

Te Tai o Poutini Plan

1. Planning Summary Statement

Part 2 –District-Wide Matters

Te Wāhanga 2 - Ngā Kaupapa ā-Rohe Whānui

Energy, Infrastructure and Transport

Te Pūngao, Te Tūāhanga and me Te Tūnuku



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Introduction

1. Tena koutou. My name is Melissa Ivy McGrath, with me is Grace Lily Forno. We are independent planning consultants from Barker & Associates. Our credentials are outlined in the relevant s42A report and I will not repeat these here.
2. Our s42A report covers the Energy, Infrastructure and Transport chapters, being three of the chapters located in Part 2 District Wide Matters section of the Plan. Other general district wide chapters are being reported on separately.
3. The submissions received were largely supportive of the resource management approach, and the majority of submissions were focussed to matters of detail in relation to the wording of the proposed objectives, policies, rules, and related definitions.
4. We provide an overview of the key recommended amendments in response to submissions as well as our opinion of what the main outstanding matters are. We have reviewed all written evidence that has been filed; based on that evidence, our opinion on a number of matters has changed from what is detailed in the original section 42A report. We can summarise those changes after this overview if that is helpful, otherwise they are also set out in detail in the section 42A addendum report.
5. A number of corrections have also been identified to the recommend plan provisions and the recommendations to submission and further submissions. These are also shown in the addendum report and its attachments.
6. Unless it is specifically detailed in the addendum report, our opinion has not changed in response to the written evidence, and the recommendations in the section 42A report still stand.
7. We will now provide a summary of the recommended provisions in response to submissions.

Separation of Energy and Infrastructure Chapters

8. We agree with concerns raised by numerous submitters that the notified Energy and Infrastructure Chapters overlap and have recommended amendments to ensure all aspects of Energy Activities are contained within the single Energy Chapter.

Regionally Significant Infrastructure

9. Numerous submitters sought amendments to the definition of 'critical infrastructure', or to replace it with the definition of 'regionally significant infrastructure' (RSI). We are supportive of this change on the basis that the new term is consistent with the RPS. We note that Ngāi Tahu have raised concern that this recommendation *'has the potential to significantly extend the application of enabling provisions that currently apply to critical infrastructure'*¹.
10. Within the scope of this hearing topic, we have recommended amendments to provisions to address potential effects of RSI. Once a decision is made on the appropriate term, we would expect that each chapter should be updated to consider the appropriateness of enabling provisions including any consequential amendments.

Energy

11. A large number of submissions and evidence filed were focused on the Energy chapter. The provisions manage energy activities throughout the districts. In response to submissions, we have supported a number of amendments that we consider will improve the effectiveness and efficiency or clarity of the provisions. These include:

¹ Ngāi Tahu Legal Submissions para 3.2

- a. Specifically referencing the types of energy activities, establishing context and scope of each provision.
- b. Introduction of a new objective seeking to co-ordinate the provision of distribution and transmission activities with subdivision, use and development.
- c. Amending objective ENG-O2 to “manage” adverse effects and amending ENG-P4 to “avoid, remedy or mitigate”.
- d. Introduction of a new policy to discourage non-renewable electricity generation activities and a new non-complying rule.
- e. Clarification of the scope of ‘upgrading’ and ‘minor upgrading’ including amendments to rules.
- f. Clarification of the scope and definition of ‘small-scale, community scale and large scale renewable electricity generation’ including amendments to rules.

Infrastructure

12. In relation to infrastructure, the provisions provide for and manage the effects of all infrastructure. Our recommendations are informed by comments from the Technical Working Group feedback on the s42A and no supporting technical evidence.
13. We have recommended relatively minor changes to provisions to improve clarity, efficiency and effectiveness.
14. Evidence was received from submitters with respect to increasing minimum height thresholds for navigational aids/beacons, environmental monitoring equipment, meteorological facilities and telecommunication facilities. We consider that height thresholds should reflect the appropriate height thresholds for each zone and note that Zone hearings and decisions have not yet been completed, these will confirm the intended character and amenity of each zone.
15. In our opinion, the key remaining outstanding infrastructure matters relate to:
16. Amendment of INF-O5 to include “Poutini Ngāi Tahu requirements for discharge of wastewater to land” and INF-R2 reticulated systems connections, the certification that capacity is available. It would be helpful to hear from Ngāi Tahu set out in the presentation of their evidence, how this objective is to be implemented given the scope of submission and what these requirements would be in practice, and how they would be applied by plan users, including resource consent decision makers and applicants.

Transport

17. The Transport chapter manages land transport within the districts. Again, we note that our recommendations are informed by comments from the Technical Working Group feedback on the s42A and no supporting technical evidence.
18. We supported a number of amendments to the provisions in response to submissions, including:
 - a. Amendments to Objective 2 to provide for the safe and efficient operation of land transport infrastructure and introduction of a new policy to give effect to this objective;
 - b. New objective seeking to protect land transport corridors from reverse sensitivity effects;
 - c. Introduction of a new policy to manage effects of high traffic generating activities;
 - d. Minor amendments to rules, are recommended largely to improve readability and flow.
 - e. High trip generating transport activities rule TRN-R12 has been revised to improve implementation.
19. Our s42A Report welcomed submitters to provide further technical evidence in support of their submissions, we note that Waka Kotahi and KiwiRail provided technical evidence unfortunately we

received access to this evidence on 23 November 2023 and have not yet had the opportunity to full consider the information presented but will consider and provide appropriate response in right of reply.

20. In our opinion, the key remaining outstanding Transport matters relate to:
- a. Mapping or listing for road hierarchies;
 - b. Plan integration with the One Network Framework (ONF);
 - c. Refinement of approach to high trip generating activity provisions; and
 - d. Clarification of vehicle crossing design and location standards.
 - e. Matters raised in KiwiRail evidence.

Other Matters

21. There are outstanding matters which apply across the Energy, Infrastructure and Transport District Wide chapters. Ngāi Tahu has sought for the inclusion of 'Poutini Ngāi Tahu values' as a matter of discretion or control across a number of rules and Policy 3 of the Light chapter.
22. We understand this matter was also raised in Hearing topics 1, 2 and 3 and note that Ngāi Tahu have provided further information in their evidence.
23. We retain reservations in relation to the wording that has been sought, particularly in in terms of what Poutini Ngāi Tahu values are when considering a restricted discretionary or controlled activity under the Energy, Infrastructure and Transport rules.

Close

24. Those were the key matters for these three chapters covered in the s42a report. We wish to thank those submitters who participated in pre-hearing meetings, we found these very helpful in informing our recommendations, we also confirm that we are happy to work collaboratively to resolve outstanding matters.
25. Thank you.