

Te Tai o Poutini Plan – Section 32
Evaluation

Report Two Energy, Infrastructure and
Transport

Te Pūngao, Te Tūāhanga, me Te Tūnuku



Te Tai o Poutini
PLAN

A combined district plan for the West Coast

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Executive Summary

Section 32 of the Resource Management Act 1991 (“the Act” or “the RMA”) requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness, and risk in achieving the objectives. The analysis set out in this report is to fulfil the obligations of the Councils under s.32 of the Act.

This report is divided into three parts. Part One relates to the Energy provisions in the proposed TTPP, Part Two relates to the Infrastructure provisions, and Part Three relates to the Transport provisions.

Energy, Infrastructure and Transport assets are significant physical resources that make an essential contribution to the social and economic well-being of the West Coast, and therefore must be sustainably managed.

The current Utilities and Transport provisions in the three operative District Plans are relatively limited in scope, are outdated, and do not fully reflect the range of energy, transport and infrastructure activities or development. There is a substantial legislative framework: National Policy Statement for Electricity Transmission (NPSET), National Policy Statement for Renewable Energy Generation (NPSREG), National Policy Statement for Urban Development (NPSUD), National Environmental Statement for Electricity Transmission Activities (NESETA), and National Environmental Standard for Telecommunications Facilities (NESTF). NPSET is to be given effect to four years after gazettal (2008).

Grey District Council (GDC) undertook to give effect to the NPSET. This was appealed by Transpower as not giving effect to the NPSET, specifically the Objective, and Policies 2 and 10. Through the appeal process provisions were put in place to give effect to the NPSET.

Buller District Council (BDC) undertook a plan change process including utility and transport provisions, and to update energy utility rules. Decisions were issued on the energy utility rules. The current Utilities provisions, except for GDC and NPSET do not give effect to the legislative requirements. The West Coast Regional Policy Statement has also been updated since the plans were written and given further higher order direction. Therefore, they may not fully give effect to or be fully consistent with these NPS’ and NES’ and may not fully achieve Part 2 of the RMA.

The strategic importance of energy, infrastructure and transport resources to the West Coast are recognised in the proposed TTPP Strategic Objectives for Connections and Resilience. Specifically, the focus of the strategic objectives is **critical infrastructure** which has been defined as:

means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants and electricity transmission and distribution assets.

The Strategic Objectives are:

CR – O1 To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.

CR - O2 To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.

CR – O3 To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.

CR – O4 To enable the development of greater infrastructure self - sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.

Energy

The Energy objectives, policies, rules, and methods are in the Part 2 - District Wide Matters section of the Proposed Plan, within a combined Energy, Infrastructure and Transport Section. This approach aligns with the framework contained in the National Planning Standards and aims to provide certainty

and achieve efficiencies by including the works to establish, renew and improve energy activities within the Energy Chapter.

The resource management issues that need to be addressed in relation to energy are:

- Issue 1: Providing for the operational needs of electricity, these often need to occur in sensitive environments, such as riparian margins, or in natural hazard areas.
- Issue 2: Providing for upgrade opportunities and the benefit of these, while managing environmental impacts.
- Issue 3: Providing for greater renewable energy generation, as a region, and to support individual properties and communities.
- Issue 4: Managing reverse sensitivity; electricity is hazardous, and being able to maintain assets is important for functioning, and to ensure that development where there may be a threat to life is minimised.

The Energy chapter will assist the West Coast councils in fulfilling their statutory functions and responsibilities as required by the RMA through the proposed objectives, policies and rules:

- ENG – O1 aims to recognise the development, operation, maintenance and upgrading of energy facilities is critical to the West Coast
- ENG – O2 aims to manage the environmental effects of energy activities while recognising inherent constraints
- ENG – O3 aims to provide for efficient energy options and protect facilities from reverse sensitivity
- ENG – O4 aims to recognise and provide for the benefits of the National Grid, its operational needs, and the need to protect it from reserve sensitivity

The energy policies and rules proposed:

- Permit ongoing operation, maintenance and upgrade of the energy distribution network where this is not already provided for in the NES -Electricity Transmission Activities
- Permit new small scale renewable energy devices while requiring larger scale energy generation devices to be managed through a resource consent process
- Permit small substations in all zones, and larger ones in industrial zones
- Permit temporary energy activities
- Restrict activities underneath and proximate to the Significant Electricity Distribution lines, and under National Grid Lines
- Provide for other energy related activities that may have adverse effects to be managed through a resource consent process.

The following definitions support the Energy provisions

- Energy Activity and Energy Activity Facility
- Sensitive Activity
- River
- Small Scale
- Community Scale
- Large Scale
- Significant Electricity Distribution lines
- National Grid Transmission and Distribution Subdivision Corridor
- National Grid Transmission and Distribution Yard

Infrastructure

The Infrastructure objectives, policies, rules, and methods are in the Part 2 - District Wide Matters section of the Proposed Plan, within a combined Energy, Infrastructure and Transport Section. This approach aligns with the framework contained in the National Planning Standards and aims to provide certainty and achieve efficiencies by including the works to establish, renew and improve infrastructure within the Infrastructure Chapter.

For the purposes of this chapter, Infrastructure includes:

- Water supply, wastewater and stormwater, gas, temporary network activities, environmental monitoring equipment, meteorological facilities, lighthouses, navigational aids and beacons

The resource management issues that need to be addressed in relation to infrastructure are:

- Issue 1: Inappropriate subdivision, land use and development can adversely impact the safe and efficient operation, maintenance and development of existing utilities and infrastructure.
- Issue 2: Utilities and infrastructure enable people and communities to provide for their economic, social and cultural well-being however they can have adverse effects on the environment, often due to locational, technical and operational constraints.
- Issue 3: Increasing risk from natural hazards and climate change result in a greater need for infrastructure to support community resilience.

The Infrastructure chapter will assist the West Coast councils in fulfilling their statutory functions and responsibilities as required by the RMA through the proposed objectives, policies and rules:

- INF – O1 aims to support the development, operation, maintenance and upgrading of infrastructure.
- INF - O2 seeks to protect infrastructure from reverse sensitivity effects
- INF – O3 seeks to ensure efficient provision of infrastructure
- INF – O4 aims to support the development of resilient infrastructure in the face of climate change and natural hazards
- INF – O5 aims to recognise the inherent constraints of infrastructure provision and the benefits to the community from their provision.

The infrastructure policies and rules proposed:

- Recognise and provide for the benefits of infrastructure, and to manage reverse sensitivity effects
- Set out standards for subdivision to ensure infrastructure is considered at the start of development
- Recognising the changing way in which infrastructure is provided, including for future developments
- Provide that onnections to networks including the three waters are permitted, as are temporary network utilities, meteorological and environmental monitoring stations, and the operation and upgrade of existing networks when not regulated by the NES TF
- Other activities are managed through resource consent.

The following definitions support the Infrastructure provisions:

- Upgrading
- Infrastructure
- Wastewater
- Stormwater
- Drinking water
- Council Engineering Standards
- Maintenance

Transport

The Transport objectives, policies, rules, and methods are in the Part 2 - District Wide Matters section of the Proposed Plan, within a combined Energy, Infrastructure and Transport Section. This approach aligns with the framework contained in the National Planning Standards and aims to provide certainty and achieve efficiencies by including the works to establish, renew and improve roads within the Transport Chapter. The effects relating to the type and scale of the important infrastructure located within land transport corridors are managed under the Infrastructure chapter.

The resource management issues that need to be addressed in relation to transport are:

- Issue 1: Road and rail networks can negatively impact residential amenity, landscape amenity and indigenous biodiversity if not carefully managed

- Issue 2: Consideration and provision for the safety, accessibility and connectivity of changing modes of transport, including pedestrians, cyclists, electric and hybrid vehicles and other non-vehicle road users is required
- Issue 3: The transport network resilience is at increasing risk from natural hazards and impacts from climate change.
- Issue 4: Vehicle centric town centres reduce the vibrancy and accessibility of key community and commercial hubs.
- Issue 5: Poorly designed parking, access and manoeuvring can impact the safety, efficiency and effectiveness of the roading network.
- Issue 6: Inappropriate subdivision, land use and development can adversely impact the safe and efficient operation, maintenance and development of road networks and rail.

The Transport chapter will assist the West Coast councils in fulfilling their statutory functions and responsibilities as required by the RMA through the proposed objectives, policies and rules:

- TRN – O1 aims to recognise the critical role the transport network plays in supporting communities and economic activity on the West Coast.
- TRN – O2 seeks to manage the effects of transport networks on the environment.
- TRN – O3 aims to improve accessibility, safety, connectivity and amenity of all modes of transport.
- TRN – O4 recognises the effects of natural hazards on the transport network and seeks to increase resilience.
- TRN – O5 aims to provide for safe and efficient parking, loading and access.

The transport policies and rules proposed:

- Provide for ongoing operation, upgrade and maintenance of existing networks while also providing for new types of networks such as cycle trails
- Refocus transport provisions to consider pedestrians and non-motorised ways of travelling
- Only require parking accessibility, bicycle parking and boat parking at Moana.
- Permit maintenance and upgrade, and interaction between transport corridors and property
- Provide a resource consent pathway for other activities

Transport Performance Standards in Appendix One of the proposed TTPP which specify:

- Vehicle access design standards including driveways and sight line requirements
- Parking standards
- Requirements for rights of way
- Requirements for high trip generating activities
- Offsets from railway level crossings
- Formation standards
- Bicycle, accessibility and boat parking standards including dimensions
- Loading, queuing and standing space dimensions
- Onsite manoeuvring space design and dimensions

The following definitions support the Transport provisions:

- Road
- Vehicle crossing
- Shared pathway

There is not intended to be a standalone Special Purpose Transport zone, which would require the legal boundaries of all roads in the district to be confirmed and a large amount of time invested in determining activity-based provisions. The result is that the transport provisions will apply to each of the zones, overlays and precincts identified in the Planning Maps, Part 2 - District Wide Matters and Part 3: Area Specific Matters sections of the Proposed Plan. The land use zoning is to be extended to the centre-line of roads to provide certainty on what land use zone is to be applied to any given activity.

The Overview section of the Transport Chapter confirms that any activity, building or structure proposed to be established and operated within land transport corridors that does not fall within the definition of land transport infrastructure will be subject to the rules contained in the Part 2 - District

Wide Matters and Part 3 - Area Specific Matters Chapters of the Proposed Plan, which are referred to in the Note for Plan Users of the Transport Chapter.

Part One: Energy / Te Pūngao

1.0 Overview and Purpose

This s32 evaluation report should be read in conjunction with the s32 'Overview Report', which also includes an overview of the s32 legislative requirements, the methodology and approach to the s32 evaluations and the process that TTPP Committee has undertaken to date through the development of Te Tai o Poutini Plan, including consultation and engagement.

This report sets out the statutory and policy context for energy resources, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the energy topic.

1.1 Introduction to the Resource Management Issue

The term "energy activity" refers to the use of natural and physical resources to produce or generate fuel and electricity. This includes renewable energy resources such as wind, hydro, solar, geothermal, biomass, tidal, ocean current and wave energy sources. It also includes the distribution and transmission networks for the energy system such as lines and substations.

However, if inappropriately managed such uses can result in adverse effects on the environment being experienced, particularly on natural and cultural resources and amenity values.

The strategic importance of energy resources to the West Coast are recognised in the proposed TTPP Strategic Objectives for Connections and Resilience. Specifically, the focus of the strategic objectives is **critical infrastructure** which has been defined as:

means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants and electricity transmission and distribution assets.

The Strategic Objectives are:

CR – 01 To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.

CR - 02 To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.

CR – 03 To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.

CR – 04 To enable the development of greater infrastructure self - sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.

To inform consideration of the proposed provisions the report sets out the statutory and policy context for energy, the key resource management issues, consultation undertaken and the approach to evaluating the proposed provisions relating to this topic. It also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act 1991 (RMA) in relation to energy matters.

Although this report covers the district-wide provisions in the Energy Section other sections of the proposed District Plan of relevance to the energy topic include:

- Hazardous Substances
- General Rural Zone
- Open Space Zone
- Noise
- Transport
- Infrastructure
- Natural Environment
- Coastal Environment

Given this overlap it may also be important to consider the proposed provisions of these sections, with the associated evaluation set out in the s32 reports specific to each topic.

1.2 Regulatory and Policy Direction

1.2.1 Resource Management Act

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Section 6 matters of national importance relevant to the proposed energy provisions are:

(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

(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:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga

(f) the protection of historic heritage from inappropriate subdivision, use, and development

(g) the protection of protected customary rights.

Section 7 of the Act requires particular regard be taken in relation to the following matters:

(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

(f) maintenance and enhancement of the quality of the environment

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

All of the above matters are relevant when considering energy issues and ensuring that provision is made for renewable electricity generation activities, and electricity transmission and distribution while also managing their adverse effects.

Section 8 requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Consistent with the practice followed in the development of the Proposed TTPP, the s 8 principles of most relevance to this topic is the duty to make informed decisions through consultation. Poutini Ngāi Tahu though the Rūnanga kaiwhakahaere have been involved in the governance and development of TTPP and their planners have collaborated in the development of the TTPP provisions. Alongside this Poutini Ngāi Tahu been consulted a part of the review process and the obligation to make informed decisions based on that consultation is noted.

All of the above matters are relevant when considering Energy issues and ensuring the ongoing operation and development of energy generation supply and storage activities and facilities.

1.2.2 National Instruments

When considering Energy matters, the following National Policy Statements and National Environmental Standards are relevant.

National Policy Statement for Renewable Energy Generation 2011 (NPSREG)

The NPSREG identifies renewable electricity generation activities as a matter of national importance and sets out one Objective and 14 Policies. The policy direction is to be given effect to in regional and district plans. In summary, the direction for the Energy provisions are:

- Policies A & B: To ensure the national, regional and local benefits of renewable electricity generation are recognised and provided for, and acknowledging NZ's target for generation from renewable sources and the requirement of the significant developments to meet this target.
- Policy C1: To acknowledge the range of constraints to renewable electricity development projects and that these are factored into decision making.
- Policy C2: To have regard to offsetting measures or environmental compensation.
- Policy D: To manage reverse sensitivity effects on existing renewable electricity generation activities.
- Policies E1 – E4: To provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation activities, where applicable to energy resources in the district.
- Policy F: To provide for small-scale renewable electricity generation activities.
- Policy G: To provide for the identification and assessment of potential sites and energy sources.

National Policy Statement for Electricity Transmission 2008 (NPSET)

The Objective of the NPSET is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network, and new network needs. There is also direction to manage the adverse effects on the network, and to manage the adverse effects of other activities on the electricity transmission network.

The policy framework gives the following direction:

Policy 1 – Recognition of the national benefits of transmission

Policy 2 – 9 Detail how to manage the environmental effects of transmission

Policy 10 – 11 Detail how to manage the adverse effects of third parties on the transmission network

Policy 12 – Sets out mapping requirements

Policy 13 – 14 Highlights the Designation process, and Regional Council requirements.

- The proposed plan provisions give effect to Policies 1 – 11. Mapping has been undertaken in collaboration with Transpower to identify assets, subdivision corridor, and yard. NPSET, Policy 11 requires that local authorities consult with the national grid operator to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (to facilitate the long-term strategic planning of the grid).
- To give effect to this policy Transpower was contacted to ask if there are any developments or upgrades planned, and to help identify a suitable buffer.
- NPSET Policy 12 and 13 relate to designations, and Policy 14 to regional council.

New Zealand Coastal Policy Statement 2010 (NZCPS)

The NZCPS outlines the policies for achieving the purpose of the RMA in relation to the coastal environment. TTPP must give effect to (i.e. implement) the NZCPS, with the policies most relevant to the Energy section being:

- Policy 1 Extent and characteristics of the coastal environment.
- Policy 3 Precautionary approach.
- Policy 4 Integration.
- Policy 6 Activities in the coastal environment.
- Policy 13 Preservation of natural character.
- Policy 14 Restoration of natural character.
- Policy 15 Natural features and natural landscapes.
- Policy 18 Public open space.
- Policy 25 Subdivision, use and development in areas of coastal hazard risk.

Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (NESETA)

The purpose of the NESETA is to:

- minimise the cost to councils of implementing the NPSET
- ensure planning requirements are nationally consistent and provide adequately for maintenance and upgrading of transmission lines to achieve the intention of the NPS
- minimise RMA processing costs and delays.

The NESETA set out a national framework of permissions and consent requirements for activities on existing electricity transmission lines. Activities include the operation, maintenance and upgrading of existing lines.

They set out which transmission activities are permitted, subject to conditions, to control the environmental effects.

They specify:

- consent requirements for activities which fail to meet the permitted activity conditions
- 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 resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.

The NESETA only apply to existing high voltage electricity transmission lines. They do not apply to the construction of new transmission lines or to substations. The NESETA do not apply to electricity distribution lines – these are the lines carrying electricity from regional substations to electricity users.

The NESETA do not allow plan rules to be more stringent.

There is an inconsistency between the NESETA and the NPSET in the definition of national grid. The NESETA is for lines owned and operated by Transpower, the NPSET is for lines owned or operated by Transpower. The lines owned by Westpower but leased and operated by Transpower for example could be considered national grid in an NPSET context, but not in an NESETA. The general RMA interpretation rule is that the more specific regulation applies. In this circumstance the NES overrides the NPS, so the NESETA provisions apply.

The NESETA permits, with standards

- Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits;
- Increasing voltage or current rating, underground conductors and undergrounding transmission lines;
- Transmission line support structures: Alteration and replacement;
- Temporary structure and temporary line deviation;
- Transmission lines: Removal;
- Telecommunication devices;
- Signs on a transmission line support structure;
- Transmission line support structures: Discharges from blasting and applying protective coatings;
- Trimming, felling and removing trees and vegetation;
- Earthworks; and
- Noise and vibration from construction activity

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)

The NESCS is a relevant consideration in Energy resource use, in particular when such activities cease operating and new land use activities are proposed.

1.2.3 National Planning Standards and/or Guidance Documents

National Planning Standards

The following aspects of the National Planning Standards are relevant to this topic:

1. The Standards require that all provisions relating to energy that are not specific to the Special Purpose Zones Chapter are included in the Energy, Infrastructure and Transport Chapter. Effectively this requires the Energy, Infrastructure and Transport Section to be stand alone. There is an optional standard to have a separate Energy Chapter.
2. The Noise and Vibration Standards also require any district plan rule to manage noise emissions consistent with noise measurement methods in the New Zealand Standards, which in this case includes New Zealand Standard 6808:2010 Acoustics - Wind farm noise; and New Zealand Standard 6803:1999 Acoustics - Construction noise, New Zealand Standard 6801:2008 Acoustics - Measurement of environmental sound, New Zealand Standard 6802:2008 Acoustics - Environmental noise

1.2.4 Regional Policy and Plans

Under Section 75(3)(c) of the RMA, TTPP must give effect to the Regional Policy Statement.

The West Coast RPS contains objectives and policies relevant to energy within Chapter 6 Regionally Significant Infrastructure. For the purpose of Chapter 6 of the RPS, electricity generation, transmission and distribution infrastructure that is recognised as nationally significant is also identified as regionally significant infrastructure (RSI).

The objective is:

Objective 6.1 Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.

There are 8 policies, all relevant to the energy chapter of TTPP.

Policy 6.1 seeks to ensure that the West Coast has a secure supply of energy to meet the needs of people and communities from either non-renewable or renewable sources. The Policy supports the infrastructure which supplies energy rather than energy supplies per se.

Policy 6.2 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast. Policy 2 also gives effect to Policies E1-E4 of the NPSREG which requires provision for renewable electricity generation, and Policy 2 of the NPSET which requires recognition of the National Grid.

Policy 6.3 gives effect to Policy C1 of the NPSREG, and Policy 3 of the NPSET. Electricity generation infrastructure needs to be located where the resource is and the electricity needs to be conveyed to users. The location of the necessary infrastructure can sometimes be physically, technically or operationally constrained. Those constraints can also apply to other forms of RSI. Such infrastructure may need to be located within areas containing high, outstanding or significant natural values.

Policy 6.4: The operation, maintenance and future development of RSI can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as Reverse sensitivity, or by the effects of existing resource use.

Policy 6.5: The linear nature of many infrastructure networks determines its form, shape and location. Technical and operational requirements associated with infrastructure networks can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects. Policy 5 recognises that in some cases it may be appropriate for new infrastructure to be located in, or traverse parts of, a sensitive environment to achieve a net benefit, or lower overall adverse effects. These situations and the appropriateness of offsets and compensation need to be determined on a case by case basis

having regard to relevant case law, national policy and good practice guidelines on offsets and compensation, and expert advice.

Policy 6.6 gives effect to the NPSREG and provides for existing renewable electricity generation activities and electricity distribution and transmission networks in areas of natural character or containing significant or outstanding values throughout the region.

Policy 6.7 provides a specific management approach for the National Grid of 'Seeking to avoid' adverse effects and other remedy or mitigate these. "Seek to avoid" means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and natural character.

Policy 6.8 recognises the need for planning for growth and development and the provision of local, regional and national infrastructure to proceed side-by-side in a coordinated and integrated way.

Chapter 9 of the RPS addresses matters in the coastal environment, including RSI.

Within this chapter Policy 9.2 addresses the National Grid specifically and states:

9.2

(1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.

(2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and areas of high and outstanding natural character located within the coastal environment. In some circumstances, adverse effects on the values of those areas must be avoided.

Policy 9.4 relates to new and existing renewable energy generation and states:

9.4. Provide for new and existing renewable electricity generation activities in the coastal environment, including by having particular regard to:

a) The need to be located where the renewable energy resource is available;

b) The technical, functional or operational needs of renewable electricity generation activities.

Chapter 8 focuses on Land and Water with Policy 8.7 seeking that infrastructure be integrated with land development.

Chapter 11 focuses on Natural Hazards. Objective 11.1 is as follows:

Objective 1. The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.

There is on relevant policy in this chapter - Policy 11.3 that seeks to mitigate the impacts of climate change, including on infrastructure.

1.2.5 Local Policies, Plans and Strategies

Te Whanaketanga Te Tai Poutini West Coast 2050 Strategy

Te Whanaketanga is a collaborative document developed by Development West Coast, West Coast Councils and Poutini Ngāi Tahu. It sets out key strategic directions for the West Coast around economic development, regional identity and stronger communities.

Te Whanaketanga recognises the vulnerability of the West Coast to natural hazards and to climate change. This can have significant implications on the electricity generation network as distribution networks – which are often located in areas subject to natural hazards and impacted by natural hazard events.

It is also important to consider the role that renewable energy can play in climate change mitigation and adaptation. Te Whanaketanga has a specific action around the development of renewable energy solutions, including opportunities in hydro, biomass, geothermal, biodiesel and green hydrogen.

1.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

2.0 Resource Management Issue and Analysis

2.1 Background

The following key issues have been identified in relation to Energy:

1. *Inappropriate subdivision, land use and development can adversely impact the safe and efficient operation, maintenance and development of existing energy assets and activities.*
2. *Energy provision enables people and communities to provide for their economic, social and cultural well-being however they can have adverse effects on the environment, often due to locational, technical and operational constraints.*
3. *Increasing risk from natural hazards and climate change result in a greater need for infrastructure to support community resilience.*

2.2 Evidence Base – Research, Consultation, Information and Analysis undertaken

2.2.1 Research

The TTPP Committee has reviewed the operative District Plans, commissioned technical advice, obtained assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan Technical Update – Infrastructure Issues, Objectives and Policies March 2020
Author	Edith Bretherton
Brief Synopsis	Summarises the key issues facing infrastructure and utilities – including energy infrastructure. Proposes draft Objectives and Policies.
Link to Document	https://tpp.nz/wp-content/uploads/2020/03/TTPP-March-Agenda.pdf

Title	Te Tai o Poutini Plan Technical Overview– Update on Infrastructure Issues, Objectives and Policies September 2020
Author	Edith Bretherton
Brief Synopsis	Separates out energy objectives and policies from other infrastructure and proposes draft provisions.
Link to Document	https://tpp.nz/wp-content/uploads/2020/09/TTPPC-Agenda-September-2020.pdf

Title	Te Tai o Poutini Plan – Options for Hydro Development January 2021
Author	Lois Easton
Brief Synopsis	Outlines ways in which TTPP may be able to provide a more supportive framework for hydro development in the form of an overlay. Recommends this not be pursued as there was insufficient information currently available to provide the basis of such an overlay.
Link to Document	https://tpp.nz/wp-content/uploads/2021/01/TTPP-26-January-2021-Agenda.pdf

Title	Technical Update – Infrastructure, Energy and Transport Rules April 2021
Author	Edith Bretherton
Brief Synopsis	Outlines draft rules for Energy, Infrastructure and Transport.
Link to Document	https://tpp.nz/wp-content/uploads/2021/05/Agenda-Te-Tai-o-Poutini-Plan-Committee-Meeting-5-May-2021.pdf

Title	Plan Change 9 – National Policy Statement for Electricity Transmission
Author	Grey District Council
Brief Synopsis	GDC adopted Plan Change 9, in relation to the National Policy Statement on Electricity Transmission, by consent order 16 July 2015.
Link to Document	https://www.greydc.govt.nz/06your-home/planning-and-resource-consents/district-plan/adopted-changes

Title	Plan Change 9 – National Policy Statement for Electricity Transmission
Author	Grey District Council

Brief Synopsis	GDC adopted Plan Change 9, in relation to the National Policy Statement on Electricity Transmission, by consent order 16 July 2015.
Link to Document	https://www.greycdc.govt.nz/06your-home/planning-and-resource-consents/district-plan/adopted-changes

Title	Plan Change 133 - 145
Author	Buller District Council
Brief Synopsis	BDC notified Plan Change 133 – 145, all documents relating to this including submissions.
Link to Document	http://bullerdc.govt.nz/wp-content/uploads/2016/03/Proposed-District-Plan-Changes-133-145.pdf

Title	Plan Change 145 Decisions Report
Author	Buller District Council
Brief Synopsis	BDC issued decisions on Plan Change 145, in relation to rules for electricity utilities, 9 th July 2019.
Link to Document	http://bullerdc.govt.nz/public-notice-of-decision-on-provisions-and-matters-raised-in-submissions-proposed-buller-district-plan-change-145/

Title	National Policy Statement on Electricity Transmission – Further guidance on risk of development near high voltage transmission lines
Author	Ministry for the Environment
Brief Synopsis	This report has been prepared in response to a request from councils for further information on the risks of development and activities in relation to the transmission network, and how these could be regulated under the Resource Management Act 1991. This material could form part of, or help prepare, a section 32 assessment to implement the NPSET, and Policies 10 and 11 in particular. These policies relate to managing the effects of third-party development <i>on</i> the operational requirements of the network, as well as managing the effects <i>of</i> the network on third parties.
Link to Document	https://environment.govt.nz/publications/national-policy-statement-on-electricity-transmission-further-guidance-on-risks-of-development-near-high-voltage-transmission-lines/

Title	National Policy Statement on Electricity Transmission – Implementation guidance for local authorities
Author	Ministry for the Environment
Brief Synopsis	The NPSET requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 (RMA) by initiating a plan change or review within four years of its approval: that is, by 10 April 2012. Over this period it is expected that many of the first generation of regional policy statements and regional and district plans prepared under the RMA will be reviewed. Indeed, a number of local authorities are already well advanced in developing or notifying their second-generation plans.
Link to Document	https://environment.govt.nz/publications/national-policy-statement-on-electricity-transmission-implementation-guidance-for-local-authorities/

Subsequent to this report the draft chapter created for the plan was presented to the TTPP Committee on 2 December 2021. That draft chapter was endorsed by the Committee for further refinement and integration into the TTPP framework.

2.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant stakeholder consultation. Initially Infrastructure, Energy and Transport were going to be combined in one chapter, however this was later amended.

Commencing in 2019 individual stakeholder meetings were held with the district council asset teams, Waka Kotahi New Zealand Transport Agency (NZTA), Buller Electricity, New Zealand Energy, Westpower, Transpower, Trustpower, Kiwirail, Spark / Chorus, Westport Airport, Destination Westland, Karamea Aerodrome.

Specific meetings and workshops held were:

Plan Development Phase

Three workshops were held on Infrastructure, Energy and Transport. One of these workshops was for external provider, one for Grey District and Westland District Asset Teams and Waka Kotahi NZTA in Greymouth, and one in Buller for their district asset team.

Three further meetings were held with Waka Kotahi NZTA in 2019, and one with Kiwirail.

The Regional Long Term Plan Workshop was held in December which allowed a sense check with the regional strategic direction.

In 2021 two further meetings were held with Westpower, and one with Transpower. A transport rules and standards workshop was held in January, with further consultation undertaken with Waka Kotahi NZTA in February. Fire and Emergency Services also provided input in February.

Draft Plan Consultation Phase

22 February 2022 – multi-stakeholder infrastructure provider workshop

Individual consultation was undertaken with Transpower (twice in February), Trustpower and Westpower.

RMA Schedule 1 Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

An overview of their feedback and a summary of recommended amendments to draft provisions is contained in a report that was presented to the TTPP Committee on 21 June 2022, as per details below.

Title	First Schedule Consultation
Author	Lois Easton
Brief Synopsis	This report provides a summary of the pre-notification feedback received from RMA First Schedule consultation on the draft Proposed District Plan provisions and the subsequent amendments recommended by staff.
Link to Document	https://tpp.nz/wp-content/uploads/2022/06/TTPP-Committee-Meeting-Agenda-21-June-2022-1.pdf

2.2.3 Poutini Ngāi Tahu Advice

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki o Makaawhio are the two papatipu rūnanga on the West Coast. They are collectively known as Poutini Ngāi Tahu. They have provided clear advice around their support for renewable energy generation on the West Coast and the importance of energy activities to the wellbeing of Poutini Ngāi Tahu.

2.3 Operative District Plan Provisions

2.3.1 Buller District Plan

Prior to the Local Government Order in Council directing the West Coast Regional Council to write a combined district plan, the Buller District Council had commenced a plan change. BDC Plan Change 144 was for the Utilities Objectives and Policies, and Plan Change 145 for Utilities Rules. Submissions were heard on both parts; decisions were issued on the rules only. The Buller District Plan includes energy matters within the Infrastructure Chapters. There are two objectives.

4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.

4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.

The proposed Buller District Plan change included four objectives.

Objective 1 – Utilities and Regionally Significant Infrastructure

To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.

Objective 2 – Renewable Electricity Generation Utilities

To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriately sited and designed.

Objective 3 – Renewable Electricity Generation Utilities

To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriately sited and designed.

Objective 4 – Land Development and Provisions of Utilities

To co-ordinate the provision of utilities with subdivision, use and development of land in the district.

There are four policies in the Operative Buller District Plan, only Policy 4.2.6.2 is relevant to energy and is as follows:

4.2.6.2. To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.

There are 7 proposed Policies

Policy 1 – Utilities and Regionally Significant Infrastructure

To have regard to the positive social, economic and environmental benefits that accrue nationally, regionally and locally from the development, continued operation and up-grading of utilities and regionally significant infrastructure.

Policy 2 – Locational, Technical and Operational Constraints

To ensure that utilities and regionally significant infrastructure are designed and sited in a way which avoids, remedies and mitigates any adverse effects, taking into account their locational, technical and operational constraints.

Policy 3 – Managing Residual Environmental Effects

To consider environmental compensation or offsetting measures, including measures or compensation which benefits the local environmental and community affected, where any residual environmental effects of regionally significant infrastructure cannot be avoided, remedied or mitigated.

Policy 4 – Incompatible Activities

To avoid, or where appropriate, remedy or mitigate reverse sensitivity effects from subdivision, use and development on utilities and regionally significant infrastructure to ensure the safe, secure and efficient operation of such utilities and infrastructure.

Policy 5 – Facilitating Renewable Energy Generation

To provide for the development, operation, maintenance and upgrading of renewable energy generation utilities, having regard to the matters outlined in Policies 1 and 2 above.

Policy 6 – Domestic Scale Renewable Energy Generation

To provide for a range of domestic scale renewable energy generation utilities where their adverse effects on the environment are not significant.

Policy 7 – Provisions for Adequate Utilities / Services

To ensure that subdivision, land use and development is capable of being adequately serviced including:

- *Safe and efficient vehicle access;*
- *Adequate water supplies;*
- *Disposal of wastewater*
- *Disposal of stormwater;*
- *Supply of electricity and telecommunications using a method that is appropriate to the subdivision / development and the character of the area; and*
- *Connections into reticulated systems where they are available.*

In terms of rules, Network utilities are a Permitted Activity in all zones, subject to compliance with Part 6 (Infrastructure). Part 6 provides for the following Permitted Activities in relation to energy:

- Underground electricity lines up to 100 MVA and underground pipe networks up to 2000 kilopascals
- Maintenance, replacement and minor upgrading of existing lines and support structures. Minor upgrading is defined.

Discretionary Activities

- Underground lines and pipe networks not meeting Permitted standards
- All above ground electric lines and structures
- Electricity substations
- Maintenance/storage depots for pylons

There are no specific provisions related to renewable energy generation which would need to comply with the relevant zone rules.

Buller Plan Change 144 and Plan Change 145

The Buller District Council released Plan Change 144 and 145 in 2016 as part of a package of plan changes relating to the rolling review of the Buller District Plan. Plan Change 144 contained Objectives and Policies for Utilities that replaced those in the Operative District Plan. However, this Change was not progressed beyond the notification stage.

The Plan Change 144 Objectives and Policies that are relevant to Energy are as follows:

Objective 1: To provide for the safe, efficient and sustainable development, operation, maintenance and upgrading of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner that avoids, remedies or mitigates adverse effects on the environment.

Objective 2: To protect utilities and regionally significant infrastructure from the adverse effects of incompatible subdivision, land use and development

Objective 3: To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriately sited and designed.

Objective 4: To co-ordinate the provision of utilities with subdivision, use and development of land in the district.

Policy 1 To have regard to the positive social, economic and environmental benefits that accrue nationally, regionally and locally from the development, continued operation and upgrading of utilities and regionally significant infrastructure.

Policy 2: To ensure that utilities and regionally significant infrastructure are designed and sited in a way which avoids, remedies or mitigates any adverse effects taking into account their locational, technical and operational constraints.

Policy 3 To consider environmental compensation or offsetting measures, including measures or compensation which benefits the local environment and community affected, where any residual environmental effects of regionally significant infrastructure cannot be avoided, remedied or mitigated.

Policy 4: To avoid, or where appropriate remedy or mitigate reverse sensitivity effects from subdivision, use and development on utilities and regionally significant infrastructure to ensure the safe, secure and efficient operation of such utilities and infrastructure.

Policy 5: To provide for the development, operation, upgrading and maintenance of renewable energy generation utilities having regard to the matters outlined in Policies 1 and 2 above.

Policy 6: To provide for a range of domestic scale renewable energy generation utilities where their adverse effects on the environment are not significant.

Policy 7: To ensure that subdivision, land use and development is capable of being adequately serviced including:

- *Safe and efficient vehicle access;*
- *Adequate water supplies;*
- *Disposal of wastewater;*
- *Disposal of stormwater;*
- *Supply of electricity and telecommunications using a method that is appropriate to the subdivision/development and character of the area; and*
- *Connections into reticulated systems where they are available.*

Plan Change 145 progressed to hearings and decisions. The decisions version provides a comprehensive rule framework for energy activities as follows:

Permitted Activities

PA.1. Lines for conveying electricity at a voltage up to and including 110kV with a capacity up to and including 100MVA where those lines are underground.

PA.2. Operation, upgrading, maintenance and replacement of existing utility infrastructure and equipment provided that the effects of such shall be the same or similar in character and scale to those which existed before upgrading, maintenance or replacement activities commenced. This includes, but is not limited to, the following activities:

- the reconductoring or replacement of lines;
- the reconductoring of the line with higher capacity conductors;
- the resagging of conductors or lines;
- the addition of longer or more efficient insulators or mountings;

- the addition of earth wires (which may contain telecommunication lines), earthpeaks and lightning rods;
- the addition of extra lines to existing or permitted utility support structures;
- the addition of customer connections to existing infrastructure;
- the addition of circuits, conductors and electrical fittings;
- the replacement of existing cross arms with cross arms of an alternative design provided they are of the same or similar dimensions;
- the installation of pole mounted transformers and associated equipment;
- the substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40mm;
- the removal of utility infrastructure;
- an increase in the height of support structures to achieve compliance with the clearance distances specified in the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001;
- an increase in the voltage of a line but only where the line was originally installed to operate at a higher voltage but has been operating at a reduced voltage;
- the replacement of any existing poles and support structures provided the replacement is in the same location as the original pole or support structure.

PA.3. Trimming, felling or removal of any tree (other than as listed in Part 15 Schedule of Notable Trees) or vegetation by a network utility operator when necessary for the ongoing management, operation, maintenance and upgrading of electricity supply, provided that the permitted activity standards for indigenous vegetation clearance in the relevant zone are met.

PA.4. The extension of existing overhead lines that involves no more than five poles in areas where services are already above ground provided that written consent from landowners within a 22m radius of new poles has been obtained.

PA.5. Replacement and/or relocation of existing pole/s, other than as provided for in PA.2. provided that the new location of the pole/s is within 5m of their existing location and that written consent from landowners within a 22m radius of the new location of each pole has been obtained.

PA.6. In the zones listed below, new electricity utility support structures and lines, including all required insulators and other fixtures, where these are not within 150m of Mean High Water Springs, where written consent from landowners within a 22m radius of the new location of each support structure has been obtained and where the following maximum height standards are met:

- Urban Character Area ♣ Residential Zone: 12m ♣ Scenically Sensitive Residential Zone: 10m ♣ Industrial Zone: 15m ♣ Port Zone: 20m
- Rural Character Area ♣ Rural Zone: 20m ♣ Rural Airport Zone: 1.2m PA.7.

In the Residential, Scenically Sensitive Residential, Industrial, Port, and Rural Zones, above-ground electricity utility infrastructure and equipment that:

- does not exceed 10m² in ground floor area;
- does not exceed 2m in height; and
- is not within 150m of Mean High Water Springs.

With regard to this rule, electricity utility infrastructure and equipment does not include buildings, depots or zone substations.

PA.8. The extension or upgrade of buildings associated with existing substations provided that:

- the permitted activity standards for buildings in the relevant zone are met; and
- that the activity onsite will comply with Part 7.8.

Noise Standards following the extension or upgrade, or that the degree of any lawfully established non-compliance with these Standards will not be increased following the extension or upgrade.

Restricted Discretionary Activities

RDA.1. Any electricity utility activity that is not a permitted activity and is not specified as a discretionary activity. These activities will not normally be publicly notified.

RDA.2. In relation to the replacement and/or relocation of existing poles and the extension of existing above-ground lines that are not permitted, the Council shall restrict its discretion to:

- whether surrounding sites have overhead or underground cables;
- if surrounding sites have overhead cables, the timeframe within which they are likely to be replaced with underground cables;
- any physical or technical difficulties with laying cables underground to the site;
- any adverse effects on the natural and visual character, landscape and amenity values of the area; • any adverse effects on those matters set out in section 6 of the RMA;
- the effects of the activity on the health and safety of the community;
- the effects of the activity on the social, economic and cultural wellbeing of the community; and
- the benefits of the facility to the community;
- the functional, locational, technical and operational requirements of the activity.

RDA.3. For all other electricity utility activities that are restricted discretionary activities but are not covered by RDA.2, the Council will restrict its discretion to:

- the reasons for and any impacts caused by the proposed location, site or route;
- any adverse effects on the natural and visual character, landscape and amenity values of the area; • any adverse effects on matters set out in section 6 of the RMA;
- the feasibility of co-siting or any other alternative arrangement;
- the effects of the activity on the health and safety of the community;
- the effects of the activity on the social, economic and cultural wellbeing of the community; and
- the benefits of the facility to the community;
- the functional, locational, technical and operational requirements of the activity.

Discretionary Activities

DA.1. Any new lines and associated support structures for conveying electricity at a voltage exceeding 110kV and capacity exceeding 100MVA.

DA.2. Any new electricity utility building, depot or zone substation or any extension or upgrade of buildings associated with existing substations that contravenes the standards specified in PA.8.

2.3.2 Grey District Plan

The Grey District Plan includes energy matters within the Utilities Chapter. There is one objective:

Objective 3.3.1 The installation and operation of utilities in a manner which maintains and enhances the well-being of the community while avoiding, remedying or mitigating adverse effects on the environment.

There are 4 policies supporting the objective.

Policy 3.4.1 seeks to avoid adverse effects of adjoining activities on the operation of utilities.

Policy 3.4.2 includes the supply of electricity and seeks that it be provided for using a method that is appropriate to amenity values of the area including visual impact, landscape and habitat value. The policy also seeks that utilities provide for the operation and supply of electricity via the National Grid, and that their operation address air quality, noise, traffic and visual impact.

Policy 3.4.3 seeks that utilities, where operationally feasible, are jointly located at one site or on one structure.

Policy 3.4.4 recognises the benefits of a secure and efficient electricity network supply, while taking into account operational and technical constraints, route options and avoiding adverse effects on significant values and sensitive activities.

The Operative Grey District Plan has specific rules in each zone to support National Grid Infrastructure. These require setbacks from National Grid Infrastructure with some considerable level of detail in the provisions. Setbacks apply to buildings and earthworks. Where setbacks are not met the activity is a Non Complying Activity. There are also subdivision rules related to the National Grid. Where the grid cannot be avoided the subdivision is non-complying.

Permitted Activities that relate to energy are:

- underground pipe networks for gas and underground lines
- installation of new above ground lines up to and including 110kV per circuit with a maximum height of support structures is 25m in the Rural and Industrial Environmental Areas where these are outside of Outstanding Landscapes and Significant Natural Areas.
- Buildings associated with utilities not exceeding 50m² gross floor area and 4.0m height in the Residential, Township and Rural Residential Environmental Areas and complying with the height and floor area zone standards in the Commercial and Industrial Environmental Areas. These buildings must also comply with setback provisions for the relevant zone except where they are less than 1.8m high and 5m² and cannot be located in an Outstanding Landscape or Significant Natural Area.
- Outdoor storage associated with utilities is permitted but must be screened from public view.
- Where a site contains more than 15m² ground floor area/ buildings over 4m height a landscaped area of minimum 2m width must be provided along the frontage.
- Modification of a built power station or any associated dam, spillway, control structure or tunnel where this does not exceed 50m² in gross floor area or 4m in height.

Activities that do not meet the Permitted Activities standards are Discretionary Activities.

2.3.3 Westland District Plan

Relevant Objectives and Policies are found in the Amenity, Natural Hazards and Infrastructure and Servicing Chapters of the Westland Plan. Generally, the energy provisions are included within the overall "Infrastructure" category, with little specific focus.

Amenity

Policy 4.4C The development and use of energy efficient design and technology should be encouraged within working, living and leisure environments.

Infrastructure and Servicing

Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.

Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.

Policy 4.6 A The efficient provision and development of all future services and infrastructure within the District shall be encouraged.

Policy 4.6 C The formation, construction and maintenance of any transport, communications or other service facilities should be carried out in a manner which maintains environmental quality.

Policy 4.6 D Requirements for infrastructure and services will be on a user pays basis, where such users can be identified.

Policy 4.6 E Reduction in the quantities of waste produced in Westland and energy efficiency shall be encouraged in conjunction with the Regional Council, individual communities and landowners.

Natural Hazards

Objective 3.13.1 Rules for the avoidance and mitigation of natural hazards have been incorporated in the District Plan given that severe hazards pose a significant threat to the build resource and infrastructure of the District and people and communities.

Key rules in relation to network utilities, as affect energy matters are as follow:

Permitted Activities

- Installation and maintenance of transformers, lines and associated equipment for conveyancing electricity at a voltage up to and including 110 kV with a capacity up to and including 100 MVA where no above ground lines are located inside the Residential Mixed,

Commercial Core, Tourist and General Residential Zones except where they involve extension of existing above ground services that existed on the day of public notification of the Plan, by no more than 5 poles

- Accessory buildings with a ground coverage of less than 15m² and a height not exceeding 7.5m.
- Installation and maintenance of underground pipe networks for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000 kilopascals and necessary incidental connections and compressor stations.
- The Plan notes that in the Rural Zones no above ground utilities should be located on Kellys Hill, Mt. Greenland, Mt. Bonar, Mt. Stey Brey, Mataketake Range: Mt. Clarke, Bald Hill, Mt. Deelaw, Mt. Price.

Discretionary Activities

- Utilities that do not meet the above Permitted Activity standards are a Discretionary Activity. It's not clear if that includes all renewable energy generation – as the general zone rules may apply in those circumstances.
- Where a Discretionary resource consent is required a key consideration is the co-location of utilities and services.

2.3.4 Analysis of combined operative district plan approaches

The three operative Plans take different approaches to provide for energy activities. The Buller District situation is legally complex. With Plan Change 144 being notified, these provisions have some legal weight. The amended rules in Plan Change 145 are further progressed from a legal perspective. Had these plan changes been completed these second generation provisions would have anticipated many activities provided for in TTPP, including renewable energy generation. However, as noted in the decisions report, the plan change was prepared before the proposed West Coast Regional Policy Statement was notified. This RPS is now operative. It does not appear that the plan change specifically sought to give effect to the NPSET or the NPSREG.

The operative Grey District Plan does give effect to the NPSET. This was given effect to through Plan Change 9. However, the NPSREG has not been given effect to, nor the operative WCRPS. This means some activities, in particular renewable energy generation activities have not been provided for.

The operative Westland District Plan does not give effect to the NPSET, NPSREG or the operative WCRPS. This means smaller scale activities that had not been anticipated, and renewable energy generation activities, are not provided for.

The result of this is an uneven and inefficient approach to energy activities across the region. For example, a property on one side of the road might be subject to the Buller provisions, and the other to the Grey. One requires a discretionary consent, while the other is a permitted activity for the same activity. This is unbalanced.

In summary, the current approach is unbalanced, and effect is unequally given to national direction.

2.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

A review of current practice in respect of this matter has been undertaken, together with a review of the following District Plans:

- Far North District Operative Plan
- Selwyn District, New Plymouth District, Porirua District Proposed Plans (all prepared under the National Planning Standards)
- Queenstown Lakes and Kapiti District Council Proposed Plans (all recent plans at appeals stage).

These plans were chosen because they represent second generation District Plans prepared to give effect to the NPSREG and NPSET. The exception is the Far North District Plan which is recognised as one of the more comprehensive first generation District Plans regarding renewable energy.

In summary, the findings of the review are:

- There are some valuable insights into developing renewable energy policy on the West Coast. For example, the approach in some of the plans of retaining all assessment matters for renewable energy in the same chapter is considered appropriate for district plan usability.
- The approach of permitting small-scale (domestic-scale/on-site energy generation) renewable electricity generation and other smaller scale infrastructure subject to meeting activity specific standards and built-form standards in relevant zones is consistent with the encouraging intent of the NPS-REG.
- The preferred approach to rules is that they relate to the scale of activities and related effects and the sensitivity of locations.
- The approach of requiring consents for large scale infrastructure, and smaller scale permanent infrastructure in sensitive landscapes and areas of cultural or historic significance is preferred.

2.5 Summary of Issues Analysis

As noted under 2.3.4, the current approach is uneven, at various stages of review, and does not give effect in full to the NPSET, NPSREG, RMA, or the WCRPS.

An updated focus on renewable energy generation, taking into account the hazardscape and the interaction with energy activities, consistent management of reverse sensitivity and giving effect to the higher order documents is required.

3.0 Scale and Significance Evaluation

3.1 Evaluation Summary

The level of detail undertaken for the evaluation of the Proposed TTPP provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Minor	Low	Medium	High
Degree of change from the Operative Plans			x	
Effects on matters of national importance (s6 RMA)				x
Scale of effects – geographically (local, district wide, regional, national)			x	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)				x
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?			x	

Likelihood of increased costs or restrictions on individuals, businesses or communities		x		
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The level of detail of analysis in this report is moderate. In preparing the Proposed District Plan provisions, consideration has been given to the need to provide for a district-wide enabling planning framework consistent with the NPSREG and NPSET.

4.0 Evaluation of Objectives

4.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Buller District Plan Change 144 Objectives:</p> <p><i>Objective 1 To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.</i></p> <p><i>Objective 2 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriate sited and designed.</i></p> <p><i>Objective 3 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriated sited and designed.</i></p> <p><i>Objective 4 To co-ordinate the provision of utilities with subdivision, use and development of land in the district.</i></p>	<p>The Buller District Plan Change 144 Objectives represent a more contemporary approach to energy activities, including renewable energy generation. The NPSET and NPSREG are not specifically given effect to. The provisions were notified prior to the now operative Regional Policy Statement (RPS).</p> <p>The Grey District Plan gives effect to the NPSET, but not the NPSREG, or the now operative RPS. Renewable energy generation is not specifically provided for.</p> <p>The Westland District Plan objectives reflect the age of the operative plan and the fact that they were prepared prior to the NPSREG, NPSET and with a previous RPS. Renewable energy generation is not provided for.</p>
<p>Grey District Plan Objective:</p> <p><i>Objective 3.3.1 The installation and operation of utilities in a manner which maintains and enhances the well-being of the community while avoiding, remedying or mitigating adverse effects on the environment</i></p>	
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse</i></p>	

<p><i>environmental effects.</i></p> <p><i>Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.</i></p>	
<p>Evaluation of Alternative Options</p>	<p>Appropriateness to Achieve the Purpose of the Act</p>
<p>Proposed TPP Objectives:</p> <p>Energy Chapter</p> <p><i>ENG – 01 To recognise the local and regional benefits of electricity transmission, distribution and renewable electricity generation activities, for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.</i></p> <p><i>ENG – 02 To recognise the functional and operational needs associated with the location and design of energy activities, and to minimise adverse effects of these activities on communities and the environment.</i></p> <p><i>ENG – 03 To provide for the development, operation, maintenance and upgrade of electricity activities , and to protect them from the adverse effects of incompatible subdivision and development.</i></p> <p><i>ENG – 04 To recognise and provide for the national, regional and local significance and benefits of the National Grid, by ensuring the safety, efficiency, operation, maintenance, repair, upgrade and development is not adversely affected by subdivision, use and development.</i></p>	<p>These objectives are considered the most appropriate way to achieve the purpose of the Act because they are:</p> <ul style="list-style-type: none"> • a more effective and efficient means of addressing the primary resource management issues identified within this s32 report than the alternative option. • recognise the importance of energy to the development and functioning of society. The RMA definition of “natural and physical resources” includes energy and these objectives recognise its importance. • more appropriately reflect Council’s obligations under s31 of the RMA than the alternative options and give effect to the relevant Part 2 matters. • give effect to higher level documents, namely the NPSREG, NPSET and RPS, by recognising the importance of energy activities while also ensuring that the adverse effects associated with such land use activities are adequately mitigated. • align with proposed strategic objectives as they recognise and provide for energy activities as part of critical infrastructure. • provide the direction for energy activities across the whole West Coast. • consistent with best practice drafting guidelines.
<p>Principal Alternative</p> <p>Do not define expectations for energy</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to address the various issues and outcomes being experienced with the Operative District Plans provisions and would not achieve the purpose of the RMA.</p>
<p>Summary</p> <p>The proposed objectives have been selected because they are considered the most appropriate for achieving sustainable management in relation to the West Coast’s energy resources. They address the identified resource management issues, give effect to the relevant statutory requirements, assist with achieving the Strategic Objectives and do not lead to unreasonable costs.</p>	

4.2 Evaluation of the Proposed Policies, Rules and Methods

4.2.1 Description of the Proposed Provisions

There are nine policies that support the objectives for Energy. These policies address the following matters:

- Energy including renewable activities can continue, and upgrade.
- The considerations for new and upgrade proposals including reducing emissions, climate change obligations and security of supply
- Reverse sensitivity management
- Renewable energy generation at differing scales
- Recognition of the benefits of the National Grid
- Reverse sensitivity management for the National Grid

The energy rules are largely consistent with Buller Plan Change 145. As some of the overlays had not been identified when the plan change was made operative, these overlays will be identified through this plan process which will allow rules to be more focussed.

The NPSET Policy 10 requires the management of reverse sensitivity on ET network and ensuring the ongoing operation, maintenance, upgrade and development is not compromised. Policy 11 directs that local authorities must consult with the operator to identify an appropriate buffer corridor within which sensitivity activities are not expected to occur. The use of national grid yards and national grid subdivision corridors is widely used throughout New Zealand and is currently used in Grey District. GDC PC9 has a "National Grid Buffer Area" provided for in the zone rules. This requires inhabited buildings to be setback from lines. If PA standards are not met, a noncomplying resource consent is required. Subdivision rules also apply, requiring a minimum lot size of 1ha if required for any allotment containing part of the National Grid Buffer Area. If these matters of control cannot be met, subdivision becomes noncomplying.

There are three overarching risks associated with high-voltage transmission lines; risk to person and property, risks to the network, and risks to amenity.

The main risk from development occurring too close to the transmission network is the creation of electrical hazard, due to either direct contact with lines or electricity arcing to contact structures, leading to injury, death and/or damage to property. Risk of electricity earthing around transmission towers is greater, as electricity can earth via support structures, contact with the lines or via 'flashover', where electricity leaps to a structure such as a building. The risk of loss of life or injury therefore increases where buildings and other development or activities are located close to conductors or towers. An additional risk is from equipment or line components falling while in operation or when work is being undertaken.

The risks to the network include disruption of transmission and security of supply, structural integrity, ability to inspect and maintain lines and support structures, and the ability to undertake upgrades.

The amenity risks are predominantly of a visual, noise and health and safety nature, and a minimum level of amenity should be retained for those living proximate to lines by not being located directly underneath the lines.

The minimum safe distances, set by the New Zealand Electrical code of practice for electrical safe distances (NZECP34:2001) have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards. The minimum distances are also a guide for the design of electrical works within substations, generating stations or similar areas where electrical equipment and fittings have to be operated and maintained.

When considering these reverse sensitivity effects, and risks to human life and property, within the context of the West Coast, operators other than Transpower also need to be provided for. Some national grid assets are provided by Transpower, however, some area 52 46 is leased from Trustpower, as well as Westpower, Buller Electricity and New Zealand Energy having their own lines up to 110kV. These lines provide surety of supply and resilience to communities, as well as presenting health and property risk. The effects are the same, the ownership is different.

Analysing how other regions have addressed this issue, Selwyn District Council has included Orion lines, of 33,000volts and above, in a corridor, like National Grid infrastructure. Westpower are supportive of this approach, and it would resolve some of the operational issues faced historically where this has not happened. Selwyn District Council have approached the locally provided distribution and transmission lines in the same manner as the national grid lines. This is explained in the s.32 as recognising that the effects of the lines are the same, and the effects of other activities on the line are also subject to reverse sensitivity. Rules have been drafted which reflect this, the NESETA has been used as the basis for rules. This also ensures consistency and minimises complexity for the plan user.

Yard distances are calculated based on NZECP34:2001 for the swing of conductors in normal everyday wind conditions as well as space to allow the structures to be accessed and provide for maintenance.

The subdivision corridor is based on the extent of the swing of conductors in high winds. This restriction on subdivision within corridors prevents the creation of unusable or severely constrained lots, where a building platform cannot be accommodated outside of the national grid yard. The distance a conductor swings in the wind is dependent on the ambient temperature, the power being carried, wind speed, the type and size of conductor, tension of conductor, supporting configuration and length of the span.

As such, the corridors width increases for higher voltage lines and towers as the span width generally increases, is greater for towers and combined with a higher voltage makes lines heavier, which results in an increased swing. The widths are based on a 95th percentile span. The setback distances are engineering based, using swing calculations, as well as ensuring operation and maintenance needs. The corridors reflect the minimum areas considered necessary for safety, and for operation and maintenance. The corridors have not been sized for major rebuilds or new lines.

The definition of sensitive activities has been considered and is consistent across the district plans reviewed. It is defined as any residential activity, visitor accommodation, community facility or education facility. Structures containing sensitive activities vary from district to district, but generally restrict any activity where people or animals may live, this is due to the risk from a line dropping, or from lines touching in high wind, arcing and directing a massive electric current to the ground. Selwyn District Council restricts structures for habitation, produce packing and milking sheds.

4.2.2 Evaluation of the Options to Meet the Objectives

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: Modified Status quo</p> <ul style="list-style-type: none"> - Group energy activities with other infrastructure - Standardise the provisions across the three districts - Retain the focus on line infrastructure with no specific provisions around energy generation. <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Plan users and landowners are familiar with current provisions, resulting in reduced costs in understanding and complying with the infrastructure/utility sections of the plan 	<ul style="list-style-type: none"> • Misalignment with the approach to district wide matters specified in the recently gazetted National Planning Standards (7 Districtwide Matters Standard) • Doesn't achieve the strategic objectives identified around Connections and Resilience • Doesn't achieve requirements of the RMA, NPSREG or NPSET regarding the use and development of renewables and the generation, transmission and distribution of energy in the region • Potential for reverse sensitivity impacts resulting from more sensitive activities locating near existing energy activities • Costs to energy operators in applying for resource consents, including associated time and uncertainty (e.g. in Buller all new electricity 	<p>Monitoring shows that the existing approach is not effectively or efficiently achieving the purpose of the RMA.</p> <p>Does not address several matters relevant to energy activities including:</p> <ul style="list-style-type: none"> • Energy generation • Location, operation and technical constraints of the use and development of energy • Potential cumulative effects associated with the use and development of energy • Potential impacts of energy use on sensitive environments (e.g. the coast, ONLs) • Offset measures and/or environmental compensation 	<p>The current policy framework is uneven across the region, lacks detail and specific direction on management of energy activities.</p> <p>The risk of acting on this approach is that resource management issues relating to energy activities would continue to be inadequately addressed, particularly in relation to the national, regional and local benefits derived from the use and development of energy resources and the adverse effects and constraints associated with their development.</p> <p>It would also result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 6 and 7).</p> <p>It is considered that the risk of acting on these provisions outweighs the risk of not</p>

		<p>lines require a Discretionary Activity resource consent)</p> <ul style="list-style-type: none"> • Potential limitations on economic growth and employment opportunities due to retention of provisions that are unresponsive to the current and future operational and development needs of energy activities • Creates an unnecessary hurdle for small and community scale renewable energy generation activities. 	<p>Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives.</p>	<p>acting. There is sufficient information not to act on this approach.</p>
<p>Option B: Proposed Plan</p> <p>This is the preferred option</p>	<ul style="list-style-type: none"> • Aligns with the approach to district wide matters specified in the recently gazetted National Planning Standards (7 Districtwide Matters Standard) • Facilitates the policy outcomes sought by the RPS regarding the use and development of renewables and the generation, transmission and distribution of energy in the region • Rules provide certainty to owners/operators, neighbours, community and Council about the 	<ul style="list-style-type: none"> • Rules may potentially limit some activities and development, particularly if they do not reflect current or future development aspirations • Costs to operators of applying for resource consents, including associated time and uncertainty • Costs to other parties of participating in resource consent processes if applications publicly notified 	<p>The introduction of a standalone Energy Section aligns with the direction in the National Planning Standards and specifically recognises the importance of energy use and resources to the West Coast.</p> <p>The provisions give effect to the NPSREG, NPSET, NZCPS and the RPS.</p> <p>The proposed approach is effective as it considers the benefits of developing energy</p>	<p>The risk of not acting on these provisions would result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 6 and 7), and the likelihood of continuing inefficient use of natural and physical resources and potential loss of amenity values and quality of the environment.</p> <p>It is considered that there is sufficient information on which to base the proposed policies and methods.</p>

	<p>nature and scale of activities</p> <ul style="list-style-type: none"> • Tailored rules, effects standards and assessment matters provide a clear framework to manage energy activities and seek to strike a balance between efficient use and development and avoiding or minimising adverse effects on neighbouring areas • Recognises the operational requirements associated with energy activities • Provides for the effective operation, maintenance and upgrading of renewable energy activities • Provides a consistent approach to managing potential effects of energy activities on the environment, scheduled features and sensitive activities • Contributes to the realisation of national renewable electricity generation targets • Enables the uptake of new technology 	<ul style="list-style-type: none"> • Costs to Council of monitoring resource consents 	<p>resources and electricity generation and the adverse effects and constraints associated with their development. The associated provisions also protect existing energy activities from other more sensitive uses (e.g. residential) establishing nearby.</p> <p>Rules are effective in that they provide a high level of certainty regarding the nature and scale of work and activities that can be undertaken with/without resource consent. They are also efficient as they enable a case-by-case assessment of the appropriateness of each proposal to be undertaken</p>	
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<p>Option C: Non-regulatory approach</p> <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Reduced costs to operators could lead to greater economic and employment opportunities in the districts • Provides flexibility for operators to locate energy activities anywhere on the West Coast 	<ul style="list-style-type: none"> • Potential for adverse effects on the environment, scheduled features and sensitive activities. • Little to no community involvement in decision-making • Inconsistent with national and regional policy direction. 	<p>Reliance on no rules or performance based standards would result in energy related activities and associated subdivision and development being unconstrained/unmanaged.</p> <p>This approach has the potential to result in significant adverse effects, particularly for affected landowners.</p> <p>Defaulting to reliance on a non-regulatory approach would also be ineffective in achieving the objectives sought for energy activities.</p> <p>This option would also be inefficient and ineffective in addressing several matters relevant to energy activities, including:</p> <ul style="list-style-type: none"> • Potential availability of local resources and recognition of the benefits derived at a local, regional and national level • Location, operation and technical constraints of 	<p>The risk of acting on the non-regulatory approach means that Council would fail to adequately carry out its duties/requirements under the RMA.</p> <p>Under this option it is also highly likely that resource management issues relating to energy activities would continue to be inadequately addressed, particularly in relation to the national, regional and local benefits derived from the use and development of energy resources and the adverse effects and constraints associated with their development.</p> <p>It is considered that there is sufficient information not to act on this approach</p>
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			<p>the use and generation of energy</p> <ul style="list-style-type: none"> • Potential cumulative effects associated with the use and generation of energy • Potential impacts of energy use on sensitive environments (e.g. the coast, ONLs) • Offset measures and/or environmental compensation 	
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5.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the District Plan Review relating to the Energy Topic of the Energy, Infrastructure and Transport Chapter. It assesses proposed provisions and the appropriateness of the current and proposed methods and rules having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act.

The review of the Operative District Plans and the Proposed TTPP has shown that the operative plans have an uneven approach, with differing levels of specificity for the management of energy resources. The Operative District Plans were prepared prior to the NPSREG and NPSET. There has been some updating, for Grey District the NPSET has been given effect to, the NPSREG has not. Buller District Plan Change sought to bring the provisions more up to date, but the plan change was not completed, and is at differing stages. Renewable energy generation activities are not appropriately enabled.

The assessment has shown that the proposed new suite of provisions, (policies, definitions and rules) are more appropriate than the Operative District Plans' provisions, being more effective and efficient in addressing the issues and achieving the purpose of the Act.

The key findings of the review are:

- Updated definitions are required to achieve consistency with definitions used in the Resource Management Act, National Policy Statements, National Environmental Standards, the West Coast Regional Policy Statement and best practice guidance from operators.
- The preferred approach of the Proposed TTPP provides more policy direction to describe how the objectives will be achieved.
- The Proposed TTPP provides a wider list of activities and specifically provides for new renewable energy generation at various scales. This gives effect to the NPSREG. The preferred approach is to generally enable energy activities throughout the districts subject to rule requirements that establish appropriate environmental thresholds. Beyond those thresholds a resource consent process is appropriate to enable consideration and management of environmental effects.
- The preferred approach includes new provisions for the protection of the National Grid and Significant Electricity Distribution lines. This ensures efficiency of approach and gives effect to the NPSET.

Part Two: Infrastructure / Te Tūahanga

6.0 Overview and Purpose

This s32 evaluation report should be read in conjunction with the s32 'Overview Report', which also includes an overview of the s32 legislative requirements, the methodology and approach to the s32 evaluations and the process that the TPPP Committee has undertaken to date through the development of Te Tai o Poutini Plan, including consultation and engagement.

This report sets out the statutory and policy context for infrastructure resources, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the infrastructure topic.

6.1 Introduction to the Resource Management

Infrastructure makes an essential contribution to the social and economic well-being of the West Coast, and therefore must be sustainably managed.

The current Utilities provisions in the three operative District Plans are relatively limited in scope, are outdated, and do not fully reflect the range of energy and infrastructure activities or development. The current Utilities provisions pre-date National Policy Statements (NPS) and National Environmental Standards (NES) relevant to infrastructure and therefore may not fully give effect to or be fully consistent with these NPS' and NES' and may not fully achieve Part 2 of the RMA.

However, if inappropriately managed such uses can result in adverse effects on the environment being experienced, particularly on natural and cultural resources and amenity values.

The strategic importance of energy, infrastructure and transport resources to the West Coast are recognised in the proposed TPPP Strategic Objectives for Connections and Resilience. Specifically, the focus of the strategic objectives is **critical infrastructure** which has been defined as:

Means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants, defence facilities, telecommunications networks and electricity generation, transmission and distribution assets.

The Strategic Objectives are:

CR – O1 To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.

CR - O2 To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.

CR – O3 To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.

CR – O4 To enable the development of greater infrastructure self - sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.

To inform consideration of the proposed provisions the report sets out the statutory and policy context for infrastructure, the key resource management issues, consultation undertaken and the approach to evaluating the proposed provisions relating to this topic. It also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act 1991 (RMA) in relation to energy matters.

Although this report covers the district-wide provisions in the Infrastructure Section other sections of the proposed District Plan of relevance to the infrastructure topic include:

- Noise
- Transport
- Energy

- Natural Environment
- Coastal Environment
- Subdivision
- Financial Contributions

Given this overlap it may also be important to consider the proposed provisions of these sections, with the associated evaluation set out in the Section 32 reports specific to each topic.

6.2 Regulatory and Policy Direction

6.2.1 Resource Management Act

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Section 6 matters of national importance relevant to the proposed infrastructure provisions are:

(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

(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:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga

(f) the protection of historic heritage from inappropriate subdivision, use, and development

(g) the protection of protected customary rights.

Section 7 of the Act requires particular regard be taken in relation to the following matters:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values

(f) maintenance and enhancement of the quality of the environment

All of the above matters are relevant when considering infrastructure issues and ensuring that provision is made for their ongoing development and operation to support the West Coast community.

Section 8 requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Consistent with the practice followed in the development of the Proposed TTPP, the s 8 principles of most relevance to this topic is the duty to make informed decisions through consultation. Poutini Ngāi Tahu though the Rūnanga kaiwhakahaere have been involved in the governance and development of TTPP and their planners have collaborated in the development of the TTPP provisions. Alongside this Poutini Ngāi Tahu been consulted a part of the review process and the obligation to make informed decisions based on that consultation is noted.

All of the above matters are relevant when considering infrastructure issues and ensuring that provision is made for their ongoing development and operation to support the West Coast community.

6.2.2 National Instruments

When considering Infrastructure matters, the following National Policy Statements and National Environmental Standards are relevant.

New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement describes a number of key issues facing the coastal environment of New Zealand. Amongst the list of issues is “demand for coastal sites for infrastructure uses to meet the social and cultural needs of people and communities” and the threat of coastal erosion and other natural hazards on existing infrastructure.

The objectives place an emphasis on protecting coastal processes, ecosystems, natural character and landscape, with Objective 6 identifying that protection of those values does not preclude use and development in appropriate places and forms, and within appropriate limits.

Policy 6 provides specific recognition that the provision of infrastructure is important to the social, economic and cultural wellbeing of people and communities and Policy 25 encourages the location of infrastructure away from areas of hazard risk where practicable.

Due to the linear physical geography of the West Coast, with the ocean on one side, and mountains on the other, with most settlements located on the coast, there are extensive infrastructure networks located in the coastal environment. This also includes the infrastructure which is used to protect the community and other infrastructure from the effects of natural hazards.

Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF)

These standards set out the nationally consistent technical standards or requirements for specific telecommunication facilities, structures, activities and decision-making processes. These primarily concern facilities such as cabinets, antennae, poles, small cell units and lines along with requirements for replacement, upgrading and co-location. The provisions are intended to be enabling whilst ensuring effects on the environment are managed appropriately.

The National Environmental Standard is relevant to the development of TTPP as there are telecommunication facilities within the districts and the Councils are legally required to comply with the Standard. The Proposed TTPP should not duplicate these provisions, or include provisions which are more lenient or more stringent (unless the NESTF allows for this).

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)

The NESCS is a relevant consideration in Infrastructure resource use, in particular, when such activities cease operating and new land use activities are proposed.

6.2.3 National Planning Standards and/or Guidance Documents

National Planning Standards

The following aspects of the National Planning Standards are relevant to this topic:

The National Planning Standards require the Proposed TTPP to include provisions relating to infrastructure that are not specific to a Special Purpose Zone, to be located in one or more chapters under Energy, Infrastructure and Transport headings. The mandatory directions advise that the provisions may include noise-related metrics and noise measurement relating to infrastructure. The provisions may also manage reverse sensitivity effects between infrastructure and other activities. Cross references to provisions in Special Purpose Zones must also be provided and Zone Chapters must cross-reference to the Infrastructure Chapter.

The Infrastructure Chapter will not address the objectives, policies and rules relating to roads as a utility or asset, or the management of activities on the roads. These are addressed in the Transport Chapter.

It also does not address any matters in relation to energy generation, transmission, distribution or storage which are located in the Energy Chapter.

The bulk storage and transmission of fuel is not conducted within the West Coast except to the extent that there may be bulk storage of fuels associated with industrial or rural processing activities and the inland ports. This activity is addressed through the relevant zone provisions. Additionally other activities considered to be important infrastructure such the ports and the airports are dealt with separately within their own s32 reports.

The National Planning Standards also contain a number of definitions relevant to the Infrastructure Chapter.

6.2.4 Regional Policy and Plans

Under Section 75(3)(c) of the RMA, TTPP must give effect to the Regional Policy Statement.

The RPS contains one objective and policies relevant to energy within Chapter 6 Regionally Significant Infrastructure.

For the purpose of Chapter 6 of the RPS, and as relates to the Infrastructure chapter of TTPP and this s32 report, the following infrastructure is identified as regionally significant infrastructure (RSI):

- The Regional Council seawalls, stopbanks and erosion protection works;
- Telecommunications and radio communications facilities;
- Public or community sewage treatment plants and associated reticulation and disposal systems;
- Public water supply intakes, treatment plants and distribution systems;
- Public or community drainage systems, including stormwater systems;
- Public or community solid waste storage and disposal facilities.

The objective is:

Objective 6.1 Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.

The following policies are relevant to the infrastructure chapter of TTPP.

Policy 6.2 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast.

Policy 6.4 identifies that operation, maintenance and future development of RSI can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as reverse sensitivity, or by the effects of existing resource use.

Policy 6.5 recognises that the linear nature of many infrastructure networks determines its form, shape and location. Technical and operational requirements associated with infrastructure networks can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects. Policy 5 recognises that in some cases it may be appropriate for new infrastructure to be located in, or traverse parts of, a sensitive environment to achieve a net benefit, or lower overall adverse effects. These situations and the appropriateness of offsets and compensation need to be determined on a case-by-case basis having regard to relevant case law, national policy and good practice guidelines on offsets and compensation, and expert advice.

Policy 6.8 recognises the need for planning for growth and development and the provision of local, regional and national infrastructure to proceed side-by-side in a coordinated and integrated way.

6.2.5 Local Policies, Plans and Strategies

Grey, Buller and Westland Infrastructure Strategies

The Infrastructure Strategies are supporting documents to the three Council's 2021-2031 Long Term Plans that provide a 30 year outline of infrastructure requirements for each of the districts. The

Infrastructure Strategies are relevant to the development of TTPP as they established the demand and provision for new extensions, improvements, and renewals to district council provided infrastructure. They also identify anticipated levels of service and allocate budgets that are cognisant of demand projections and actions needed to respond to infrastructure-related issues that have been identified.

Te Whanaketanga Te Tai Poutini West Coast 2050 Strategy

Te Whanaketanga is a collaborative document developed by Development West Coast, West Coast Councils and Poutini Ngāi Tahu. It sets out key strategic directions for the West Coast around economic development, regional identity and stronger communities.

Te Whanaketanga recognises the vulnerability of the West Coast to natural hazards and the vulnerability of the West Coast to climate change. This can have significant implications on the infrastructure network as distribution networks are often located in areas subject to natural hazards and impacted by natural hazard events.

6.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

7.0 Resource Management Issue and Analysis

7.1 Background

The following key issues have been identified in relation to Infrastructure:

- *Issue 1: Inappropriate subdivision, land use and development can adversely impact the safe and efficient operation, maintenance and development of existing utilities and infrastructure.*
- *Issue 2: Utilities and infrastructure enable people and communities to provide for their economic, social and cultural well-being however they can have adverse effects on the environment, often due to locational, technical and operational constraints.*
- *Issue 3: Increasing risk from natural hazards and climate change result in a greater need for infrastructure to support community resilience.*

8.2 Evidence Base – Research, Consultation, Information and Analysis undertaken

8.2.1 Research

The TTPP Committee has reviewed the operative District Plans, commissioned technical advice, obtained assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan Technical Update – Infrastructure Issues, Objectives and Policies March 2020
Author	Edith Bretherton

Brief Synopsis	Summarises the key issues facing infrastructure and utilities – including energy infrastructure. Proposes draft Objectives and Policies.
Link to Document	https://tpp.nz/wp-content/uploads/2020/03/TTPP-March-Agenda.pdf

Title	Te Tai o Poutini Plan Technical Overview– Update on Infrastructure Issues, Objectives and Policies September 2020
Author	Edith Bretherton
Brief Synopsis	Separates out energy objectives and policies from other infrastructure and proposes draft provisions.
Link to Document	https://tpp.nz/wp-content/uploads/2020/09/TTPPC-Agenda-September-2020.pdf

Title	Technical Update – Infrastructure, Energy and Transport Rules April 2021
Author	Edith Bretherton
Brief Synopsis	Outlines draft rules for Energy, Infrastructure and Transport.
Link to Document	https://tpp.nz/wp-content/uploads/2021/05/Agenda-Te-Tai-o-Poutini-Plan-Committee-Meeting-5-May-2021.pdf

Title	Plan Change 133 - 145
Author	Buller District Council
Brief Synopsis	BDC notified Plan Change 133 – 145, all documents relating to this including submissions.
Link to Document	http://bullerdc.govt.nz/wp-content/uploads/2016/03/Proposed-District-Plan-Changes-133-145.pdf

Subsequent to this report the draft chapter created for the plan was presented to the TTPP Committee on 2 December 2021. That draft chapter was endorsed by the Committee for further refinement and integration into the TTPP framework.

8.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant stakeholder consultation. Initially Infrastructure, Energy and Transport were going to be combined in one chapter, however this was later amended.

Commencing in 2019 individual stakeholder meetings were held with the district council asset teams, Waka Kotahi New Zealand Transport Agency (NZTA), Buller Electricity, New Zealand Energy, Westpower, Transpower, Trustpower, Kiwirail, Spark / Chorus, Westport Airport, Destination Westland, Karamea Aerodrome.

Specific meetings and workshops held were:

Plan Development Phase

Three workshops were held on Infrastructure, Energy and Transport. One of these workshops was for external provider, one for Grey District and Westland District Asset Teams and Waka Kotahi NZTA in Greymouth, and one in Buller for their district asset team.

Three further meetings were held with Waka Kotahi NZTA in 2019, and one with Kiwirail.

The Regional Long Term Plan Workshop was held in December which allowed a sense check with the regional strategic direction.

In 2021 transport rules and standards workshop was held in January, with further consultation undertaken with Waka Kotahi NZTA in February. Fire and Emergency Services also provided input in February.

Draft Plan Consultation Phase

22 February 2022 – multi-stakeholder infrastructure provider workshop

RMA Schedule 1 Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

An overview of their feedback and a summary of recommended amendments to draft provisions is contained in a report that was presented to the TTPP Committee on 21 June 2022, as per details below.

Title	First Schedule Consultation
Author	Lois Easton
Brief Synopsis	This report provides a summary of the pre-notification feedback received from RMA First Schedule consultation on the draft Proposed District Plan provisions and the subsequent amendments recommended by staff.
Link to Document	https://tppp.nz/wp-content/uploads/2022/06/TTPP-Committee-Meeting-Agenda-21-June-2022-1.pdf

8.2.3 Poutini Ngāi Tahu Advice

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki o Makaawhio are the two papatipu rūnanga on the West Coast. They are collectively known as Poutini Ngāi Tahu. Clear guidance has been given that effective and efficient infrastructure provision is critical to the success of the region. Also, that Papakainga developments may wish to vest infrastructure in council, or in an iwi entity. In terms of wastewater, discharge to land is a strong preference.

9.3 Operative District Plan Provisions

9.3.1 Buller District Plan

As discussed in the Energy section of this report, prior to the Local Government Order in Council directing the West Coast Regional Council to write a combined district plan, the Buller District Council had commenced a plan change. BDC Plan Change 144 was for the Utilities Objectives and Policies, and Plan Change 145 for Utilities Rules. Submissions were heard on both parts; decisions were issued on the rules only.

The operative Buller District Plan addresses Infrastructure within its Infrastructure Chapter. This includes its approach to energy (see Part One of this report) and transport (see Part Three of this report) There are two objectives relating to infrastructure:

4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.

4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.

The proposed Buller District Plan change included two objectives relevant to infrastructure specifically.

Objective 1 – Utilities and Regionally Significant Infrastructure

To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.

Objective 4 – Land Development and Provisions of Utilities

To co-ordinate the provision of utilities with subdivision, use and development of land in the district.

There are four operative policies, only Policy 4.2.6.1 and 4.2.6.2 are relevant to infrastructure as relates to this s32 report and are as follows:

4.6.2.1 Development in areas which, due to physical characteristics, are difficult to service shall be permitted where appropriate technical solutions are provided to avoid, remedy or mitigate against adverse effects.

4.2.6.2. To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.

There are 5 proposed Policies relevant to infrastructure as follow:

Policy 1 – Utilities and Regionally Significant Infrastructure

To have regard to the positive social, economic and environmental benefits that accrue nationally, regionally and locally from the development, continued operation and up-grading of utilities and regionally significant infrastructure.

Policy 2 – Locational, Technical and Operational Constraints

To ensure that utilities and regionally significant infrastructure are designed and sited in a way which avoids, remedies and mitigates any adverse effects, taking into account their locational, technical and operational constraints.

Policy 3 – Managing Residual Environmental Effects

To consider environmental compensation or offsetting measures, including measures or compensation which benefits the local environmental and community affected, where any residual environmental effects of regionally significant infrastructure cannot be avoided, remedied or mitigated.

Policy 4 – Incompatible Activities

To avoid, or where appropriate, remedy or mitigate reverse sensitivity effects from subdivision, use and development on utilities and regionally significant infrastructure to ensure the safe, secure and efficient operation of such utilities and infrastructure.

Policy 7 – Provisions for Adequate Utilities / Services

To ensure that subdivision, land use and development is capable of being adequately serviced including:

- *Safe and efficient vehicle access;*
- *Adequate water supplies;*
- *Disposal of wastewater*
- *Disposal of stormwater;*
- *Supply of electricity and telecommunications using a method that is appropriate to the subdivision / development and the character of the area; and*
- *Connections into reticulated systems where they are available.*

The decisions version of BDC PC 145 provides for a more nuanced rule framework.

Permitted Activities relevant to infrastructure

- PA.2. Operation, upgrading, maintenance and replacement of existing utility infrastructure and equipment provided that the effects of such shall be the same or similar in character and scale to those which existed before upgrading, maintenance or replacement activities commenced. This includes, but is not limited to, the following activities:
 - the reconductoring or replacement of lines;
 - the reconductoring of the line with higher capacity conductors;
 - the resagging of conductors or lines;
 - the addition of longer or more efficient insulators or mountings;
 - the addition of earth wires (which may contain telecommunication lines), earthpeaks and lightning rods;
 - the addition of extra lines to existing or permitted utility support structures;
 - the addition of customer connections to existing infrastructure;
 - the addition of circuits, conductors and electrical fittings;
 - the replacement of existing cross arms with cross arms of an alternative design provided they are of the same or similar dimensions;
 - the installation of pole mounted transformers and associated equipment;
 - the substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40mm;
 - the removal of utility infrastructure;
 - an increase in the height of support structures to achieve compliance with the clearance distances specified in the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001; • an increase in the voltage of a line but only where the line was originally installed to operate at a higher voltage but has been operating at a reduced voltage;
 - the replacement of any existing poles and support structures provided the replacement is in the same location as the original pole or support structure.

PA.3. Trimming, felling or removal of any tree (other than as listed in Part 15 Schedule of Notable Trees) or vegetation by a network utility operator when necessary for the ongoing management, operation, maintenance and upgrading of electricity supply, provided that the permitted activity standards for indigenous vegetation clearance in the relevant zone are met.

PA.4. The extension of existing overhead lines that involves no more than five poles in areas where services are already above ground provided that written consent from landowners within a 22m radius of new poles has been obtained.

PA.5. Replacement and/or relocation of existing pole/s, other than as provided for in PA.2. provided that the new location of the pole/s is within 5m of their existing location and that written consent from landowners within a 22m radius of the new location of each pole has been obtained.

Restricted Discretionary Activities

RD.A.2. In relation to the replacement and/or relocation of existing poles and the extension of existing above-ground lines that are not permitted, the Council shall restrict its discretion to:

- whether surrounding sites have overhead or underground cables;
- if surrounding sites have overhead cables, the timeframe within which they are likely to be replaced with underground cables;
- any physical or technical difficulties with laying cables underground to the site;
- any adverse effects on the natural and visual character, landscape and amenity values of the area; • any adverse effects on those matters set out in section 6 of the RMA;
- the effects of the activity on the health and safety of the community;
- the effects of the activity on the social, economic and cultural wellbeing of the community; and
- the benefits of the facility to the community;
- the functional, locational, technical and operational requirements of the activity.

The plan change was notified before the NESTF 2016 was gazetted, it therefore, does not give effect to it.

9.3.2 Grey District Plan

The Grey District Plan addresses Infrastructure through the Utilities Chapter. There is one objective:

Objective 3.3.1 The installation and operation of utilities in a manner which maintains and enhances the well-being of the community while avoiding, remedying or mitigating adverse effects on the environment.

There are 3 relevant policies supporting the objective.

Policy 3.4.1 seeks to avoid adverse effects of adjoining activities on the operation of utilities.

Policy 3.4.2 seeks that infrastructure be provided for using a method that is appropriate to amenity values of the area including visual impact, landscape and habitat value. The policy also seeks that their operation address air quality, noise, traffic and visual impact.

Policy 3.4.3 seeks that utilities, where operationally feasible, are jointly located at one site or on one structure.

In terms of Rules, the Operative Grey District Plan places its rules for infrastructure in Appendix 1 – rules for Utilities.

Permitted Activities that relate to infrastructure are:

- Installation of below ground telecommunication lines
- installation of new above ground telecommunication lines with a maximum height of support structures of 25m in the Rural and Industrial Environmental Areas where these are outside of Outstanding Landscapes and Significant Natural Areas.
- Telecommunication and radiocommunication facilities to a height of:
 - 20m in Residential, Township and Rural Residential Environment Areas
 - 25m in Commercial or Industrial Environment Areas
 - 30m in Rural Environment Areas
- Telecommunication and radiocommunication buildings that meet the height standards of their relevant zone
- Dish antenna maximum 3m diameter
- Buildings associated with other utilities not exceeding 50m² gross floor area and 4.0m height in the Residential, Township and Rural Residential Environmental Areas and complying with the height and floor area zone standards in the Commercial and Industrial Environmental Areas. These buildings must also comply with setback provisions for the relevant zone except where they are less than 1.8m high and 5m² and cannot be located in an Outstanding Landscape or Significant Natural Area.
- Outdoor storage associated with utilities is permitted, but must be screened from public view.
- Where a site contains more than 15m² ground floor area/ buildings over 4m height a landscaped area of minimum 2m width must be provided along the frontage.
- Underground pipe networks for the conveyance or drainage of water, sewage or gas
- Automatic weather stations or weather recording devices to a maximum 25m
- Reservoirs, wells water supply intakes for reticulated water that meet height standards in the relevant zone and are finished in a colour similar to the surrounding background
- Telephone call boxes
- Irrigation and stock water races, open drains and channels
- Marine navigational aids and beacons

Activities that do not meet the Permitted Activities standards are Discretionary Activities.

The Telecommunication rules have not been aligned with the NESTF 2016.

9.3.3 Westland District Plan

Relevant Objectives and Policies are found in the Natural Hazards and Infrastructure and Servicing Chapters of the Westland Plan.

Infrastructure and Servicing

Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.

Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not

adversely affect the safe and efficient use of those resources.

Policy 4.6 A The efficient provision and development of all future services and infrastructure within the District shall be encouraged.

Policy 4.6 C The formation, construction and maintenance of any transport, communications or other service facilities should be carried out in a manner which maintains environmental quality.

Policy 4.6 D Requirements for infrastructure and services will be on a user pays basis, where such users can be identified.

Natural Hazards

Objective 3.13.1 Rules for the avoidance and mitigation of natural hazards have been incorporated in the District Plan given that severe hazards pose a significant threat to the build resource and infrastructure of the District and people and communities.

Key rules in relation to infrastructure are as follow:

Permitted Activities

- Household, commercial and industrial connections to gas, water, drainage and sewer reticulation systems.
- Installation and maintenance of pipes for the conveyance of water or sewage
- Construction and maintenance of irrigation systems, open drains and channels for the conveyance of water.
- Installation and maintenance of any lines as defined by Section 2 of the Telecommunications Act 1987. Subject to 6.6(B).
- Installation and maintenance of underground pipe networks for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000 kilopascals and necessary incidental connections and compressor stations.
- Navigational aids and beacons.
- Meteorological Activities not closer than 1.5m from a residential boundary, less than 20m² where the height of masts or poles shall not exceed 12 m and no other structure shall exceed a height of 7.5 m.
- Any above ground network utility structure subject to:
 - Accessory buildings with a ground coverage of less than 15m² and a height not exceeding 7.5m.
 - Installation and maintenance of underground pipe networks for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000 kilopascals and necessary incidental connections and compressor stations.
 - Broadcasting and telecommunications facilities, as well as support with a maximum height of 25 m and a maximum diameter of dishes shall be 5 m.
 - no above ground utilities should be located on Kellys Hill, Mt. Greenland, Mt. Bonar, Mt. Stey Brey, Mataketake Range, Mt. Clarke, Bald Hill, Mt. Deelaw, Mt. Price.:
 - where no above ground lines are located inside the Residential Mixed, Commercial Core, Tourist and General Residential Zones except where they involve extension of existing above ground services that existed on the day of public notification of the Plan, by no more than 5 poles.

Discretionary Activities

- Utilities that do not meet the above Permitted Activity standards are a Discretionary Activity.
- Where a Discretionary resource consent is required a key consideration is the co-location of utilities and services.

The Telecommunication rules have not been aligned with the NESTF 2016.

9.3.4 Analysis of combined operative district plan approaches

The three operative Plans generally cover the range of infrastructure activities, however there is some updating required to make the provisions compliant with the current suite of NPS and NES instruments. With the exception of the Grey District Plan, the operative provisions generally do not

recognise the potential adverse effects of infrastructure activities on scheduled and sensitive areas, and this also needs to be addressed.

The three operative Plans take different approaches to provide for infrastructure activities. The Buller District situation is legally complex. With Plan Change 144 being notified, these provisions have some legal weight. The amended rules in Plan Change 145 are further progressed from a legal perspective. However, as noted in the decisions report, the plan change was prepared before the proposed West Coast Regional Policy Statement was notified. This RPS is now operative.

The Buller District Plan change, and operative plans across the region predate the NESTF.

The Grey District Plan and Westland District Plan also predate the currently operative RPS.

There have been significant advancements in telecommunications technology since the plans were made operative. This means that many activities may not have been anticipated, and as such default to a restrictive resource consent. For example, a hydrology monitoring station in Buller requires a discretionary resource consent.

9.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

A review of current practice in respect of this matter has been undertaken, together with a review of the following District Plans:

- Selwyn District and Porirua District Proposed Plans (all prepared under the national planning standards)
- Queenstown Lakes and Kapiti District Council Proposed Plans (all recent plans at appeals stage).

These plans were chosen because they represent second generation District Plans prepared to give effect to the NPS and NES instruments now in place.

All of the plans recognised the need for up-grading, maintenance, continued operation and replacement of existing utilities and generally this is provided for as a permitted activity. Typically, these activities are restricted however to ensure that the scale of the utility did not become inappropriate in a particular environment. There is also a consistent recognition of the appropriateness of placing new pipes, lines and cables underground wherever possible.

Above ground lines, buildings and structures are always subject to bulk and location rules. These vary significantly between the plans, for example:

- Utility building height limits vary from 3.5m to 25m
- Utility structure height limits vary from 10m to 25m
- Setback from roads vary from 0m to 75m
- Setback from internal boundaries vary from 0m to 2m
- Maximum scale of utility buildings ranges from no maximum to 50m² - Scale of dish antenna range from 0.8m to 5m

Through discussion with telecommunications providers, a set of provisions, prepared by the Network Utilities Group was also considered. This set of provisions may become National Planning Standards in the future.

9.5 Summary of Issues Analysis

The above analysis confirms that there are national policy statements and regional policy directives that require TTPP to enable the establishment, operation, maintenance and replacement of infrastructure in the district plan. Barriers to enablement can adversely affect the operational efficiency of services and increase costs.

Enabling infrastructure within areas or sites where there are important environmental values that have been identified in TTPP requires a greater consideration of the effects of the infrastructure.

Where activities are established, it is appropriate to ensure their continuing operational efficiency is protected from encroachment by activities that may be sensitive to the environmental effects caused

by their operation. Such sensitivity may generate complaints or reverse sensitivity which causes a reduction in operation or service delivery. This is an issue for the community if essential services are diminished or become more expensive.

On this basis, the Proposed TTPP needs to include objectives, policies and rules which fulfil statutory requirements, enable the provision of efficient services and protect valuable and sensitive environments.

10.0 Scale and Significance Evaluation

10.1 Evaluation Summary

The level of detail undertaken for the evaluation of the Proposed TTPP provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Minor	Low	Medium	High
Degree of change from the Operative Plans		x		
Effects on matters of national importance (s6 RMA)		x		
Scale of effects – geographically (local, district wide, regional, national)			x	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)				x
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		x		
Likelihood of increased costs or restrictions on individuals, businesses or communities		x		

The level of detail of analysis in this report is low - moderate. The significance of the issues identified in relation to infrastructure is influenced by the geographic extent of where they may be located and the role they play in providing essential services to people and the community.

Infrastructure may be located on specific sites anywhere across the West Coast and it may traverse territorial boundaries. It is therefore an anticipated feature within the environment and the effects associated with infrastructure can also be anticipated as part of a district wide environment.

The degree of impact or effect of infrastructure is dependent on the specific location and the nature and scale of the structure or activity concerned. Smaller scaled may have negligible effects whilst a large structure may have a potentially significant impact on landscape or amenity values. This will be

dependent on the sensitivity or values present within the particular locality, with there being a potential effect on outstanding natural landscapes, coastal environments, heritage sites and other environments identified in s6 of the RMA as being of national importance. In those localities the proposed provisions have lower thresholds for establishment of infrastructure and network utilities and/or require a process of site-specific consideration to be undertaken through a resource consent process.

In some instances, it is acknowledged that the ability to mitigate environmental effects may be limited due to the particular operational and functional requirements of the activity concerned. It is also noted that in some scenarios they provide an important service that assists with protecting important values e.g., the provision of customer connections for three waters and telecommunications to heritage buildings, providing for their continued use.

The enabling of network utilities is a matter of clear policy direction in the West Coast Regional Policy Statement. Accordingly, it is assumed that an assessment of effects has been considered through the preparation of those Plans. The enabling of network utilities in those higher order documents, is not without limitation, and is always subject to management of adverse effects in environments such as the coastal environment, outstanding landscapes, areas of significant ecological values or areas of high cultural value. In this context, the degree of risk with the preferred policy approach is not high and does not require extensive re-examination.

With respect to the scale of effects on people, the assessment has rated this as high. This is because network utilities are of such importance to the functioning of society that any failure in the provision of services may result in serious consequences for human health and wellbeing, significant economic losses and general social disruption.

11.0 Evaluation of Objectives

11.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objectives	Appropriateness to Achieve the Purpose of the Act
<p><i>Buller District Plan Change 144 Objectives:</i></p> <p><i>Objective 1 To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.</i></p> <p><i>Objective 2 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriately sited and designed.</i></p> <p><i>Objective 3 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriated sited and designed.</i></p>	<p>The Buller District Plan Change 144 Objectives represent a more contemporary approach to infrastructure activities.</p> <p>None of the plans give effect to the NESTF. The provisions were notified prior to the now operative Regional Policy Statement (RPS).</p>

<p><i>Objective 4 To co-ordinate the provision of utilities with subdivision, use and development of land in the district.</i></p>	
<p>Grey District Plan Objective:</p> <p><i>Objective 3.3.1 The installation and operation of utilities in a manner which maintains and enhances the well-being of the community while avoiding, remedying or mitigating adverse effects on the environment</i></p>	
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.</i></p> <p><i>Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.</i></p>	
<p>Evaluation of Alternative Options</p>	<p>Appropriateness to Achieve the Purpose of the Act</p>
<p>Proposed TTPP Objectives:</p> <p>Infrastructure Chapter</p> <p><i>INF – 01 To enable the safe, efficient and sustainable development, operation maintenance and upgrading of utilities and infrastructure, to meet the needs of the West Coast/Te Tai o Poutini.</i></p> <p><i>INF – 02 To protect utilities and infrastructure from the adverse effects of incompatible subdivision, land use and development.</i></p> <p><i>INF – 03 To ensure the efficient provision and use of infrastructure for communities by co-ordinating the provision of utilities with subdivision, use and development of land.</i></p> <p><i>INF – 04 To consider natural hazard resilience and impacts of climate change in infrastructure design and provision.</i></p> <p><i>INF – 05 The adverse effects of infrastructure on the environment are minimised, while recognising: a. The functional and operational needs of infrastructure; and b. That positive effects of infrastructure may be realised locally, regionally, or nationally.</i></p>	<p>These objectives are considered the most appropriate way to achieve the purpose of the Act because they are:</p> <ul style="list-style-type: none"> • a more effective and efficient means of addressing the primary resource management issues identified within this s32 report than the alternative option. • recognise the importance of infrastructure to the development and functioning of society. • more appropriately reflects Council’s obligations under s31 of the RMA than the alternative options and gives effect to the relevant Part 2 matters. • give effect to higher level documents, namely the NESTF and RPS. • align with proposed strategic objectives as they recognise and provide for critical infrastructure. • provide the direction for infrastructure activities across the whole West Coast. • consistent with best practice drafting guidelines.

<p>Principal Alternative</p> <p>Do not define expectations for infrastructure</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to address the various issues and outcomes being experienced with the Operative District Plans provisions and would not achieve the purpose of the RMA.</p> <p>The objectives provide less explanation or description of the outcomes desired, and accordingly decision-makers have less guidance on the outcomes to be achieved through administration of the District Plan.</p>
<p>Summary</p> <p>The proposed objectives have been selected because they are considered the most appropriate for achieving sustainable management in relation to the West Coast’s infrastructure resources. They address the identified resource management issues, give effect to the relevant statutory requirements, assist with achieving the Strategic Objectives and do not lead to unreasonable costs.</p>	

11.2 Evaluation of the Proposed Policies, Rules and Methods

11.2.1 Description of the Proposed Provisions

There are six policies that support the objectives for Infrastructure. These policies address the following matters:

- Subdivision servicing requirements
- Reverse sensitivity management
- Management considerations for the design and location of infrastructure
- Recognition of the benefits from infrastructure provision
- Stormwater management requirements
- Providing for flexibility with new technologies.

The infrastructure rules are largely consistent with Buller Plan Change 145. As some of overlays had not been identified when the plan change made operative, these overlays will be identified through this plan process which will allow rules to be more focussed.

The activities that are expected to be found in an infrastructure chapter include connections to wastewater, navigational aids, meteorological and environmental monitoring stations, as well as telecommunications technology such as poles and lines. The NESTF is implemented through the infrastructure rules. New types of telecommunications technology, such as small cell units are provided for.

The temporary network activity permitted activity timeframe has been increased to 24 months following a declaration of emergency\). This is to recognise that often recovery from civil defence emergencies can take far longer than anticipated.

11.2.2 Evaluation of the Options to Meet the Objectives

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: Modified Status quo</p> <ul style="list-style-type: none"> - Standardise the provisions across the three districts <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Plan users and landowners are familiar with current provisions, resulting in reduced costs in understanding and complying with the infrastructure/utility sections of the plan 	<ul style="list-style-type: none"> • Misalignment with the approach to district wide matters specified in the recently gazetted National Planning Standards (7 Districtwide Matters Standard) • Doesn't achieve the strategic objectives identified around Connections and Resilience • Doesn't achieve requirements of the RMA, NZCPS or RPS • Potential for reverse sensitivity impacts resulting from more sensitive activities locating near existing infrastructure activities 	<p>Monitoring shows that the existing approach is not effectively or efficiently achieving the purpose of the RMA.</p> <p>Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives.</p>	<p>The current policy framework lacks detail and specific direction on management of infrastructure activities. For example, telecommunications technology has changed substantially since the plans were made operative. This means that new activities may need to seek an unnecessarily restrictive resource consent.</p> <p>It would also result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 6 and 7).</p> <p>It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.</p>
<p>Option B: Proposed Plan</p>	<ul style="list-style-type: none"> • Aligns with the approach to district wide matters specified in the recently gazetted National Planning 	<ul style="list-style-type: none"> • Rules may potentially limit some activities and development, particularly if they do not reflect 	<p>The provisions give effect to the RMA, NZCPS, NESTF and the RPS.</p>	<p>The risk of not acting on these provisions would result in Council failing to comply with the provisions of Part 2 of the RMA (particularly</p>

<p>This is the preferred option</p>	<p>Standards (7 Districtwide Matters Standard)</p> <ul style="list-style-type: none"> • Facilitates the policy outcomes sought by the RPS regarding the protection of ongoing use of infrastructure • Rules provide certainty and regional consistency to owners/operators, neighbours, community and Council about the nature and scale of activities • Rules provide pathways for new and emerging telecommunications technology • Tailored rules, effects standards and assessment matters provide a clear framework to manage infrastructure activities and seek to strike a balance between efficient use and development and avoiding or minimising adverse effects on neighbouring areas • Recognises the operational requirements associated with infrastructure activities • Provides for the effective operation, maintenance and upgrading of infrastructure 	<p>current or future development aspirations</p> <ul style="list-style-type: none"> • Costs to operators of applying for resource consents, including associated time and uncertainty • Costs to other parties of participating in resource consent processes if applications publicly notified • Costs to Council of monitoring resource consents 	<p>The proposed approach is effective as it considers the benefits of developing infrastructure and the adverse effects and constraints associated with their development. The associated provisions also protect existing infrastructure from other more sensitive uses (e.g. residential) establishing nearby.</p> <p>Rules are effective in that they provide a high level of certainty regarding the nature and scale of work and activities that can be undertaken with/without resource consent. They are also efficient as they enable a case-by-case assessment of the appropriateness of each proposal to be undertaken.</p> <p>Post Civil Defence emergency recovery enabled by providing for extended timeframes for temporary infrastructure</p>	<p>section 6 and 7), and the likelihood of continuing inefficient use of natural and physical resources and potential loss of amenity values and quality of the environment.</p> <p>It is considered that there is sufficient information on which to base the proposed policies and methods.</p>
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	<ul style="list-style-type: none"> • Provides a consistent approach to managing potential effects of infrastructure activities on the environment, scheduled features and sensitive activities 			
<p>Option C: Non-regulatory approach</p> <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Reduced costs to operators could lead to greater economic and employment opportunities in the Region. • Provides flexibility for operators to locate infrastructure anywhere on the West Coast. 	<ul style="list-style-type: none"> • Potential for adverse effects on the environment, scheduled features and sensitive activities. • Little to no community involvement in decision-making. • Inconsistent with national and regional policy direction. 	<p>Reliance on no rules or performance-based standards would result in infrastructure activities and associated subdivision and development being unconstrained/unmanaged.</p> <p>This approach has the potential to result in significant adverse effects, particularly for affected landowners.</p> <p>Defaulting to reliance on a non-regulatory approach would also be ineffective in achieving the objectives sought for infrastructure activities.</p> <p>This option would also be inefficient and ineffective in addressing several matters relevant to infrastructure activities, including:</p> <ul style="list-style-type: none"> • Location, operation and technical constraints for infrastructure • Potential cumulative effects associated with 	<p>The risk of acting on the non-regulatory approach means that Council would fail to adequately carry out its duties/requirements under the RMA.</p> <p>Under this option it is also highly likely that resource management issues relating to infrastructure activities would be inadequately addressed, particularly in relation to the national, regional and local benefits derived from the use and development of infrastructure and the adverse effects and constraints associated with their development.</p> <p>It is considered that there is sufficient information not to act on this approach</p>

			development of infrastructure <ul style="list-style-type: none"> • Potential impacts of infrastructure use on sensitive environments (e.g. the coast, ONLs) • Offset measures and/or environmental compensation 	
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12.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the development of TTPP relating to the Infrastructure Chapter. The appropriateness of the current and proposed methods and rules have been considered having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act.

The review of the Operative District Plans and the Proposed TTPP has shown that the operative plans do not provide a good level of specificity for the management of infrastructure. Whilst the proposed objectives address similar issues, they have been re-drafted to better describe the outcomes intended by implementation of the Proposed TTPP. The assessment has shown that the proposed new suite of provisions, (policies, definitions and rules) are more appropriate than the Operative District Plans' provisions, being more effective and efficient in addressing the issues and achieving the purpose of the Act.

The key findings of the review are:

- Updated definitions are required to achieve consistency with definitions used in the Resource Management Act, National Environmental Standards, the West Coast Regional Policy Statement, and best practice guidance from operators.
- The preferred approach of the Proposed District Plan provides more policy direction to describe how the objectives will be achieved.
- The Proposed District Plan provides a more refined list of activities.
- The preferred approach is to generally enable infrastructure throughout the districts subject to rule requirements that establish appropriate environmental thresholds. Beyond those thresholds a resource consent process is appropriate to enable consideration and management of environmental effects.
- The preferred approach requires resource consents for infrastructure where these are to be sited within environments or locations recognised by section 6 of the Resource Management Act.

Part Three: Transport / Te Tūnuku

13 Overview and Purpose

This s32 evaluation report should be read in conjunction with the s32 'Overview Report', which also includes an overview of the s32 legislative requirements, the methodology and approach to the s32 evaluations and the process that the TPPP Committee has undertaken to date through the development of Te Tai o Poutini Plan, including consultation and engagement.

This report sets out the statutory and policy context for infrastructure resources, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the transport topic.

13.1 Introduction to the Resource Management Issue

The West Coast/Tai o Poutini has an extensive road and rail network with a growing number of shared pathways. It is essential that people and goods are safely and efficiently transported to destinations through a greater range of sustainable travel modes to meet the social, economic, cultural, and environmental wellbeing of people who live, work, and visit the Region.

Land transport in the resource management context covers all the land-based transport networks and systems that support the movement of people, goods and services. It includes road networks from State Highways to local roads, rail networks, pedestrian and cycling networks and public transport facilities.

	Buller District Local Roads	Grey District Local Roads	Westland District Local Roads
Sealed	293km	392km	381km
Unsealed	285km	257km	310km
KiwiRail Crossings	25	11 excluding private	11 excluding private

The Midland rail lines and Hokitika, Ngakawau and Rapahoe branch lines administered by KiwiRail run through the West Coast,

Encouraging a safe and convenient transport network through district plan provisions is fundamental to enabling people to provide for their social, economic, and cultural wellbeing and for their health and safety in a sustainable way. This includes a planning framework that enables multiple modes of travel, access to public transport and supports the safe and efficient movement of people, goods, and services.

The Transport Chapter contains all the objectives, policies, rules, requirements, and design standards for managing the land transport corridors and the works and activities that occur within them. The Plan encourages safe, efficient and cost-effective transport corridors to support the efficient movement of people, goods and services through integrated, accessible, and well-connected transport corridors.

Land use and subdivision are managed to protect the land transport corridors from incompatible activities that could undermine the provision of an integrated, safe, responsive, and sustainable transport system. The Transport Chapter is linked to the Part 2 - District Wide Matters to ensure transport corridor works maintain the anticipated amenity, heritage, environmental, and cultural values and consider hazard overlays.

The transport provisions apply to each zone identified in the Planning Maps and Part 3 - Area Specific Matters section of the Plan. The land use zoning is to be extended to the centreline of land transport corridors.

Provisions for Ports and public Airports/Heliports are included within the Port Zone and Airport Zone respectively and they are discussed in the Special Purpose Zone s32 report.

TTPP uses the One Network Roding Classification System (ONRCS). This national system, administered by Waka Kotahi NZTA divides roads into categories based on how busy they are, whether they connect to important destinations, or if they are the only route available. The ONRCS is used to specify the key standards for the design and construction of infrastructure. To support safety and connectivity, TTPP also requires minimum design standards in respect of driveways, vehicle access points, visibility, road widths and other transport related infrastructure while also requiring on-site parking in appropriate places. These standards are contained in Appendix One: Transport Performance Standards .

Any activity or structure proposed to be established within the land transport corridors that do not fall into the definition of Land Transport Infrastructure is subject to the provisions contained in Part 2 District Wide Matters and Part 3 - Area Specific Matters chapters of this Plan.

The current Utilities provisions in the three operative District Plans are relatively limited in scope, are outdated, and do not fully reflect the range of transport activities or development. The current Utilities provisions pre-date National Policy Statements (NPS) relevant to transport and therefore may not fully give effect to or be fully consistent with these NPS' and may not fully achieve Part 2 of the RMA.

However, if inappropriately managed such uses can result in adverse effects on the environment being experienced, particularly on natural and cultural resources and amenity values.

The strategic importance of energy, infrastructure and transport resources to the West Coast are recognised in the proposed TTPP Strategic Objectives for Connections and Resilience. Specifically, the focus of the strategic objectives is **critical infrastructure** which has been defined as:

means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants and electricity transmission and distribution assets.

The Strategic Objectives are:

CR – O1 To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.

CR - O2 To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.

CR – O3 To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.

CR – O4 To enable the development of greater infrastructure self - sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.

To inform consideration of the proposed provisions the report sets out the statutory and policy context for transport, the key resource management issues, consultation undertaken and the approach to evaluating the proposed provisions relating to this topic. It also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act 1991 (RMA) in relation to transport matters.

Although this report covers the district-wide provisions in the Transport Section other sections of the proposed District Plan of relevance to the Transport topic include:

- Noise
- Natural Environment
- Coastal Environment
- Subdivision
- Financial Contributions

Given this overlap it may also be important to consider the proposed provisions of these sections, with the associated evaluation set out in the Section 32 reports specific to each topic.

13.2 Regulatory and Policy Direction

13.2.1 Resource Management Act

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Section 6 matters of national importance relevant to the proposed infrastructure provisions are:

- (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*
- (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:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*
- (e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development*
- (g) the protection of protected customary rights.*

Section 7 of the Act requires particular regard be taken in relation to the following matters:

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values*
- (f) maintenance and enhancement of the quality of the environment*

Section 8 requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Consistent with the practice followed in the development of the Proposed TTPP, the s 8 principles of most relevance to this topic is the duty to make informed decisions through consultation. Poutini Ngāi Tahu though the Rūnanga kaiwhakahaere have been involved in the governance and development of TTPP and their planners have collaborated in the development of the TTPP provisions. Alongside this Poutini Ngāi Tahu been consulted a part of the review process and the obligation to make informed decisions based on that consultation is noted.

All of the above matters are relevant when considering transport issues and ensuring that provision is made for their ongoing development and operation to support the West Coast community.

13.2.2 National Instruments

Local Government Act 2002

The Local Government Act 2002 (LGA) sets out the responsibilities of territorial authorities in relation to land transport matters, including responsibility for local roads, footpaths and street lighting as well as local planning, road-safety works and parking services. Section 102 of the LGA requires the three district councils to adopt a policy on development contributions or financial contributions. New development increases pressure on the capacity of the district council's infrastructure (roads, sewers,

stormwater, water and open space) and service delivery and can result in the need to upgrade existing and/or develop new infrastructure and services.

Land Transport Management Act 2003

The Land Transport Management Act 2003 sets out the requirements and processes for local authorities to obtain funding for roading construction and maintenance. As amended in 2013, it requires regional transport committees to develop a Regional Land Transport Plan and sets out the requirements for Regional Councils to contract for the provision of public transport services.

Railways Act 2005

The Railways Act 2005 sets out the requirements for the licensing of rail operations in New Zealand. It covers both light and heavy railways. It also includes basic safety obligations of operators and the general public when near a railway, as well as the powers the railway operators have to protect and manage the railway corridor, inclusive of level crossings.

New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement describes a number of key issues facing the coastal environment of New Zealand. Amongst the list of issues is "demand for coastal sites for infrastructure uses to meet the social and cultural needs of people and communities" and the threat of coastal erosion and other natural hazards on existing infrastructure.

The objectives place an emphasis on protecting coastal processes, ecosystems, natural character and landscape, with Objective 6 identifying that protection of those values does not preclude use and development in appropriate places and forms, and within appropriate limits.

Policy 6 provides specific recognition that the provision of infrastructure is important to the social, economic and cultural wellbeing of people and communities and Policy 25 encourages the location of infrastructure away from areas of hazard risk where practicable.

Because of the nature of the West Coast (long, coastal and sandwiched between the mountains and the sea), with most settlements located on the coast, there are extensive transport networks located in the coastal environment.

National Policy Statement on Urban Development 2020 (NPSUD)

The NPSUD recognises the national significance of:

- having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- providing sufficient development capacity to meet the different needs of people and communities.

The NPSUD requires that councils:

- ensure urban development occurs in a way that takes into account the principles of the Treaty of Waitangi/ te Tiriti o Waitangi.
- ensure that plans make room for growth both 'up' and 'out', and that rules are not unnecessarily constraining growth.
- develop, monitor, and maintain an evidence base about demand, supply, and prices for housing and land to inform planning decisions.
- align and coordinate planning across urban areas.

In relation to the Transport topic one of the most important policies from this NPS is Policy 11 which prevents certain territorial authorities from having minimum car parking requirements within their district plan. Grey District is considered to be a Tier 3 authority and as such is captured by this requirement to remove all minimum car parking requirements. As TTPP is a region wide district plan, the approach to car parking requirements in Grey District has been extended to the other districts. There are specific parking provisions that have been included for accessibility parking, bicycle parking, and boat parking at Moana.

National Environmental Standard on Plantation Forestry (NES-PF)

The National Environmental Standards for Plantation Forestry (NES-PF) provide nationally consistent regulations to manage the environmental effects of forestry. Specific provision is made for managing the effects of plantation forestry, including specifically the management of effects relating to forest quarrying activities on the district's roads. The Proposed TTPP must "observe and enforce" the NES-PF.

Government Policy Statement on Land Transport 2018/19 – 2027/2028 (GPSLT)

The GPSLT outlines the Government's strategy to guide land transport investment over the next 10 years. It also provides guidance to decision-makers about where the Government will focus resources. The GPSLT operates under the Land Transport Management Act 2003 and is important in signalling the Government's funding commitment to create an efficient, modern, and resilient transport system.

The strategic priorities in the GPSLT are to improve:

- (a) The safety of the transport network;
- (b) Access to economic and social opportunities;
- (c) Environmental quality and public health; and
- (d) Value for money.

The Proposed Plan must "give effect" to the above national planning instrument.

12.2.3 National Planning Standards and/or Guidance Documents

National Planning Standards

The Standards require that the Transport Chapter sits within a standalone Energy, Infrastructure and Transport Chapter.

The Standards do not require a mandatory Special Purpose Transport Zone but do require a statement in the Proposed TTPP about the zoning status of roads.

Transport networks are defined within the "Infrastructure" and partially within the 'Critical Infrastructure' definition (strategic transport network) and are managed by "Network Utility Operators".

The Proposed Plan must "give effect" to the National Planning Standards.

NZTA Planning Policy Manual 2007

The New Zealand Transport Agency Planning Policy Manual (PPM) is one of a number of the Transport Agency's manuals. The PPM sets out the Transport Agency's policy, standards and guidelines on transport planning, land use planning and the integration of the two. The purpose of the PPM is to provide national consistency in the implementation of the Transport Agency's Integrated Planning Policy. This manual has been considered in reviewing the operative District Plans and evaluating Plan provisions.

One Network Road Classification

The One Network Road Classification (ONRC) classifies New Zealand's roads into six categories based on how busy they are, whether they connect to important destinations or are the only route available. The ONRC is a tool that assists with budget bids for the National Land Transport Programme. It helps the New Zealand Transport Agency and local authorities to focus investment where it is required the most. The classification of roads throughout New Zealand was completed in 2013. To be included in a particular category a road must meet the agreed criteria and thresholds, including at least one of either – typical daily traffic, heavy commercial vehicles or bus (urban peak) as appropriate. The six categories are as follows:

1. National – roads that make the largest contribution to the social and economic wellbeing of New Zealand by connecting major population centres, major ports or international airports and have high volumes of heavy commercial vehicles or general traffic.
2. Regional – roads that make a major contribution to the social and economic wellbeing of a region and connect to regionally significant places, industries, ports or airports. They are also

major connectors between regions and in urban areas may have substantial passenger transport movements.

3. Arterial – roads that make a significant contribution to social and economic wellbeing, link regionally significant places, industries, ports or airports and may be the only route available to some places within the region, i.e. they may perform a significant lifeline function. In urban areas they may have significant passenger transport movements and numbers of cyclists and pedestrians using the road.
4. Primary Collector – locally important roads that provide a primary distributor/collector function, linking significant local economic areas or areas of population. They may be the only route available to some places within the region and in urban areas they may have moderate passenger transport movements and numbers of cyclists and pedestrians using the road.
5. Secondary Collector – roads that provide a secondary distributor function, linking local areas of population and economic sites and may be the only route available to some places within this local area.
6. Access – all other roads. Low volume roads within this category will fall into the low volume subset.

NZS 4121: 2001 Design for Access and Mobility – Buildings and Associated Facilities

NZS 4121 sets out requirements for the design of buildings, facilities within buildings, driveways, car parks, passages and any associated landscaping and accessways for use by people with disabilities. The Standard covers access provisions for a number of scenarios. NZS 4121 is a reference document in the Proposed TTPP regarding the requirements for on-site vehicle parking spaces for people with disabilities.

13.2.4 Regional Policy and Plans

Under Section 75(3)(c) of the RMA, TTPP must give effect to the Regional Policy Statement.

The RPS contains objectives and policies relevant to transport within Chapter 6 Regionally Significant Infrastructure. For the purpose of Chapter 6 of the RPS, the State Highway Network, roads classified in the One Network Road Classification system as “strategic” and the regional Rail Network are identified as regionally significant infrastructure (RSI).

The objective is:

Objective 6.1 Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.

There are eight policies, three of which are relevant to the transport chapter of TTPP.

Policy 6.2 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast.

Policy 6.4 recognises that the operation, maintenance, and future development of RSI can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as Reverse sensitivity, or by the effects of existing resource use.

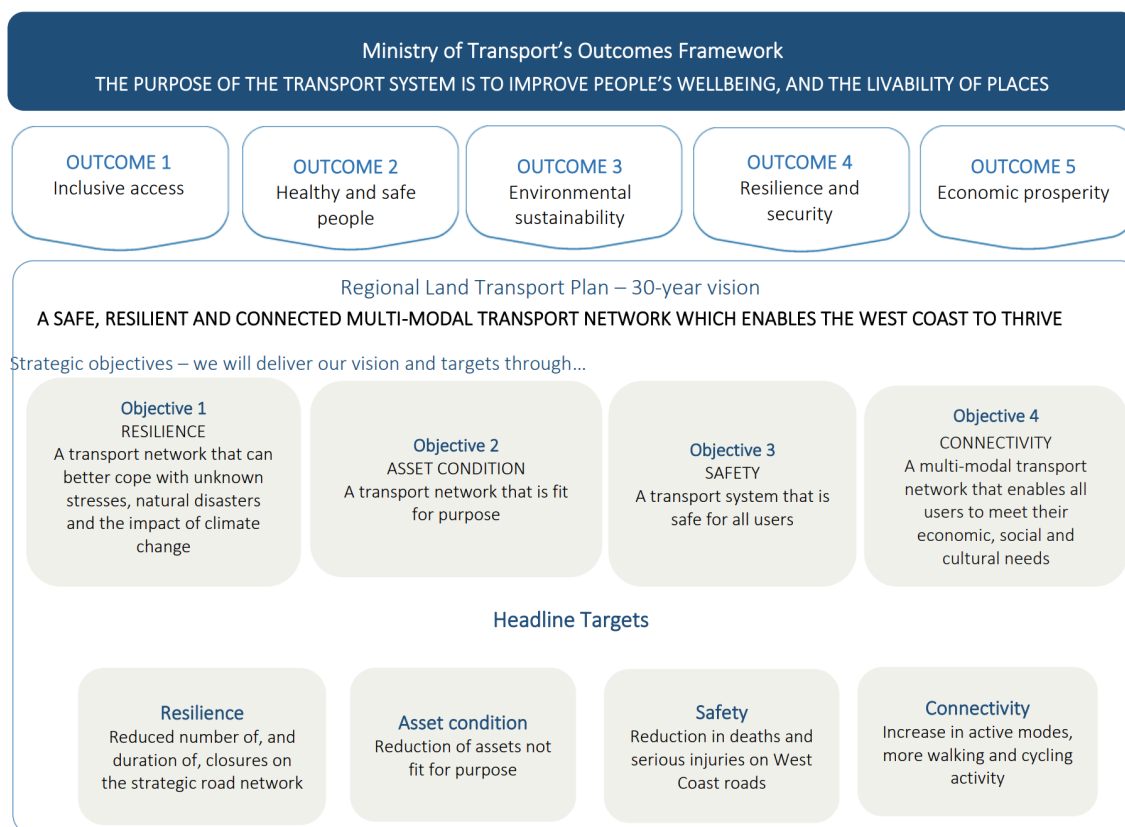
Policy 6.5 acknowledges that the linear nature of many infrastructure networks determines its form, shape, and location. Technical and operational requirements associated with infrastructure networks can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects. Policy 5 recognises that in some cases it may be appropriate for new infrastructure to be in, or traverse parts of, a sensitive environment to achieve a net benefit, or lower overall adverse effects. These situations and the appropriateness of offsets and compensation need to be determined on a case-by-case basis having regard to relevant case law, national policy and good practice guidelines on offsets and compensation, and expert advice.

Policy 6.8 recognises the need for planning for growth and development and the provision of local, regional, and national infrastructure to proceed side-by-side in a coordinated and integrated way.

Regional Land Transport Plan

The Regional Land Transport Plan 2021 – 2031

This RLTP was developed by the West Coast Regional Transport Committee (RTC). The RTC is a joint committee of the region’s councils as well as Waka Kotahi. Developing the RLTP is the primary role of the RTC and is a requirement for each region’s RTC across New Zealand. It is part of the nationwide process in which local councils, regional councils, Department of Conservation and Waka Kotahi work together to identify the problems and prioritise investment in the land transport network. The strategic direction is outlined in a diagram, below.



The TTPP must “not be inconsistent with” the West Coast RLTP.

13.2.5 Local Policies, Plans and Strategies

Greymouth CBD Redevelopment Plan

The Greymouth CBD Redevelopment Plan seeks to revitalise the town centre, using urban design principals. One of the facets is to increase the pedestrian foot traffic. Closing some streets to become pedestrian only is suggested, as is providing bicycle parking. To reduce the vehicle centric heart of town, car parking hubs at the outskirts are also included in design work.

13.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu,

mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

14.0 Resource Management Issue and Analysis

14.1 Background

The West Coast is strongly reliant on a spine of State Highways that provide the main road links and are connected to by roads managed by the district councils. State Highways 6 and 7 are regionally strategic for the West Coast and State Highways, 73 and 67 are important regional distributors. The West Coast towns are connected by this network. Local roads within the towns and rural areas are an essential service provided by the district councils that keep communities connected, safe and economically viable.

The Main South Midland rail line running between Christchurch and Greymouth, and the Hokitika, Ngakawau and Rapahoe branch lines administered by Kiwirail are key transport links. Currently, the Main South Midland rail line is used for passenger services, with the other lines used only for freight services essential for primary production transporting coal, milk and timber around and out of the region.

The role of the Operative District Plans has primarily been to ensure efficiency and safety of the road transport network. The main issues that have arisen over the last 20 years are:

Adverse Effects of High Trip Generating Activities

High trip generating activities are those land use activities that generate high volumes of traffic. Others activities generate high volumes of heavy vehicles, such as forestry harvesting and mineral extraction. Activities that generate high levels of traffic are ideally located adjacent to the state highway network, which is designed to move large volumes of vehicles. The impact of transport networks on residential amenity, particularly from heavy vehicle movements is often a source of complaints from noise, dust and vibration, as well as safety concerns. Other activities that generate large vehicle movement numbers are tourism activities.

Onerous On-Site Carparking Requirements

The number of on-site carpark spaces required for each activity is set out in the Operative District Plans. For example, in Westland visitor accommodation requires 1 space per bedroom, commercial activities require 1 space per 50m² gross floor area. The operative Buller Plan requires for visitor accommodation a space per unit/bedroom plus 1 space for 10 units or part thereof for staff and for commercial activities 1 space plus 1 space per 30m² gross floor area. The operative Grey Plan requires 1 space per unit or 1 space per 5 beds plus 1 space per 2 staff for visitor accommodation and 5 spaces per 100m² gross floor area for commercial activities.

These car parking requirements have a very significant impact on the cost of development – and in particular redevelopment, and have become a significant hinderance in the ability for brownfields areas to redevelop. There are empty lots where buildings once stood and, in some cases, these have been converted into car parking areas.

Emerging Issue – Electric Vehicles and bicycles

Electric Vehicles and electric bikes, including plug-in hybrid electric vehicles, are providing an opportunity for New Zealanders to reduce CO₂ emissions and increase the uptake of renewable energy. It is important that the Proposed TTPP recognises this emerging issue and provides for the installation of publicly available charging infrastructure, such as in existing parking spaces and new developments throughout the West Coast.

14.2 Evidence Base – Research, Consultation, Information and Analysis undertaken

14.2.1 Research

The TTPP Committee has reviewed the operative District Plans, commissioned technical advice, obtained assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan Technical Update – Infrastructure Issues, Objectives and Policies March 2020
Author	Edith Bretherton
Brief Synopsis	Summarises the key issues facing infrastructure and utilities – including energy infrastructure. Proposes draft Objectives and Policies.
Link to Document	https://tppp.nz/wp-content/uploads/2020/03/TTPP-March-Agenda.pdf

Title	Te Tai o Poutini Plan Technical Overview– Update on Infrastructure Issues, Objectives and Policies September 2020
Author	Edith Bretherton
Brief Synopsis	Separates out energy objectives and policies from other infrastructure and proposes draft provisions.
Link to Document	https://tppp.nz/wp-content/uploads/2020/09/TTPPC-Agenda-September-2020.pdf

Title	Technical Update – Infrastructure, Energy and Transport Rules April 2021
Author	Edith Bretherton
Brief Synopsis	Outlines draft rules for Energy, Infrastructure and Transport.
Link to Document	https://tppp.nz/wp-content/uploads/2021/05/Agenda-Te-Tai-o-Poutini-Plan-Committee-Meeting-5-May-2021.pdf

Title	Plan Change 133 - 145
Author	Buller District Council
Brief Synopsis	BDC notified Plan Change 133 – 145, all documents relating to this including submissions.
Link to Document	http://bullerdc.govt.nz/wp-content/uploads/2016/03/Proposed-District-Plan-Changes-133-145.pdf

Subsequent to this report the draft chapter created for the plan was presented to the TTPP Committee on 2 December 2021. That draft chapter was endorsed by the Committee for further refinement and integration into the TTPP framework.

14.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant stakeholder consultation. Initially Infrastructure, Energy and Transport were going to be combined in one chapter, however this was later amended.

Commencing in 2019 individual stakeholder meetings were held with the district council asset teams, Waka Kotahi New Zealand Transport Agency (NZTA), Buller Electricity, New Zealand Energy, Westpower, Transpower, Trustpower, Kiwirail, Spark / Chorus, Westport Airport, Destination Westland, Karamea Aerodrome.

Specific meetings and workshops held were:

Plan Development Phase

Three workshops were held on Infrastructure, Energy and Transport. One of these workshops was for external provider, one for Grey District and Westland District Asset Teams and Waka Kotahi NZTA in Greymouth, and one in Buller for their district asset team.

Three further meetings were held with Waka Kotahi NZTA in 2019, and one with Kiwirail.

The Regional Long Term Plan Workshop was held in December which allowed a sense check with the regional strategic direction.

In 2021 a transport rules and standards workshop was held in January, with further consultation undertaken with Waka Kotahi NZTA in February. Fire and Emergency Services also provided input in February.

Draft Plan Consultation Phase

22 February 2022 – multi-stakeholder infrastructure provider workshop

RMA Schedule 1 Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

An overview of their feedback and a summary of recommended amendments to draft provisions is contained in a report that was presented to the TTPP Committee on 21 June 2022, as per details below.

Title	First Schedule Consultation
Author	Lois Easton
Brief Synopsis	This report provides a summary of the pre-notification feedback received from RMA First Schedule consultation on the draft Proposed District Plan provisions and the subsequent amendments recommended by staff.
Link to Document	https://tppp.nz/wp-content/uploads/2022/06/TTPP-Committee-Meeting-Agenda-21-June-2022-1.pdf

14.2.3 Poutini Ngāi Tahu Advice

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki o Makaawhio are the two papatipu rūnanga on the West Coast. They are collectively known as Poutini Ngāi Tahu. They have provided clear advice around their support for renewable energy generation on the West Coast and the importance of energy activities to the wellbeing of Poutini Ngāi Tahu.

14.3 Operative District Plan Provisions

14.3.1 Buller District Plan

Prior to the Local Government Order in Council directing the West Coast Regional Council to write a combined district plan, the Buller District Council had commenced a plan change. BDC Plan Change 144 was for the Utilities Objectives and Policies, and Plan Change 145 for Utilities Rules. Submissions were heard on both parts; decisions were issued on the rules only.

The Buller District Plan addresses Transport activities within its Infrastructure Chapter. This includes its approach to energy (see Part One of this report) and Infrastructure (see Part Three of this report). There are two objectives:

4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.

4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.

The proposed Buller District Plan change included two objectives that are relevant to transport.

Objective 1 – Utilities and Regionally Significant Infrastructure

To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.

Objective 4 – Land Development and Provisions of Utilities

To co-ordinate the provision of utilities with subdivision, use and development of land in the district.

There are five proposed Policies that are relevant to transport:

Policy 1 – Utilities and Regionally Significant Infrastructure

To have regard to the positive social, economic and environmental benefits that accrue nationally, regionally and locally from the development, continued operation and up-grading of utilities and regionally significant infrastructure.

Policy 2 – Locational, Technical and Operational Constraints

To ensure that utilities and regionally significant infrastructure are designed and sited in a way which avoids, remedies and mitigates any adverse effects, taking into account their locational, technical and operational constraints.

Policy 3 – Managing Residual Environmental Effects

To consider environmental compensation or offsetting measures, including measures or compensation which benefits the local environmental and community affected, where any residual environmental effects of regionally significant infrastructure cannot be avoided, remedied or mitigated.

Policy 4 – Incompatible Activities

To avoid, or where appropriate, remedy or mitigate reverse sensitivity effects from subdivision, use and development on utilities and regionally significant infrastructure to ensure the safe, secure and efficient operation of such utilities and infrastructure.

Policy 7 – Provisions for Adequate Utilities / Services

To ensure that subdivision, land use and development is capable of being adequately serviced including:

- *Safe and efficient vehicle access;*
- *Adequate water supplies;*
- *Disposal of wastewater*

- *Disposal of stormwater;*
- *Supply of electricity and telecommunications using a method that is appropriate to the subdivision / development and the character of the area; and*
- *Connections into reticulated systems where they are available.*

There are four policies in the Operative Buller District Plan, as follows:

4.6.2.1 Development in areas which, due to physical characteristics, are difficult to service shall be permitted where appropriate technical solutions are provided to avoid, remedy or mitigate against adverse effects.

4.2.6.2. To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.

4.2.6.3. To utilise a roading hierarchy which enables the effects of activities on the roading resource to be avoided, remedied or mitigated depending on the status of the road in the hierarchy.

4.2.6.4. The importance of Westport Airport, the Port of Westport and the railway network as communications links shall be recognised by ensuring the safe and efficient operation of these resources is not jeopardised by the effects of surrounding land use activities.

In terms of rules, Network utilities are a Permitted Activity in all zones, subject to compliance with Part 6 (Infrastructure). Part 6 provides for the following Permitted Activities in relation to the land transport activities covered by this report:

- Normal maintenance and replacement works on existing formed and private roads within the legal road reserve, or partially formed roads within the legal road reserve including any activity related to improvement or realignment of the road, and all works to preserve the integrity of the road, or to prevent further damage as a result of any act of nature.
- Normal maintenance works on existing railway lines, bridges and signals within the existing railway corridors
- Activities carried out in response to the effects of natural events on public roads including earthquakes, flooding and landslides.

Discretionary Activities

- New roads and associated facilities including retaining walls, culverts, bridges and traffic signs and control devices on legal road.

These provisions are very road focussed and do not anticipate significant expansion of the network. They do not support the installation of infrastructure for transport activities such as walking and cycling, or modern transport infrastructure such as electric charging stations.

In terms of new Access onto a road, Section 7.4 of the operative Buller District Plan outlines the requirements for this. Access to non-state highway roads is a Permitted Activity with detailed performance standards. Where performance standards are not met, there is frontage to a State Highway, or where the activity generates more than 60 vehicle movements per day a restricted discretionary activity resource consent is required.

In terms of Parking, Section 7.5 of the operative Buller District Plan outlines these requirements. Apart from an exemption of parking requirements for the Westport main street, activity-based car parking requirements are outlined. There are also requirements for loading spaces for all commercial and industrial activities. The detailed design specifications and layouts for carparking and manoeuvring are also provided in this section.

14.3.2 Grey District Plan

The Grey District Plan addresses Transport activities through the Transport Chapter. There are two objectives:

12.3.1 The operation of transport infrastructure in a manner that avoids, remedies or

mitigates adverse effects.

12.3.2 The safe and efficient use of the District's transport infrastructure

There are five policies, three of which are relevant to land transport matters addressed in this report – the other two relate to the port and airport respectively.

12.4.1. Access, off-street parking and loading, and the intensity of activities should not adversely affect vehicle and pedestrian safety and efficiency.

12.4.2. To implement a hierarchy of roads in the District with associated design and access standards based on intended function, and to use this as a framework to enhance transport efficiency and the amenity of sensitive areas.

12.4.3. Transport infrastructure should be located and designed in a manner that avoids, remedies or mitigates adverse effects on neighbouring activities as far as practically possible having regard to the sensitivity of those activities.

In terms of rules, transport requirements are located in both the zone chapters (as relates to parking, loading and access requirements), the subdivision chapter (including design and construction standards) and the utilities chapter.

Maintenance of existing formed roads, culverts, bridges and associated protection works are a permitted activity within the legal road reserve or 10m of the existing formation.

Construction of unformed legal roads undertaken by a road controlling authority are a Controlled Activity, however where these are not undertaken by a road controlling authority these are a Discretionary Activity.

These provisions are very motor vehicle focussed and do not anticipate the installation of infrastructure for transport activities such as walking and cycling, or modern transport infrastructure such as electric charging stations.

14.3.3 Westland District Plan

Relevant Objectives and Policies are found in the Natural Hazards and Infrastructure and Servicing Chapters of the Westland Plan.

Infrastructure and Servicing

Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.

Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.

Policy 4.6 A The efficient provision and development of all future services and infrastructure within the District shall be encouraged.

Policy 4.6.B. The roading hierarchy shall be used as a factor in determining the acceptability of activities (including subdivision) which affect traffic flows or the road resource; and the standards of access required

Policy 4.6 C The formation, construction and maintenance of any transport, communications or other service facilities should be carried out in a manner which maintains environmental quality.

Policy 4.6 D Requirements for infrastructure and services will be on a user pays basis, where such users can be identified.

Natural Hazards

Objective 3.13.1 Rules for the avoidance and mitigation of natural hazards have been incorporated in the District Plan given that severe hazards pose a significant threat to the built resource and infrastructure of the District and people and communities

Policy 4.14.A Development and subdivision for the purposes of accommodating and/or servicing people and communities should avoid areas of known natural hazard risk unless the

risk of damage to property and infrastructure, community disruption and injury and potential loss of life can be adequately mitigated.

Key rules in relation to transport are found in the General Rules sections – Roadside Planting, Use of Roads, Access, Manoeuvring and Parking Space Dimensions for Cars. These reference the roading hierarchy which is outlined in an appendix. Key requirements are as follow:

Permitted Activities

- Reconstruction, maintenance (including stockpiling of roading materials), modifications to the geometry of the existing road and state highway network, and improving road design standards, within any existing road reserve or designation.
- construction and maintenance of footways and pedestrian accessways (including pedestrian access facilities).
- Street furniture and bus shelters.

Restricted Discretionary Activities

- The formation or construction of a road or state highway on land gazetted, reserved or granted as a road or state highway unformed at the time this plan was made operative.

Discretionary Activities

- Formation, construction, maintenance or vesting or gazetting of road or state highway outside the existing road reserve, or designation, or gazette notice area that is not part of a controlled activity subdivision.

Unlike the Buller and Grey Operative Plans, the Westland Plan has specific provisions for pedestrians and street furniture, however it is silent on more modern transport modes such as cycleways/shared pathways and electric vehicle charging.

14.3.4 Analysis of combined operative district plan approaches

The three operative plans very much reflect the thinking around transport that was current at the time. They are focussed on motor vehicles on roads, rather than a wider range of land transport modes and create unnecessary barriers for active transport such as walking and cycling. All three plans set minimum numbers for carparking by activity. This was identified in early consultation on the development of the plan as being a significant barrier for redevelopment, particularly in town centres. In the case of Grey District, as a Tier 3 local authority under the NPSUD 2020, minimum numbers of carparks (except for accessibility parking, bicycling parking, and boat parking at Moana) are no longer able to be included in the Grey Plan. This is considered something that is more widely appropriate across the West Coast.

14.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

A review of current practice in respect of this matter has been undertaken, together with a review of the following District Plans:

- Selwyn District and Porirua District Proposed Plans and Timaru draft District Plan (all prepared under the national planning standards)
- Queenstown Lakes District Proposed Plan (recent plans at appeals stage).

These plans were chosen because they represent second generation District Plans.

Key matters identified in these plans were:

- All the district plans reviewed included objectives and policies that promote the integration of land transport with land use and subdivision.
- It is common practice to require Integrated Transport Assessments (ITA) to accompany resource consent applications where certain thresholds are met.
- District plans all promote a wide range of transport modes, including public transport, walking and cycling.

- Promotion of nil carparking requirements in town centres is recognised as current best practice.
- Many councils now include rules around cycle parking.
- Most plans include information around the rail corridor with the most up to date guidance on rail level crossings and sight lines contained in Part 9 of the New Zealand Transport Agencies Traffic Control Device Manual.
- The NZTA have confirmed that all access to the State Highway network require approvals under the Government Rooding Powers Act 1989. This approval is separate and additional to any land use or subdivision approval required under the RMA.
- Many of the district plans reviewed have sought to address deficits and/or to roll over policies seeking to promote amenity and character outcomes. It was identified that amenity and character has not featured extensively in the objectives and policies of Transport Chapters. However, there are examples where plans are specifically recognising the influence of transport networks and systems on amenity and character outcomes.

14.5 Summary of Issues Analysis

The analysis highlights the need to update the transport provisions to contemporary ways of moving in the proposed TTPP. Consideration of modes of transport other than motor vehicle need inclusion, as well as supporting the transition from carbon-based fuel. However, there are many aspects of the transport provisions that are able to be pulled through from the operative plans, such as sightlines and turning circles.

15. Scale and Significance Evaluation

15.1 Evaluation Summary

The level of detail undertaken for the evaluation of the Proposed TTPP provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Minor	Low	Medium	High
Degree of change from the Operative Plans			x	
Effects on matters of national importance (s6 RMA)			x	
Scale of effects – geographically (local, district wide, regional, national)		x		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)			x	
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?			x	

Likelihood of increased costs or restrictions on individuals, businesses or communities		x		
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The level of detail of analysis in this report is moderate. The significance of the issues identified in relation to transport is influenced by the geographic extent of the transport network and the role it plays in providing essential services to people and the community.

Although the recommended changes align with contemporary best practice and assist in ensuring the Proposed TTPP gives effect to higher order planning instruments, several of the suggested changes may require a higher threshold of information to be provided to Council when evaluating the appropriateness of proposed activities. Examples include the rules identifying High Trip Generating Activities and when Integrated Transport Assessments are required.

Consenting information requirements can impose additional costs on individuals and organisations. However, the costs to the environment is also high where effects of land use activities and subdivision development is not appropriately managed. With the removal of minimum parking standards, this removes a barrier to new businesses, and allows for more flexibility in development, which will reduce costs. Overall, the detail of the following evaluation has been weighted to correspond to the significance of the issue.

16.0 Evaluation of Objectives

16.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Buller District Plan Change 144 Objectives:</p> <p><i>Objective 1 To provide for the safe, efficient and sustainable development, operation, maintenance and upgrade of utilities and regionally significant infrastructure, to meet the needs of the district, in a manner which avoids, remedies or mitigates adverse effects on the environment.</i></p> <p><i>Objective 2 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriate sited and designed.</i></p> <p><i>Objective 3 To recognise the need for and enable the development and use of renewable energy resources of various scales within the district, while ensuring that energy generation utilities are appropriated sited and designed.</i></p> <p><i>Objective 4 – Land Development and Provisions of Utilities</i></p>	<p>These objectives reflect the age of the operative plans, and in the case of Buller and Westland, the combining of transport in with other infrastructure in terms of its management. They do not respond to the current issues of transport management or give effect to the NPSUD or RPS.</p>

<p><i>To co-ordinate the provision of utilities with subdivision, use and development of land in the district.</i></p>	
<p>Grey District Plan Objectives:</p> <p><i>12.3.1 The operation of transport infrastructure in a manner that avoids, remedies or mitigates adverse effects.</i></p> <p><i>12.3.2 The safe and efficient use of the District's transport infrastructure</i></p>	
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.4.1 To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.</i></p> <p><i>Objective 3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.</i></p>	
<p>Evaluation of Alternative Options</p>	<p>Appropriateness to Achieve the Purpose of the Act</p>
<p>Proposed TTPP Objectives:</p> <p>Transport Chapter:</p> <p><i>TRN - 01 To recognise and provide for the critical role land transport infrastructure plays in supporting communities including emergency services, and economic activity on the West Coast/Te Tai o Poutini.</i></p> <p><i>TRN – 02 To manage the effects of land transport infrastructure on the character, landscape and amenity of the towns, settlements and rural areas and minimise adverse effects on the environment.</i></p> <p><i>TRN – 03 To enable accessibility, safety, connectivity and amenity of all transport users, including pedestrians and cyclists.</i></p> <p><i>TRN – 04 To encourage resilience within the transport network to natural hazards and climate change reflecting its vital role in community wellbeing and economic activity.</i></p> <p><i>TRN - 05 To ensure the provision of safe and efficient parking, loading and access consistent with the character, scale and intensity of the zone, the roading hierarchy and the activity being undertaken.</i></p>	<p>These objectives are considered the most appropriate way to achieve the purpose of the Act because they are:</p> <ul style="list-style-type: none"> • a more effective and efficient means of addressing the primary resource management issues identified within this s32 report than the alternative option. • recognise the importance of transport to the development and functioning of society. • more appropriately reflects Council's obligations under s31 of the RMA than the alternative options and gives effect to the relevant Part 2 matters. • give effect to higher level documents, namely the NPSUD and RPS. • align with proposed strategic objectives as they recognise and provide for critical infrastructure. • provide the direction for transport activities across the whole West Coast. • consistent with best practice drafting guidelines.

<p>Principal Alternative</p> <p>Do not define expectations for transport</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to address the various issues and outcomes being experienced with the Operative District Plans provisions and would not achieve the purpose of the RMA.</p> <p>The objectives provide less explanation or description of the outcomes desired, and accordingly decision-makers have less guidance on the outcomes to be achieved through administration of the District Plan.</p>
<p>Summary</p> <p>The proposed objectives have been selected because they are considered the most appropriate for achieving sustainable management in relation to the West Coast’s transport resources. They address the identified resource management issues, give effect to the relevant statutory requirements, assist with achieving the Strategic Objectives and do not lead to unreasonable costs.</p>	

16.2 Evaluation of the Proposed Policies, Rules and Methods

16.2.1 Description of the Proposed Provisions

There are nine policies that support the objectives for Transport. These policies address the following matters:

- Provision for maintenance and enhancement of networks with a focus on efficiency and safety for all users and modes
- Direction on vehicle access and crossings, with a safety focus
- Provision for electric vehicle and bicycle charging stations
- Support for non-vehicle transport modes
- Direction on parking and loading spaces

The activities that are expected to be found in a transport chapter, such as establishing transport corridors, forming roads and level crossings. Detailed standards, such as turning circles, sightlines, distances between access for permitted activity rules are also included.

A table of high trip generating activities, which also trigger rules have been included.

Reflecting the changing nature of transport modes there are policies, rules and standards for shared pathways. It is acknowledged that during the lifetime of the plan, ways of moving, will likely change in ways we can’t imagine, so space has been left for innovation. To illustrate, the operative district plans did not envisage e-bikes so their use, and charging requirements are not anticipated.

A substantial change is the removing of minimum parking requirements with exceptions for accessibility parking, bicycle parking and Moana boat parking. The cost of providing parking is a barrier to business, and development generally. Some property owners may not wish to have parking for vehicles, it may be that they want to use active transport. The removal of minimum parking requirements does not mean that parking cannot be provided, but that it is not set at a rate, and can be decided relevant to the development. This gives effect to the NPSUD.

A much greater focus is on safety, including between different modes of transport. The transport networks on the West Coast are critical for community resilience, and wellbeing, and are often damaged in natural hazard events. These interactions are highlighted in the policies.

16.2.2 Evaluation of the Options to Meet the Objectives

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: Modified Status quo</p> <ul style="list-style-type: none"> - Standardise the provisions across the three districts <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Plan users and landowners are familiar with current provisions, resulting in reduced costs in understanding and complying with the infrastructure/transport sections of the plan 	<ul style="list-style-type: none"> • Misalignment with the approach to district wide matters specified in the recently gazetted National Planning Standards (7 Districtwide Matters Standard) • Doesn't achieve the strategic objectives identified around Connections and Resilience • Doesn't achieve requirements of the RMA, NZCPS or RPS 	<p>Monitoring shows that the existing approach is not effectively or efficiently achieving the purpose of the RMA.</p> <p>Evolving transport modes are not considered, this means that consents are required because they have not been anticipated for activity that could potentially be permitted activities.</p> <p>Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives.</p>	<p>The current policy framework lacks detail and specific direction on management of transport activities.</p> <p>It would also result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 6 and 7). Fails to give effect to NPSUD</p> <p>It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.</p>
<p>Option B: Proposed Plan</p>	<ul style="list-style-type: none"> • Aligns with the approach to district wide matters specified in the recently gazetted National Planning Standards (7 Districtwide Matters Standard) • Reduced costs in providing parking in town centres, and developments generally. 	<ul style="list-style-type: none"> • Rules may potentially limit some activities and development, particularly if they do not reflect current or future development aspirations • Costs to operators of applying for resource consents, including associated time and uncertainty. 	<p>The provisions give effect to the RMA, NPSUD, NZCPS and the RPS.</p> <p>Rules are effective in that they provide a high level of certainty regarding the nature and scale of work and activities that can be undertaken with/without resource consent. They are also efficient as they enable a case-by-case assessment of</p>	<p>The risk of not acting on these provisions would result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 6 and 7), and the likelihood of continuing inefficient use of natural and physical resources and potential loss of amenity values and quality of the environment.</p>

<p>This is the preferred option</p>		<ul style="list-style-type: none"> • Costs to other parties of participating in resource consent processes if applications publicly notified. • Costs to Council of monitoring resource consents. • 	<p>the appropriateness of each proposal to be undertaken</p>	<p>It is considered that there is sufficient information on which to base the proposed policies and methods.</p> <p>Improvements in transport safety, resilience, and reduction in emissions by providing for other types of transport.</p>
<p>Option C: Non-regulatory approach – relying on network owners to manage activities on their land</p> <p>This option is not recommended</p>	<ul style="list-style-type: none"> • Provides flexibility for transport operators to locate land transport infrastructure anywhere on the West Coast • Transfers a significant amount of work onto the network providers and individual users 	<ul style="list-style-type: none"> • Potential for adverse effects on the environment, scheduled features and sensitive activities. • Little to no community input • Inconsistent with national and regional policy direction. 	<p>Reliance on no rules or performance-based standards would result in land transport activities and associated subdivision and development being unconstrained/unmanaged.</p> <p>This approach has the potential to result in significant adverse effects, for affected landowners and the environment as well as potentially significant safety implications for the wider public.</p> <p>Defaulting to reliance on a non-regulatory approach would also be ineffective in achieving the objectives sought for transport activities.</p> <p>This option would also be inefficient and ineffective in addressing several matters</p>	<p>The risk of acting on the non-regulatory approach means that Council would fail to adequately carry out its duties/requirements under the RMA.</p> <p>Under this option it is also highly likely that resource management issues relating to transport activities would be inadequately addressed, particularly in relation to the national, regional and local benefits derived from the use and development of land transport infrastructure and the adverse effects and constraints associated with their development.</p> <p>It is considered that there is sufficient information not to act on this approach</p>

			<p>relevant to transport activities, including:</p> <ul style="list-style-type: none"> • Location, operation and technical constraints for transport activities • Potential cumulative effects associated with development of transport infrastructure • Potential impacts of transport infrastructure use on sensitive environments (e.g. the coast, ONLs) • Offset measures and/or environmental compensation 	
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17. Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the development of TTPP relating to the Transport Chapter. The appropriateness of the current and proposed methods and rules have been considered having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act.

The review of the Operative District Plans and the Proposed TTPP has shown that the operative plans do not provide a good level of specificity for the management of Transport.

The proposed objectives address similar issues and address contemporary issues. The objectives have been re-drafted to better describe the outcomes intended by implementation of the Proposed TTPP. The assessment has shown that the proposed new suite of provisions, (policies, definitions and rules) are more appropriate than the Operative District Plans' provisions, being more effective and efficient in addressing the issues and achieving the purpose of the Act.

The key findings of the review are:

- Updated definitions are required to achieve consistency with definitions used in the Resource Management Act, NPSUD, the West Coast Regional Policy Statement and best practice guidance from operators.
- The preferred approach of the Proposed District Plan provides more policy direction to describe how the objectives will be achieved.
- The Proposed District Plan provides a list of activities aligned with emerging and ongoing list of activities.
- The preferred approach is to generally enable effective and safe transport networks throughout the district subject to rule requirements that establish appropriate environmental thresholds. Beyond those thresholds a resource consent process is appropriate to enable consideration and management of environmental effects.
- The preferred approach requires resource consents for transport infrastructure where these are to be sited within environments or locations recognised by section 6 of the Resource Management Act.