

**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: Landscapes

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF STEPHANIE STYLES
ON BEHALF OF MANAWA ENERGY LIMITED (S438)**

DATED 27 March 2024

1.0 RESPONSE TO HEARINGS PANEL QUESTIONS

- 1.1 In the hearing on 19th March regarding the Landscapes Topic, the Hearings Panel requested that I provide an annotated set of provisions setting out my recommended amendments based on my evidence and the responses to questions in the hearing.
- 1.2 To assist the Panel I set out below my recommended text amendments, using the reporting officer's recommended changes as the base:

[Text amendments are shown as underlined for inserts or new text and ~~strike through~~ for deletions. Text amendments shown in black are from the reporting officer's recommendations in the s42A report, and those shown in red are my recommendations.]

NFL Overview

The Outstanding Natural Features and Outstanding Natural Landscapes identification applies to areas which have been assessed and identified as having high levels of scientific, biophysical, sensory or associative landscape values, which makes them outstanding. In almost all instances these areas are also bush covered and provide habitat for native fauna. These areas may also include ~~critical infrastructure~~ regionally significant infrastructure, renewable electricity generation activities, and other elements of the built environment and have varying degrees of modification. Given the topography and extent of outstanding natural features and landscapes on the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy.

NFL - O1

~~To protect~~ The values of outstanding natural landscape and outstanding natural features on the West Coast/Te Tai o Poutini are protected from inappropriate subdivision, use and development, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.

NFL New Policy ¹

NFL PX

Ensure that the landscapes of the West Coast Region are recognised by:

- a. assessing the values and characteristics of the landscapes according to the following criteria:
 - i. biophysical (abiotic, biotic);
 - ii. sensory (legibility, naturalness, vividness, coherence, aesthetic, transient values); and
 - iii. associative (shared and recognised values, mana whenua values, historic heritage associations); and

¹ As per my evidence, I recommend this be the first policy and all subsequent policies renumbered.

- b. identifying and mapping those areas that are Outstanding Natural Features and Outstanding Natural Landscapes, based on their values and characteristics; and
- c. describing the values and characteristics of each Outstanding Natural Feature or Outstanding Natural Landscape within Schedules Five and Six.

NFL - P1

Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they ~~do not adversely affect~~ maintain protect the values that together contribute to a natural feature or landscape being outstanding and are for:

- a. Existing land uses and lawfully established activities including ~~existing~~ lawfully established residential activities, regionally significant infrastructure, network utilities, renewable energy electricity generation activities, mineral extraction, agricultural, horticultural and pastoral activities;
- b. Conservation activities;
- c. Recreational activities;
- d. Maintenance and repair of natural hazard mitigation activities structures;
- e. Upgrading of natural hazard mitigation structures where this is undertaken by a statutory agency or their nominated contractor
- ~~e.~~ f. Operation, maintenance and upgrade of existing renewable electricity generation facilities;
- f. g. Operation, maintenance and upgrading of network infrastructure; and regionally significant infrastructure;
- ~~g.~~ Upgrading and/or Establishment of new regionally significant infrastructure and renewable electricity generation facilities where there is a functional need for them to be located in these areas;
- h. Poutini Ngāi Tahu ~~uses~~ activities; or
- i. The alteration, maintenance or removal of existing buildings or structures.

NFL - P2

Where ~~possible~~ practicable, avoid significant adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where significant adverse effects cannot practicably be avoided, ensure that the adverse effects are ~~otherwise minimised, remedied, mitigated or offset or compensated as appropriate in accordance with the effects management hierarchy.~~

NFL - P3

Recognise that there are settlements, farms, land uses, and infrastructure and other activities located within outstanding natural ~~landscapes-features~~ or outstanding natural landscapes features and ~~provide for~~ allow new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected-maintained or enhanced.

NFL - P4

Require that new buildings, and structures within outstanding natural features or landscapes ~~minimise~~ avoid, remedy or mitigate any adverse visual effects including by:

- a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;
- b. Using naturally occurring building platforms, materials and colour that blends into the landscape;
- c. Limiting landform modification through earthworks; and
- d. ~~Limiting~~ Reducing the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and
- e. Landscaping buildings and structures with appropriate vegetation to soften outlines where these mitigation measures are practicable.

NFL - P5

~~Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:~~

When assessing whether a proposal for land use or subdivision is appropriate, in addition to the above policies, consider the following matters:

- a. The nature, scale and extent of modification to the landscape;
- b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;
- c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- d. The temporary, short term or permanent nature of any adverse effects;
- e. The functional, technical, operational or locational need of any activity to be sited in the particular location;
- f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu or Māori Landowners who whakapapa to Poutini Ngāi Tahu;
- g. Any positive effects the development has on the identified characteristics and qualities;
- h. Any positive effects at a national, regional and local level;
- i. Any relevant public safety considerations; and
- j. The measures proposed to mitigate the effects on the values and characteristics, including:
 - i. ~~The location, design and scale of any buildings or structures, or earthworks;~~
 - ii. ~~The intensity of any activity; and~~
 - iii. ~~The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing;~~
- k. The extent to which an activity or structure is lawfully established; and
- l. The management of effects on natural character, amenity, recreation, historical and biodiversity values

NFL - R1

Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, ~~railway,~~ critical regionally significant infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six

Activity Status Permitted

Where:

1. Earthworks, structures and vegetation clearance associated with renewable electricity generation activities are permitted under the Energy and Ecosystems and Biodiversity chapters.

NFL - R3

Repair and Maintenance, and Upgrading of Natural hazard mitigation activities structures including earthworks in an Outstanding Natural Landscape described in Schedule Five

Activity Status Permitted

Where:

1. The natural hazard mitigation structure has been lawfully established and is to protect regionally significant infrastructure ~~activities are to protect critical infrastructure;~~
2. Any upgrading of natural hazard mitigation activities structures ~~is~~are undertaken by a statutory agency or their nominated contractor or the owner of the regionally significant infrastructure where there is no change to more than 10% to the overall dimensions, orientation or outline of the structure as of 14 July 2022; and
3. The work does not involve modification of an Outstanding Natural Feature described in Schedule Six.

Activity status where compliance not achieved: Controlled

NFL - R5

Additions or alterations to buildings and structures including upgrades to Energy Renewable Electricity Generation Activities, Electricity Generation Activities and Regionally Significant Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six
Activity Status Permitted

1. The maximum height of any addition or alteration to buildings and structures above ground level is 5m or a 10% increase above the existing building / structure height, whichever is the greater; and
2. The maximum area of any addition is no greater than 50m², or 10% of the total floor area, whichever is the greater; and
3. Any upgrades ~~to infrastructure are undertaken by a network utility operator~~ are in accordance with the relevant Permitted Activity standards in Infrastructure Rule – INF – R7 and Energy Rule ENG – R4.

Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.

Activity status where compliance not achieved: Restricted Discretionary

NFL - R6

Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six

Activity Status Permitted

Where:

1. All performance standards for Earthworks Rule EW - R1 are complied with; and
2. This is ancillary to:
 - a. An infrastructure activity undertaken by a network utility operator ~~in accordance with the Permitted Activity standards in Infrastructure Rule INF – R7;~~ or
 - b. An Electricity Transmission or Distribution Activity, or Renewable Electricity Generation Activity, in accordance with the Permitted Activity standards in Energy Rule ENG - R4; or

3. For other earthworks (other than those provided for in clause 1 and 2 above), the following standards are complied with:
- The cut height or fill depth does not exceed one metre vertically; and
 - No more than 500m³ of earthworks are undertaken/12 month period/site; and
 - ~~The earthworks are undertaken outside of the Coastal Environment.~~

...

NFL - R8

Erection of a building or structure not otherwise provided for as a Permitted Activity within an Outstanding Natural Landscape described in Schedule Five
Activity Status Permitted

Where the structure is:

- A fence; or
- Associated with ~~stock~~ water reticulation including tanks, pipes and water troughs; or
- For parks facilities or parks furniture in any Open Space Zone; or
- For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 and for energy network utilities Rule ENG – R4; or
- For a **single** small-scale renewable electricity generation activity **per allotment** ~~with a maximum height above ground level of 5m where~~;
 - The maximum height is 5m above ground level; and
 - The gross floor area of any building does not exceed 100m²
- For agricultural, pastoral and horticultural activities and mahinga kai activities or any accessory building where:
 - The maximum height is 3m above ground level; and
 - The gross floor area of any building does not exceed 100m²;
- A bridge constructed as part of a Temporary Military Training Activity

...

NFL - R9

Natural Hazard Mitigation Activities including Earthworks not meeting Rule NFL - R3
Activity Status Controlled Restricted Discretionary

Where:

1. These are to protect Regionally Significant Infrastructure; and
2. These will not destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding.

...

NFL - R10

Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6

Activity Status Controlled Restricted Discretionary

Where:

1. These are for: ...

Discretion is restricted to:

... and

- Landscaping measures Any physical measures, such as landscaping, required to mitigate the effects on values that make the feature or area outstanding. ...

NFL - R12

Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.

...

Discretion is restricted to:

...

h. ~~Landscape measures~~ Any physical measures, such as landscaping, required to mitigate the effects on values that make the feature or area outstanding;

...

1.3 I also note the offer made by James Bentley to assist Bridget Gilbert with updates to the mapping and schedules, and that during the presentation of evidence the Panel supported this proposal. In undertaking this exercise, I recommend that it focus on:

- a) Refinements to mapping of ONFL areas, especially at a more detailed level and around the edges; and
- b) Incorporating amendments into the schedules that better describe the values of the ONFL areas, especially in ensuring accurate description of the areas, and including recognition of existing modification to these areas; and
- c) Including within the preamble to the schedules, a description of the methodology and process of assessment and application of the criteria (as per the policy above) to determine ONFL areas.

Stephanie Styles