricity distribution network., ~~and the national grid.~~
- (F) Effects of any associated earthworks.
- (G) Any adverse effects on communities and the environment through the ongoing operation and subsequent closure of energy facilities.
- (H) The ability to connect to existing National Grid transmission lines.
- (I) The need for, feasibility and effects of providing additional lines/connections to the National Grid including substations.

SECTION FOUR DEFINITIONS

Large Scale Renewable Energy Generation and Distribution: Means renewable electricity generation from non-renewable and renewable sources for the primary purpose of supplying electricity to the national grid.

Renewable Energy (pg 4-13) - No Change

Small and Community Scale Renewable Energy Generation and Distribution (pg 4-15): Means renewable electricity generation projects with an installed electricity generation capacity of less than 4 megawatts (MW) and excludes offshore wind, tidal and wave generation.