

**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: Sites and Areas of Significance
to Māori**

**STATEMENT OF EVIDENCE OF STEPHANIE STYLES
ON BEHALF OF MANAWA ENERGY LIMITED**

DATED 27 March 2024

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1.0 SUMMARY

- 1.1 My evidence focusses on the Sites and Areas of Significance to Māori provisions of the Proposed Te Tai o Poutini Plan (**pTTPP**) relevant to the renewable electricity generation (**REG**) operations of Manawa Energy Ltd (**Manawa**) across the West Coast Region, and renewable electricity generation generally.
- 1.2 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.
- 1.3 Manawa (submitter ID number **S438**) made a limited number of submission points in this topic. The primary concerns raised were insufficient recognition of existing renewable electricity generation activities with SASMs, and the necessity for consistency of provisions relating to renewable electricity generation between various topic areas within the Plan.
- 1.4 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.
- 1.5 Overall, I consider that these concerns can be easily addressed by incorporation of the changes sought by Manawa in the submission.

2.0 INTRODUCTION

- 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 In my brief of evidence dated 2 October 2023, in relation to the Introduction and Strategic Direction hearings, I provided an outline of my experience, my role advising Manawa, my involvement in the pTTPP process to date, and the key policy issues of relevance to Manawa.

2.3 I reiterate that 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.

3.0 PART 2, DISTRICT WIDE MATTERS – HISTORICAL AND CULTURAL VALUES – SITES AND AREAS OF SIGNIFICANCE TO MAORI

3.1 Firstly, Manawa wish to emphasise that they do not oppose the identification of SASMs in the pTTPP or as they relate to the various Manawa schemes. Manawa supports the identification and protection of SASMs nationally and within the pTTPP. Manawa are keen however to ensure that the rules providing recognition and protection of SASMs also acknowledge that existing renewable electricity generation activities are located within some of the SASMs. Where Manawa is required to undertake activities to operate, maintain, repair and upgrade these existing activities they want to ensure that this can occur without undue consenting processes.

3.2 I also understand that Manawa has a memorandum of partnership with Te Runanga o Ngāti Waewae, which reflects engagement and relationships built over many years. Manawa are committed to maintaining relationships with iwi/hapu regardless of consenting processes or RMA requirements.

Manawa Schemes within a pTTPP SASM Overlay

3.3 Manawa operate four hydro-electricity schemes on Te Tai Poutini / West Coast. The table below outlines which Manawa schemes are within areas of SASM overlays and the associated applicable rules of relevance to Manawa¹.

¹ The Kaniere/McKays and Wahapo schemes are not subject to SASM overlays.

Scheme	SASM (all SASMs are listed in Schedule 3)	Applicable Rules ²		
		Rule 2 (Table 2) ³	Rule 9 (Table 8)	Rule 10 (applies to all SASMs identified in Schedule Three, excluding those in Table 8)
Arnold scheme	SASM 67 (Kōtukuwhakaoko / Arnold River)	x	x	✓
Dillmans Scheme	SASM 104 (Kawhaka Creek)	x	✓	x
	SASM107 (Island Hill / Raparapahoi)	x	x	✓
	SASM 121 (Waitaiki Historic Reserve)	x	✓	x

3.4 As the Panel are aware, these hydroelectric schemes comprise a number of components including intake structures, canals, reservoirs, power stations and tracks / roads. The areas over which these schemes extend are irregular in shape, generally elongated (reflecting the nature of rivers) and are located in close proximity to (within or adjacent to) water bodies. It is important to understand this when considering the implications of pTTPP overlays as the schemes comprise many parts and components can be located kilometres apart.

Provision for REG in Higher Order Documents / pTTPP Strategic Objectives

- 3.5 The submission points from Manawa in relation to the proposed SASM provisions were based on a concern that the provisions as notified did not recognise priorities given to REG activities in higher order documents. In particular:
- a) **NPS REG:** the key provisions of the NPS REG are contained in **Appendix One** of my evidence. In general, the policy direction is on the recognition and provision for renewable electricity generation activities to be reconciled together with protection of other values.
 - b) **West Coast Regional Policy Statement:** Section 6, Objective 1 which states '*Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure*'.

² Based on recommendations in the S42A Officer report (Te Tai o Poutini Plan, Section 42A Officer's Report, Part 2 – District-Wide Matters Sites and Areas of Significance to Māori, Appendix 1).

³ Having reviewed the recommended changes to the provisions, it would appear that rule R2 no longer applies to any of the SASMs that relate to Manawa schemes. Therefore no further evidence is necessary in relation to that rule.

c) **Part II RMA:** Section 7(j) requires particular regard to be had to the benefits to be derived from the use and development of renewable energy.

3.6 I also refer you the strategic objectives established for the pTTPP (for which I provided evidence dated 26 September 2023). These strategic objectives (particularly the Connections and Resilience objectives) recognise the need to provide for infrastructure and the importance of ensuring that the West Coast / Te Tai o Poutini is resilient. In this regard it is important to recognise that Manawa's existing assets generate electricity which can be distributed along the West Coast / Te Tai o Poutini thereby supporting resilience. Ensuring the continued operation of these schemes is important to the self-sufficiency of the West Coast / Te Tai o Poutini and aligns closely with strategic objectives CR-O1, CR-O2 and CR-O4.

3.7 I consider that these are all enabling provisions, and therefore it is appropriate that the SASM provisions should reflect these policy directions as far as possible.

Specific SASM Provisions – SASM Policy 13, SASM Rules 2, 9 and 10.

3.8 Manawa lodged submissions in relation to SASM P13, SASM R2, SASM R9 and SASM R10. In general, Manawa sought terminology be used which is consistent with that used in other parts of the Plan, and that sufficient recognition of REG activities is made in this regard. SASM P13, R9 and R10 all use the term 'critical infrastructure' or 'network utility structure'. Manawa requested that the term 'critical infrastructure' is replaced with 'regionally significant infrastructure' to ensure the use of consistent terminology throughout the pTTPP.

3.9 The S42A Officer, Ms Easton, has accepted this submission point in relation to P13⁴ (where the term 'critical infrastructure' is currently used), which is acknowledged, but has rejected this request as it relates to SASM R2⁵, SASM R9 and SASM R10⁶.

3.10 Ms Easton considers that rules SASM R9 and R10 apply largely to "*urban SASMs*" and "*It does not reflect the types of infrastructure found in urban and suburban locations to which this rule applies*"⁷. This assumption of urban and suburban environments does not appear to be correct in my reading of the provisions, as the SASMs that apply to the

⁴ S42A Officer report (Te Tai o Poutini Plan, Section 42A Officer's Report, Part 2 – District-Wide Matters Sites and Areas of Significance to Māori, p 59 (in relation to **S438.070**).

⁵ Having reviewed the recommended changes to the provisions, it would appear that rule R2 no longer applies to any of the SASMs that relate to Manawa schemes. Therefore no further evidence is necessary in relation to that rule.

⁶ S42A Officer report (Te Tai o Poutini Plan, Section 42A Officer's Report, Part 2 – District-Wide Matters Sites and Areas of Significance to Māori, p 99 (in relation to SASM R2 **S438.071**), p 103 (in relation to SASM R9 **S438.072**), and p125 (in relation to SASM R10 **S438.073**).

⁷ S42A Officer report (Te Tai o Poutini Plan, Section 42A Officer's Report, Part 2 – District-Wide Matters Sites and Areas of Significance to Māori, p 103, paragraph 299.

two Manawa schemes (set out above) are well outside urban areas. In the rural context where these SASMs apply to the Manawa activities there are a wide range of existing infrastructural activities.

- 3.11 Further Ms Easton comments that the rules are intended to provide for local roads and utilities such a household connections to telecommunications and electricity lines, thus using the network utility definition. I appreciate the need to ensure these connections are maintained and can understand that deleting the network utilities term would cause issues for such activities. However, my concern is that using this definition excludes other forms of regionally significant infrastructure which are located within these SASM, which are important to the region, and which do not fit under the network utility definition. Manawa is not a network utility operator, therefore typical maintenance, repair and upgrading activities associated with running the existing renewable electricity schemes would not be provided for by these rules. I consider that the maintenance, repair and upgrading of these existing schemes within the SASM is appropriate in providing for these facilities of importance to the functioning and resilience of the region.
- 3.12 Under the current provisions, and by default due to rules R9 and R10 not being available because of the definition used, Manawa’s maintenance, repair and upgrade activities would be assessed as discretionary activities (under the provisions of SASM R12 and SASM R13). In contrast, activities referred to by Ms Easton as ‘typical infrastructure’ found in urban and suburban locations, (such as gas pipelines, landfill operations and the regional council stopbank network) are able to be considered as permitted activities under the provisions of SASM R9 or controlled activities in the case of SASM R10. I consider this approach to be inappropriate and inequitable, and I do not consider it to reflect the enabling requirements of higher order policy documents.
- 3.13 To maintain provision in the rules for activities at a local / household level, as well as recognising the existing Manawa activities, I recommend that rules R9 and R10 are amended to either include regionally significant infrastructure, or to at least include renewable electricity generation activities as follows⁸:

SASM – R9 Maintenance, Repair and Upgrading of Network Utility Structures <u>and Regionally Significant Infrastructure</u> on or	or	SASM – R9 Maintenance, Repair and Upgrading of Network Utility Structures <u>and Renewable Electricity Generation activities</u> on or within
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⁸ I have used the recommended text in Appendix 1 to S42A Officer report (Te Tai o Poutini Plan, Section 42A Officer’s Report, Part 2 – District-Wide Matters Sites and Areas of Significance to Māori, and added text in track changes.

within Sites and Areas of Significance to Māori listed in Table SASM – T8

SASM – R10 Maintenance, Repair and Upgrading of Network Utility Structures **and Regionally Significant Infrastructure** on or within Sites and Areas in Schedule Three - Sites and Areas of Significance to Māori where Permitted Activity standards are not met ...

2. The work is in an area that has previously been disturbed by the network utility **or Regionally Significant Infrastructure**...

Sites and Areas of Significance to Māori listed in Table SASM – T8

or SASM – R10 Maintenance, Repair and Upgrading of Network Utility Structures **and Renewable Electricity Generation activities** on or within Sites and Areas in Schedule Three - Sites and Areas of Significance to Māori where Permitted Activity standards are not met ...

2. The work is in an area that has previously been disturbed by the network utility **or Renewable Electricity Generation activity**...

4.0 CONCLUSION

4.1 As outlined in my evidence on other chapters, I consider that there is a necessity to ensure integration across the plan in the application of provisions that deal with renewable electricity generation activities as a matter of national significance. I reiterate the relief sought by Manawa in its submission. I consider that the changes proposed are consistent with recommendations made by Ms Easton in relation to use of this term in SASM P13 and the enabling provisions of higher level documents and the strategic directions provisions of the pTTPP.

APPENDIX ONE: KEY POLICIES FROM THE NPSREG

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.