

**BEFORE THE HEARINGS PANEL
APPOINTED BY THE TE TAI O POUTINI JOINT COMMITTEE**

UNDER THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Te Tai o Poutini Plan:

Topic 1: Introduction/ Whole Plan

Topic 2: Strategic Direction

**STATEMENT EVIDENCE OF STEPHANIE STYLES
ON BEHALF OF MANAWA ENERGY LIMITED (SUBMITTER 438)**

DATED 26 September 2023

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1.0 SUMMARY

- 1.1 This evidence focusses on the Topic 1: Introduction and General Provisions, and Topic 2: Strategic Directions chapters of the Proposed Te Tai o Poutini Plan (**pTTPP**). These chapters, and the pTTPP as a whole, are very relevant to the renewable electricity generation operations of Manawa Energy Ltd (**Manawa**) across the West Coast / Te Tai o Poutini Region, and renewable electricity generation generally.
- 1.2 Manawa plays an important role in the resilience of the West Coast / Te Tai o Poutini Region through the provision of renewable electricity generation that contributes to ensuring the health and wellbeing of a number of communities. Renewable electricity generation is a key element of ensuring that day to day life needs can be met and is a core contribution to the efforts to address climate change.
- 1.3 Renewable energy is a matter of national significance, and the pTTPP is required to:
- (a) have particular regard to the benefits to be derived from the use and development of renewable energy under s7(j) of the Resource Management Act 1991 (RMA); and
 - (b) give effect to the policy directions in the National Policy Statement for Renewable Electricity Generation (NPSREG), including to recognise and provide for renewable electricity generation activities.
- 1.4 I consider that it is necessary for the pTTPP to appropriately recognise and enable renewable electricity generation across the West Coast / Te Tai o Poutini Region. In doing so, the pTTPP needs to incorporate enabling provisions throughout the Plan from a strategic directions level right through to the rule details. This initial evidence is focussed on the first two topics and additional evidence will be provided on subsequent topics as required.

2.0 QUALIFICATIONS AND EXPERTISE

- 2.1 My name is Stephanie Styles. I hold the position of Senior Resource Management Planner with the environmental consultancy firm Boffa Miskell Limited, based in the firm's Christchurch office. I have been employed by Boffa Miskell since 2004.
- 2.2 I hold a Bachelor of Planning (Hons) from Auckland University. I am also a full member of the New Zealand Planning Institute. I have over 25 years' experience in planning and resource management. I am an accredited commissioner and hold an IAP2 International Certificate in Public Participation.

2.3 I have been a planning consultant based in Christchurch for over 25 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, central government, land developers, and the infrastructure and power sectors. Prior to that I worked in local government.

2.4 My experience includes preparing and processing resource consent applications, statutory planning and policy preparation, and public consultation processes. I have provided advice on a broad range of developments and resource management issues to councils and a variety of clients, a number involving presenting evidence before councils, and the Environment Court. I also have extensive experience in assisting with, and advising on, plan preparation under the RMA.

3.0 CODE OF CONDUCT

3.1 I have read the Code of Conduct for expert witnesses in the Environment Court Practice Note 2023. I agree to comply with this Code. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4.0 BACKGROUND

4.1 Manawa lodged a submission on the pTTPP¹ from the perspective of ensuring that the new Plan enables the operation and maintenance of their existing hydro-electric power schemes (**HEPS**) on the West Coast / Te Tai o Poutini, provides appropriately for development of new Renewable Electricity Generation (REG) activities, and responds correctly to the National Policy Statement for Renewable Electricity Generation (NPSREG). I note that Ms Foran has described the Manawa assets and interests on the West Coast / Te Tai o Poutini and explained Manawa's role in the renewable electricity sector nationally.

4.2 I consider that it is important to note the role that Manawa's hydroelectric generation schemes play for the West Coast / Te Tai o Poutini as a key means of supplying the region and ensuring resilience. These schemes have considerable history within the Region and are important assets to the region as set out in the evidence of Ms Foran.

4.3 I have been providing planning advice (both policy and consents based) to Manawa in relation to a range of its hydro-electricity power generation facilities around the South Island for a number of years and am therefore familiar with their HEPS and operations.

¹ For the purposes of clarification, Manawa Energy did not lodge any further submissions on the pTTPP.

I assisted Manawa with reviewing the pTTPP and preparing its submission on the pTTPP. I have also worked closely with Manawa in relation to consents associated with a number of their West Coast / Te Tai o Poutini HEPS, particularly the scheme upgrades to the Dillmans Duffers Kumara scheme.

- 4.4 I have read all the relevant material for the pTTPP including the section 32 material, and relevant submissions and further submissions, and section 42A reports. This background section to this brief of evidence is intended to set the scene for my involvement in the hearings and will be referenced (but not repeated) in subsequent briefs of evidence on other reporting topics.

5.0 POLICY CONTEXT FOR RENEWABLE ELECTRICITY GENERATION

National Direction

- 5.1 The current Government has committed to New Zealand transitioning to 100% renewable electricity generation by 2030 and is developing policy packages which aim to accelerate the deployment of renewable electricity generation and reduce carbon emissions². It is well recognised that there is an urgent need to provide for increased renewable electricity generation as set out in the evidence of Ms Foran.
- 5.2 Given that climate change is one of the most significant issues facing New Zealand, there is a need to ensure a coordinated policy response across the country to these issues and that includes all regions making provision for renewable electricity generation in a way that contributes to the national outcomes.
- 5.3 The statutory context for Manawa's submission is based on the need to enable renewable electricity generation development and operation. The benefits from using and developing renewable energy is identified as a matter to which particular regard must be had under section 7(j) of the RMA³ and is identified as a matter of national significance through the NPSREG⁴. Despite this recognition, the development of

² The passing of the Climate Change Response (Zero Carbon) Amendment Act in 2019 and the establishment of a Climate Change Commission to advise and hold Government to account on its policies may increase the ambition and enforcement of emission reductions in years ahead. The Commission has recently released its draft advice for consultation which includes a target of 60% renewable energy by 2035.

<https://www.beehive.govt.nz/release/nz-embracing-renewable-electricity-future>

<https://www.iccc.mfe.govt.nz/what-we-do/energy/electricity-inquiry-final-report>

Further work has been carried out subsequently in developing the National Emissions Reduction Plan ([Aotearoa New Zealand's first emissions reduction plan | Ministry for the Environment](#)) and National Adaptation Plan ([National adaptation plan | Ministry for the Environment](#)).

³ Resource Management Act 1991, section 7 Other Matters *In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to— ...*

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

⁴ National Policy Statement for Renewable Electricity Generation 2011, 14 April 2011, page 4: *Matters of national significance*

provisions at regional and local scales does not always adequately recognise or provide for existing or future renewable electricity generation.

- 5.4 The Natural and Built Environment Act continues to recognise the importance of climate change and therefore renewable electricity generation, by way of system outcome 5(b) which states:

5 System outcomes

To assist in achieving the purpose of this Act, the national planning framework and all plans must provide for the following system outcomes: ...

(b) in relation to climate change and natural hazards, achieving—

(i) the reduction of greenhouse gas emissions:

(ii) the removal of greenhouse gases from the atmosphere:

(iii) the reduction of risks arising from, and better resilience of the environment to, natural hazards and the effects of climate change: ...

National Policy Statement for Renewable Electricity Generation (NPSREG)

- 5.5 The NPSREG provides for renewable electricity generation as a matter of national importance and has an overarching objective that states:

To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.⁵

- 5.6 The policies under the NPSREG seek to recognise the benefits of renewable electricity generation, acknowledge the practical implications for achieving New Zealand's target for electricity generation from renewable resources, and acknowledge the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. The particular policies that are most relevant to the development of the pTTPP are set out in **Appendix One** and in summary require:

- (a) Recognition and provision for renewable electricity generation (REG) as a **matter of national significance**,
- (b) Particular regard to be had to:

The matters of national significance to which this national policy statement applies are:

a) the need to develop, operate, maintain and upgrade renewable electricity generation activities throughout New Zealand; and

b) the benefits of renewable electricity generation.

⁵ National Policy Statement for Renewable Electricity Generation 2011, 14 April 2011, Objective, page 4.

- maintenance of the generation output of existing REG,
 - protection of existing assets and operational capacity,
 - continued availability of the renewable energy resource,
 - the requirement for significant development of new REG to meet national targets,
 - the need to locate REG where the resource is available,
 - the logistical and technical practicalities associated with generation,
 - the necessity to connect to transmission and distribution,
- (c) That where any residual environmental effects that cannot be avoided, remedied, or mitigated, regard shall be had to offsetting measures or environmental compensation,
- (d) Objectives, policies, and methods to be included to provide for:
- the development, operation, maintenance, and upgrading of new and existing hydro-electricity generation activities, and
 - activities associated with the investigation, identification and assessment of potential sites and energy sources for REG, and
- (e) Provisions in planning documents to manage activities to avoid reverse sensitivity effects on consented and existing REG.

5.7 For completeness I note that recently some proposed changes to the NPSREG were made available for feedback and these reiterated the necessity to provide for REG activities. These do not however have any statutory weight at this time.

Response to policy context

5.8 To give effect to the overarching NPSREG objective and policies, the pTTPP needs to recognise that there are existing hydro-electricity power schemes in the West Coast / Te Tai o Poutini region that need to be provided for and supported, and there is a need to increase renewable electricity generation within the region to support national targets. The pTTPP as drafted provides reasonable support for existing renewable electricity generation (**REG**) and provides a pathway that will enable some development of new and expanded REG.

5.9 The policy approach in the pTTPP as notified in relation to REG activities does provide direction to enable existing REG assets, and their operation, maintenance and upgrading, and provision for new REG. I consider that the pTTPP as proposed does

generally provide for REG in a way that gives effect to higher order documents, however it does not sufficiently provide this support consistently in relation to other environmental values and some improvements in consistency of approach could be achieved. I will address these matters through this, and future, briefs of evidence.

- 5.10 I note that Manawa assets and operations fulfil a critical role in ensuring the resilience and sustainability of the West Coast / Te Tai o Poutini. I consider that national recognition of the role of renewable energy generation activities should be reflected in lower tier planning documents such as the pTTPP to ensure that the ability for Manawa to undertake activities is not hindered in the future.

6.0 STRUCTURE OF EVIDENCE / MANAWA SUBMISSION POINTS

- 6.1 I will briefly outline the structure of my evidence to provide some direction as to the manner in which I have approached the Manawa submission points which are relevant to this hearing.

- 6.2 I will provide some general comments on the plan as a whole (**Topic 1**), and then deal specifically with one submission point relating to this matter. I will then address submission points made by Manawa on definitions dealt with in this hearing stream. Where the submission points are relatively straightforward and have been accepted by the reporting officer, I have included these in table form with a brief covering comment.

- 6.3 My evidence will then focus on submission points relating to **Topic 2**: strategic objectives. These are more complicated and relate to matters also covered in the EIT chapter. I will deal with these submission points individually.

7.0 TOPIC 1 – INTRODUCTION AND GENERAL PROVISIONS

THE PLAN AS A WHOLE

S438.001 (use of the term ‘minimise’)

- 7.1 Manawa sought that the word ‘minimise’ is replaced with appropriate wording such as ‘avoid, remedy or mitigate’ throughout the Plan. The submission noted that the word ‘minimise’ is subjective, open to interpretation and ambiguous. This terminology is not used by relevant statutory documentation such as the RMA or the NPSREG and does not have a basis in caselaw. Manawa Energy seeks that this is replaced throughout the Plan by terminology appropriate to the context it has been used.

- 7.2 The reporting officer has recommended that this submission point be rejected⁶. She prefers the approach suggested by Transpower (S229.020) as it is widely used in policies across the Plan, and “*often because the terms avoid, remedy or mitigate do not capture the policy intent itself*”. Transpower sought the insertion of a definition of the term ‘minimise’ as follows “*reduce to the smallest amount reasonably practicable*”. I agree that providing this definition will assist in understanding what is intended by the use of this term.
- 7.3 However, I consider that the terms ‘avoid, remedy or mitigate’ are more appropriate in some situations, and provide a full reflection of terminology used in the RMA, the NPSREG and the Natural and Built Environment Act 2023 (NBEA). I acknowledge that the term ‘minimise’ is referred to a number of national documents in the context of management of environmental effects however this is used in conjunction with terms such as avoid, remedy, offset and compensate. By way of example, Section 18 of the NBEA 2023 prescribes a ‘*Duty to avoid, minimise, remedy, offset, or compensate for adverse effects*’.
- 7.4 The definition of effects management hierarchy in the National Policy Statement for Indigenous Biodiversity (NPSIB)⁷ requires, in essence, a stepped process of consideration of avoiding effects where practicable; where this cannot occur minimising such effects where practicable; where this cannot occur remedy these where practicable; then consideration of offsetting and compensation.
- 7.5 If the term ‘minimise’ is used in isolation I consider that it could constrain the ability for resource users to undertake activities. I consider that there is a significant distinction between a requirement to ‘minimise’ and a requirement to ‘avoid, remedy or mitigate’ as is reflected in national policy direction. It remains my recommendation that the use of the term minimise throughout the pTTPP be carefully considered and that where other effects management is appropriate, the term be amended.

PART 1, INTRODUCTION AND GENERAL PROVISIONS – HOW THE PLAN WORKS – GENERAL APPROACH

S438.004 (Step 2 – Locate the Relevant Zone Rules)

- 7.6 This submission point by Manawa supports the second paragraph of Step 2 which clearly outlines the manner in which the Infrastructure, Energy, Transport, Subdivision and Temporary Activities Chapters operate in relation to the remainder of the Plan. I consider

⁶ Te Tai o Poutini Plan, Section 42A Officer’s Report, Introduction and General Provisions, loaded to website on 18 September 2023, L Easton, paragraph 400, page 107.

⁷ National Policy Statement for Indigenous Biodiversity (2023). Section 1.6 Interpretation (1) p8.

that this explanation provides clarity to all Plan users and thereby assists in the efficient administration of the Plan. Ms Easton notes this support and recommends that this submission point be accepted⁸. I do not consider that this requires further analysis.

PART 1, INTRODUCTION AND GENERAL PROVISIONS – INTERPRETATION

Definitions of Functional Need and Operational Need

- 7.7 Manawa lodged a number of submission points seeking retention of defined terms contained in the National Planning Standards (NPS). A couple of these which have been allocated to this hearing stream are summarised in the table below. Ms Easton has recommended that these submission points be accepted. I do not consider that these require further analysis.

Definition	ME Submission Point	Officer Recommendation
Functional Need	S438.010	Accept
Operational Need	S438.014	Accept

Maintenance

- 7.8 Manawa lodged a submission point seeking that the definition of the term ‘maintenance’ be amended to clearly refer to repair activities (**S438.013**). The submission point noted that the definition was not explicit in terms of providing for these activities and sought the amendment to ensure that ‘normal activity’ is provided for. Ms Easton considers that the current definition is very wide reaching, and that repair is covered by the existing definition⁹. I accept the recommendation of Ms Easton and support a practical interpretation of such a definition.

8.0 TOPIC TWO: STRATEGIC OBJECTIVES

PART 2, DISTRICT WIDE MATTERS – STRATEGIC OBJECTIVES, CR – CONNECTIONS AND RESILIENCE

S438.025 (CR – O2)

- 8.1 The submission by Manawa seeks to ensure that appropriate and consistent terminology is used throughout the pTTPP. At the time the submission was drafted it was noted that a number of definitions are referred to throughout the Plan, but the context in which these

⁸ Te Tai o Poutini Plan, Section 42A Officer’s Report, Introduction and General Provisions, loaded to website on 18 September 2023, L Easton, paragraph 246, page 66, and Appendix 3, page 6.

⁹ Te Tai o Poutini Plan, Section 42A Officer’s Report, Introduction and General Provisions, loaded to website on 18 September 2023, L Easton, paragraphs 353 - 356, page 99.

terms are used differ. This hearing topic deals with a number of submission points relating to definitions lodged by Manawa, however reporting on other similar submission points has been deferred and will be dealt with in terms of the relevant primary chapter of the pTTPP¹⁰. Whilst I understand this approach, this has made the preparation of this evidence more complicated.

- 8.2 Manawa has sought that the term ‘critical infrastructure’ is replaced with the term ‘regionally significant infrastructure’ and therefore requested the wording of objective CR-O2 is amended to reflect this. Manawa’s specific submission point in relation to this and related definitions (S438.003 and S438.024) will also be dealt with in the hearing stream for the EIT chapter.
- 8.3 Ms Easton considers that this overall matter is considered in the EIT chapter¹¹, and she states that *“the use of the terms in the two documents is different”* and the *“definition of critical infrastructure has some overlap with regionally significant infrastructure, but includes other types of infrastructure”*. Subject to any substantive consideration of this matter in the EIP S42A report, she does not support an amendment to the objective at this time.
- 8.4 Whilst the matter has effectively been ‘parked’ until consideration of the EIT chapter, I will briefly outline my thoughts on this matter below, and request that the Panel take account of these interrelationships when making any staged decisions. The Strategic Objectives are a key part of the pTTPP and form the basis for which other policy directions are derived.
- 8.5 I have compared use of the terms ‘regionally significant infrastructure’ and ‘critical infrastructure’ as follows:

Definition Critical Infrastructure (pTTPP)	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.
Definition Regionally Significant Infrastructure (West Coast / Te Tai o Poutini Regional Policy Statement)	Regionally significant infrastructure means: a) The National Grid (as defined by the Electricity Industry Act 2010); b) Other electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity; c) Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;

¹⁰ Submission points S438.003, S438.007 and S438.024 will not be considered by the Panel until the hearing of the EIT chapter of the Plan.

¹¹ Te Tai o Poutini Plan, Section 42A Officer’s Report, Strategic Direction, loaded to website on 18 September 2023, L Easton, paragraph 99, page 28 and paragraph 272, page 81.

	<ul style="list-style-type: none"> d) Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas; e) The State Highway network, and road networks classified in the One Network Road Classification Sub-category as strategic; f) The regional rail networks g) The Westport, Greymouth, and Hokitika airports; h) The Regional Council seawalls, stopbanks and erosion protection works; i) Telecommunications and radio communications facilities; j) Public or community sewage treatment plants and associated reticulation and disposal systems; k) Public water supply intakes, treatment plants and distribution systems; l) Public or community drainage systems, including stormwater systems; m) The ports of Westport, Greymouth and Jackson Bay; and n) Public or community solid waste storage and disposal facilities.
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8.6 As can be seen, there is a very high degree of similarity between the definitions. It remains unclear to me why there needs to be a difference. While the regionally significant infrastructure definition is slightly broader, it continues to cover the same types of key community infrastructure. In my opinion, it would be better to utilise one definition rather than two subtly different definitions. This would reduce the potential for confusion in interpretation.

8.7 Further, I consider that it is important to use terminology that correctly aligns with higher order documents and legislation. Using the term ‘regionally significant infrastructure’ is important as it is consistent with terminology used in national policy documents. Key national direction such as the National Policy Statement for Freshwater (NPSFW) 2020, and NPSIB make specific exemptions for ‘specified infrastructure’. The definition of this term in the NPSFW includes (b) ‘*regionally significant infrastructure identified as such in a regional policy statement or regional plan*’¹². The NPSIB includes similar provision, with a notable difference that it refers to regionally or nationally significant infrastructure identified as such in a National Policy Statement, the New Zealand Coastal Policy Statement or a regional policy statement or plan¹³.

8.8 As it currently stands, the pTTPP does not include the term regionally significant infrastructure (or specified infrastructure) and thus there is no clear line of sight of interpretation for the pTTPP in applying the provisions of the NPSFW or NPSIB as relevant to this district planning document. For example, the NPSIB includes specific provision for specified infrastructure within a significant natural area, but this cannot be effectively applied to the pTTPP in the absence of the term regionally significant infrastructure.

¹² National Policy Statement for Freshwater (2023), 3.21 Definitions relating to wetlands and rivers.

¹³ National Policy Statement for Indigenous Biodiversity (2023), 1.6 Interpretation.

- 8.9 It remains my recommendation that the term 'regionally significant infrastructure' be used in the pTTPP, that it be defined to align with the RPS and that the term used in Objective CR-O2 be amended to use that term as follows:

*To enable and protect the continued function and resilience of **critical regionally significant** infrastructure and connections and facilitate their quick recovery from adverse events.*

S438.026 (CR - O3)

- 8.10 Manawa lodged a submission point requesting the amendment of Objective 3 as follows:

*~~To ensure that new **support the** locations for **of critical regionally significant** infrastructure and **associated** connections take account of the hazardscape and where practicable are built away from natural hazards **where the adverse effects of natural hazards on this critical infrastructure are able to be avoided, remedied or mitigated, whilst recognising the functional and operational needs of such infrastructure.**~~*

- 8.11 In the submission, Manawa noted that it appreciates the recognition of the role of critical / regionally significant infrastructure within the Region but considers that recognition of the functional and operational need to locate in particular locations needs to be explicitly provided and further that Council support (rather than ensure) that this occurs.
- 8.12 As set out in the submission, in a number of cases it may be impractical for the scale of regionally significant infrastructure to be sited away from natural hazards, and it may be necessary, and appropriate, that some infrastructure remain located in situations where there is some natural hazard risk. In my opinion, this needs to be allowed for through the policy context with the actual effects of a proposal being assessed on a case by case basis. I consider that the effects management hierarchy provides a system to consider if infrastructure can be located appropriate even where there is a hazard risk.
- 8.13 I am concerned over the use of the term 'hazardscape' as this is not defined in the Plan, is not commonly used or understood in district plans, and is open to interpretation. I consider that the wording of the objective would be better without such a term. I also note that similar to the objective addressed above, Manawa has sought that the term 'critical infrastructure' is replaced with the term 'regionally significant infrastructure' within this objective. Finally, I do not consider that the term 'ensure' is appropriate within an objective (outcome) as that is better phraseology at a policy (doing) level.

- 8.14 Ms Easton has assessed this submission point and rejected it in favour of the alternative wording sought by Waka Kotahi (S450.15)¹⁴. Waka Kotahi sought the deletion of ‘where practicable’ and insertion of ‘unless there is a functional or operational need to be in that location’.
- 8.15 I consider that whilst the relief sought by Waka Kotahi maybe simpler, it does not in my opinion accurately reflect the direction in NPSREG, in particular Policy C2, nor clearly provide for infrastructure within a hazard risk situation. I recommend that the objective be reframed slightly further as follows:

To support the location of ensure that new locations for critical regionally significant infrastructure and connections take account of the hazardscape and are built away from natural hazards unless there is a functional or operational need to be in that location.

S438.027 (CR - O4)

- 8.16 This objective deals with the development of self-sufficiency of infrastructure and back up of infrastructure on the West Coast / Te Tai o Poutini. Manawa considers this to be of critical importance. Manawa’s assets generate electricity which can be distributed along the West Coast / Te Tai o Poutini without having to rely on the Coleridge electricity line, thereby supporting resilience along the West Coast / Te Tai o Poutini. Manawa lodged a submission point in support of this objective. Ms Easton has recommended that this submission point be accepted¹⁵. I do not consider that any further analysis is required.

NHER – NATURAL HERITAGE

S438.028 (NENV – O1)

- 8.17 Manawa lodged a submission point seeking the amendment of Objective 1 which deals with matters relating to natural character, landscapes and features, ecosystems and biodiversity. Manawa supports the intent of this objective, however seeks that the wording used is consistent with that used in the Resource Management Act 1991. I consider this to be important when considering the extent and diversity of natural resources on the West Coast / Te Tai o Poutini. Part II of the Resource Management Act 1991 contains explicit wording in relation to the management of natural features, in particular reference to outstanding natural features and landscapes, and significant

¹⁴ Te Tai o Poutini Plan, Section 42A Officer’s Report, Strategic Direction, loaded to website on 18 September 2023, L Easton, paragraphs 102-109, pages 29-30.

¹⁵ Te Tai o Poutini Plan, Section 42A Officer’s Report, Strategic Direction, loaded to website on 18 September 2023, L Easton, paragraph 110, page 31.

ecosystems. Ms Easton has recommended that this submission point be accepted¹⁶. I do not consider that further evidence needs to be provided in relation to this matter.

S438.029 (NENV – O3)

- 8.18 This objective deals with matters relating to the natural environment, including the '*need for infrastructure to sometimes be located in significant areas*' (NENV – O3 (b)). Manawa supported this objective, in particular the explicit recognition that there is a need sometimes for regionally significant infrastructure to be located in significant natural areas.
- 8.19 Ms Easton recommends that this submission point is accepted in part¹⁷. She notes Manawa support for this objective but recommends wider changes to the objective based on other submissions. I wish to reemphasise the importance of infrastructure on the West Coast / Te Tai o Poutini in terms of resilience, reliability and in the case of renewable electricity generation, the lifeline utility functions that this provides. There are often limited locational choices available to establish new infrastructure particularly given the large extent of conservation land and land containing other significant natural values within the West Coast / Te Tai o Poutini region. I support the addition of reference to functional and operational need within the objective.
- 8.20 As has also been identified by Federated Farmers (S524.031), there are a number of existing lawfully established activities located in significant areas. It is important to recognise and acknowledge these and I support this addition to the objective.

UFD – URBAN FORM AND DEVELOPMENT

S438.030 (UFD – O1)

- 8.21 This objective deals with infrastructure in the context of urban development. Manawa lodged a submission point seeking that the words 'critical infrastructure' used in this objective are replaced with the term 'regionally significant infrastructure', similar to above points. Ms Easton has recommended that this submission point be rejected on similar grounds to those outlined in relating to S438.025.
- 8.22 I have dealt with this matter earlier in this evidence and I reiterate the need to use consistent language that aligns with national direction. Again, I request that the Panel

¹⁶ Te Tai o Poutini Plan, Section 42A Officer's Report, Strategic Direction, loaded to website on 18 September 2023, L Easton, paragraph 194, page 56.

¹⁷ Te Tai o Poutini Plan, Section 42A Officer's Report, Strategic Direction, loaded to website on 18 September 2023, L Easton, paragraphs 206 – 219, pages 61-62.

delay consideration of this submission point until hearings on Topic 4 (EIT chapter) have further addressed this issue.

- 8.23 As set out above, it remains my recommendation that the term 'regionally significant infrastructure' be used in the pTTPP, that it be defined to align with the RPS and that the term used in Objective UFD-O1(8) be amended to use that term as follows:

To have urban environments and built form on the West Coast/Te Tai o Poutini that:

...

*(8) Promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of **critical regionally significant** infrastructure; ...*

9.0 CONCLUSION

- 9.1 It would appear that most of the issues raised by Manawa in its submission have been accepted/ accepted in part by Council, with the exception of matters relating to Strategic Objectives. I have addressed above where I continue to be of the opinion that further changes to objectives should be made. I consider that alignment with national direction is important and that consistency and clarity in language used is essential to assist with understanding and implementation of this plan.

APPENDIX ONE: KEY POLICIES FROM THE NPS REG

The particular policies that are most relevant to the development of the pTTPP (emphasis added):

POLICY A

Decision-makers shall recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities. These benefits include, but are not limited to: ...

POLICY B

Decision-makers shall have particular regard to the following matters:

a) maintenance of the generation output of existing renewable electricity generation activities can require protection of the assets, operational capacity and continued availability of the renewable energy resource; and

b) even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output; and

c) meeting or exceeding the New Zealand Government's national target for the generation of electricity from renewable resources will require the significant development of renewable electricity generation activities.

POLICY C1

Decision-makers shall have particular regard to the following matters:

a) the need to locate the renewable electricity generation activity where the renewable energy resource is available;

b) logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity;

c) the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable electricity generation activity to the national grid; ...

POLICY C2

When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected.

POLICY D

Decision-makers shall, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities.

POLICY E2

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance, and upgrading of new and existing hydro-electricity generation activities to the extent applicable to the region or district.

POLICY G

Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators.

APPENDIX TWO: SECTION 32AA ANALYSIS

The following table sets out an analysis under s32AA of the Act, in relation to the changes I recommend to the pTTPP:

The extent to which the objectives are the most appropriate way to achieve the purpose of this Act [s32(1)(a)]
The amendments proposed to the objectives within this evidence are considered a more appropriate way to achieve the purpose of the Act as they align more closely to the NPSREG and other national direction. They clearly align with terminology used in higher order documents and provide consistency of approach. They will assist to provide for REG activities and will give better effect to section 7(j) of the Act. They reflect best practice by using directive language, consistent terminology and provide an appropriate level of certainty for users of the pTTPP.
Benefits and costs of the environmental, economic, social, and cultural effects anticipated [s32(2)(a)]
<p>The benefits of amending the provisions include:</p> <ul style="list-style-type: none">• Greater clarity for all parties in understanding the provisions of the pTTPP and removing contradiction in the provisions.• Greater certainty for infrastructure activities within the region. <p>The costs of amending provisions include:</p> <ul style="list-style-type: none">• Necessity to make numerous changes to provisions to provide alignment.
Whether the provisions in the proposal are the most appropriate way to achieve the objectives [s32(1)(b)]
I consider that the revised provisions are more appropriate to achieve alignment with higher order documents as they are efficient and effective in using consistent terminology. They are efficient in that the benefits outweigh the costs and provide improved clarity of understanding and for implementation. Effectiveness is demonstrated by ensuring they give effect to the objectives as well as the RMA and the NPSREG. The other option, the proposed wording in the notified pTTPP, are less appropriate.
The risk of acting or not acting [s32(2)(c)]
I consider that there is a low risk of acting as there is a lot of knowledge of the wording used in other national direction and other district and regional plans. There is a high risk of not acting and retaining inappropriate and confusing provisions relating to this matter.