

BEFORE THE MANAWATU-WANGANUI REGIONAL COUNCIL

In the matter of the Resource Management Act 1991

and

In the matter of Submissions and further submissions made by
TRUSTPOWER LIMITED to the Manawatu-
Wanganui Regional Council on the proposed One Plan –
General Hearing (including Administration and Finance,
Landscapes and Natural Character and Energy and
Infrastructure Provisions).

STATEMENT OF EVIDENCE OF ROBERT JOHN SCHOFIELD
Environmental Planner

17 April 2009

Introduction

- 1.1 My name is Robert John Schofield, and I am a Director of Boffa Miskell Limited, a national firm of consulting planners, ecologists and landscape architects. I hold the qualifications of BA (Hons) and Master of Regional and Resource Planning (Otago). I am a Member of the New Zealand Planning Institute, and a Past President (1998-2000). I have been a planning consultant based in Wellington for over 24 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the infrastructure and power sectors.
- 1.2 My experience includes the writing and preparation of Plan Changes for Councils and private clients, as well as work on the preparation of District and Regional Plans, including formulating provisions for infrastructure and energy development and distribution.
- 1.3 In this matter, I have been commissioned by TrustPower Limited ('TrustPower') to prepare its submissions on the proposed One Plan and to present planning evidence on its points consistent with the purpose and principles of the Resource Management Act 1991 ('RMA' or the 'Act'). I have worked closely with both TrustPower and with other generators as part of my involvement in submissions on the proposed One Plan.
- 1.4 In preparing my evidence, my approach was to:
- Consider the provisions of the proposed One Plan of consequence to TrustPower, having regard to the purpose and principles of the RMA and other relevant national policies and strategies; and
 - Recommend appropriate changes that would give effect to the amendments requested by TrustPower in a way that is consistent with the RMA and my duties as an independent planning expert.
- 1.5 I have been engaged by TrustPower to provide an analysis of the proposed One Plan in terms of the relevant statutory considerations and obligations, taking into account those issues raised by TrustPower in relation to those chapters relating to Administration and Finance, Landscapes and Natural Character, and Energy and Infrastructure. I do not intend to address many of the matters of other submitters' concerns in TrustPower's submission in detail, unless specifically relevant. Rather, the purpose of my evidence is to review the principal matters of concern to TrustPower within those chapters against the purpose and principles of the RMA and good planning practice.
- 1.6 My evidence takes into account the multiple section 42A report recommendations on the General Hearing (including Administration and Finance, Landscapes and Natural Character and Energy and Infrastructure related provisions) of the proposed One Plan.
- 1.7 My evidence is structured according to the following format:
- Statutory considerations, particularly the purpose and principles of the RMA; and
 - An analysis of the section 42A report's recommendations into the submissions and further submissions on the proposed One Plan as they relate to the concerns of TrustPower.

- 1.8 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

2 Primary Issues for TrustPower

- 2.1 As outlined in its primary submission, TrustPower generally supports the intent of the proposed One Plan, which seeks to ensure an integrated approach to resource management in the Manawatu-Wanganui Region. In a large measure, TrustPower either supports or does not oppose the general direction and approach of the proposed One Plan. However, the proposed One Plan introduces a number of changes to policy that have the potential to adversely affect the ability to maintain and enhance effective and efficient renewable electricity generation within the Region.
- 2.2 For this hearing on those provisions relating to Administration and Finance, Landscapes and Natural Character and Energy and Infrastructure, TrustPower is concerned that the proposed One Plan does not fully and satisfactorily recognise and take into account the regional and national benefits of renewable energy generation through specific objectives, policies and methods that are consistent with sections 5 and 7 of the RMA or with recent Government policy in relation to renewable energy.
- 2.3 The need for additional renewable energy generation in New Zealand and a discussion of the requirements of Part II of the RMA in regard to renewable energy is provided in some detail in the background to my evidence-in-chief on the Infrastructure, Energy and Waste Chapter. I will not repeat this information again. However, to briefly summarise, as RMA policy statements and plans provide one of the key mechanisms by which the Government's stated goals on climate change, renewable energy, energy efficiency and the efficient use of resources are implemented, I consider that it is important and indeed appropriate for the proposed One Plan to recognise and provide for these matters. In general, there is little debate about the role of the proposed One Plan in that regard.
- 2.4 Similar to TrustPower's primary and further submissions, I consider that the proposed One Plan needs to provide a framework that explicitly recognises and provides for renewable energy projects consistent with New Zealand's goal to use its abundant renewable energy resources to ensure long-term sustainability and reduce the global effects of climate change. This goal is addressed through the 2004 amendments to section 7 of the RMA which were introduced to reflect Government policy about the benefits of renewable electricity generation, climate change and energy efficiency. While the proposed One Plan has introduced some major policy advances, in my opinion, it does not sufficiently take into account these stated Government goals or provide for renewable energy development in a manner that recognises the regional and national benefits.
- 2.5 In terms of this evidence on the proposed One Plan provisions covered by the General Hearing topic, I would note that if any matter raised in TrustPower's submission is not discussed in my evidence, then it should be inferred that I agree with the relevant recommendations in the section 42A report. In particular, I support retaining all provisions of the proposed One Plan that recognise the importance of energy generation in enabling people to provide for their wellbeing.

- 2.6 To assist the Commissioners, I have attached as Appendix 1 a summary table of TrustPower’s submissions and further submissions, whether the officer’s recommendation is to accept or reject these submissions, and my comments on the recommendations in respect of the provisions on Administration and Finance, Landscapes and Natural Character and Energy and Infrastructure.

3 Administration and Finance Provisions

- 3.1 In relation to the proposed Administration and Finance Provisions (Chapter 1 ‘Setting the Scene’, Chapter 2 ‘Administration’, Chapter 11 ‘Introduction to Rules’ and Chapter 18 ‘Financial Contributions’) TrustPower’s submissions have sought to ensure that the introductory chapters (1 & 2) appropriately set the scene by, among other things:
- (a) Reinforcing that renewable energy generation activities should be promoted as a means of enabling sustainable management of our natural and physical resource, including benefits for addressing climate change; and
 - (b) Managing the effects of renewable energy activities in a manner that is consistent with the regional and national benefits provided by such activities.
- 3.2 TrustPower’s other submissions have sought to have the proposed One Plan provisions suitably take into account the amount of investment required in infrastructure developments, particularly in relation to consent durations, consent review conditions and financial contributions. I will now discuss TrustPower’s submission points in more detail.

Recommendation STS 9

Chapter 1 - 4.9 Paragraph 1.4 Adapting to Climate Change

- 3.3 TrustPower submitted in support of the Mighty River Power and Meridian Energy submissions to have reference to the benefits of renewable energy included within this section of proposed One Plan¹. In my opinion, renewable energy developments should be considered as a core component of Horizons Regional Council's ("Horizons" or "Council") approach to adapting to climate change and that relying on the provisions of Chapter 3, as recommended by the Council Officer, is insufficient. However, I support the section 42A report’s recommendation that the term ‘Planning’ for Climate Change is more appropriate than ‘Adapting’ to Climate Change.
- 3.4 In summary, in relation to Paragraph 1.4, TrustPower seeks:
- (a) **That Paragraph 1.4 is re-drafted to include a much fuller description and explanation of the effects of climate change and the regional and national importance of adopting measures such as renewable energy to reduce New Zealand’s greenhouse gas emissions.**

¹ Refer submission 359 12, supported by X 511 24, X 521 51, X 522 20 and X 525 96

Recommendation ADM 9

Chapter 2 - 4.20 Policy 2-2 Consent Durations

- 3.5 The submissions of TrustPower and Mighty River Power sought the amendment of Policy 2-2 to enable consent expiry dates to be set to the closest common catchment expiry or review date, with the exception of consents which primarily enable electricity generation². TrustPower also opposed the submission of Horticulture NZ and other submissions seeking to amend Policy 2-2 to include a common catchment expiry date for consents to align with the second common expiry date³, but supported Horticulture NZ's request that this policy reflect the effects of the activity and not the requirements of a common expiry date⁴.
- 3.6 In my view, the current provisions are inappropriate and not in accordance with sustainable management because they do not take into account the large capital investments required for infrastructure developments, particularly renewable energy activities. Similarly, such an approach does not accord with either the Part II RMA obligations in relation to renewable energy or the multiple government policies prepared to improve renewable energy generation in New Zealand. In this regard, I support Horticulture NZ's submission point to provide for flexibility in the duration of consents to ensure the terms can be more reflective of the activity.
- 3.7 In summary, in relation to Policy 2-2, TrustPower seeks:
- (a) **That Policy 2-2 be amended to enable consent expiry dates to be set to the closest common catchment expiry or review date to the date identified in (a), except those consents that have the primary purpose of electricity generation.**

Recommendation ADM 10

Chapter 2 - 4.21 Policy 2-3 Consent Review

- 3.8 TrustPower was one of a number of submitters that sought the deletion of Policy 2-3⁵. Although a number of the provisions of Policy 2-3 provide increased guidance to section 128 of the RMA, I have some concerns that the use of the term 'shall' places a mandatory requirement on Horizons that may be inappropriate for a number of activities. A general policy on review conditions should recognise that it may not always be appropriate to impose review conditions on each and every consent.
- 3.9 In summary, in relation to Policy 2-3, TrustPower seeks:
- (a) **That Policy 2-3 is amended to use the word 'may' rather than 'shall' within the first paragraph of the Policy; or**
- (b) **Alternatively the Policy could be restructured so that the use of review conditions in consents shall be considered when the circumstances listed in (a) to (d) apply.**

2 Refer submission 358 5; and 359 15, supported by X 511 31, X 521 53 and X 525 98

3 Refer submission 357 39, supported by X 511 36; submission 359 159, opposed by X 511 31, X 521 53 and X 525 98

4 Submission 359 159, opposed by X 511 31, X 521 53 and X 525 98

5 Refer submission 358 6; submission 359 16, supported by X 511 38; 398 10, supported by X 484 64 and X 511 39

Recommendations FC 3, FC 4 and FC 5

Chapter 18 - 4.38 Policy 18-1 Purpose of financial contributions, 4.39 - Policy 18-2 Amount of contribution, 4.40 - Policy 18-3 Matters to be considered for financial contributions

- 3.10 TrustPower submitted in some detail on the financial contributions policies of the proposed One Plan⁶. Despite no reference being made to TrustPower’s relief sought in the relevant schedule of recommendations in the section 42A report, I support a number of the amendments proposed to clarify the intent of these provisions.
- 3.11 In particular, I support:
- (a) The clarification that these policies are intended to apply to those situations when financial contributions may be required, as well as the purpose of obtaining financial contributions.
 - (b) The clarification that the purpose of financial contributions for infrastructure under Policy 18-1(a) shall be *“to offset significant adverse effects on the environment to fund positive effects of an equivalent or similar character, nature and scale as the adverse effects”*.
 - (c) The section 42A report’s recommendation to delete the ‘catch-all’ Policy 18-1(e) which in my opinion would have captured a number of activities that may have been inadvertently omitted from Policies 18-1(a) to (d).
 - (d) The changes to Policy 18-2 to make it clear that the amount of financial contribution relates to the reasonable “cost of funding positive environmental effects” required to offset the net adverse effect caused directly by the activity.
- 3.12 In summary, I consider the revised policy framework provided for by policies 18-1, 18-2 and 18-3 fits well with the biodiversity off-set provisions in Chapter 3 and are consistent with best practice.

4 Landscapes and Natural Character Provisions

- 4.1 As outlined in earlier statements of evidence prepared for TrustPower on the proposed One Plan, the Manawatu-Wanganui Region contains a range of potentially significant energy resources that can be sustainably utilised in a manner that provides national and regional benefits with minimal adverse effects. However, a chapter that imposes severe limitations on the development and use of such resources is, I believe, contrary to the intent of the Act in regard to renewable energy development.
- 4.2 Before I address specific concerns, I would first acknowledge that the Officer is now recommending that some major improvements be made to the relevant provisions in this Chapter, amendments derived from discussions held in pre-hearing meetings. In general, the recommended revisions to the proposed One Plan’s provisions would better recognise the Region’s significant renewable energy resources (most notably through the recommended provisions within Chapter 3). However, in one key area, the landscape and natural character provisions of the proposed One Plan would continue to impose ‘disabling’ policies on many of the Region’s renewable energy resources. Most importantly, I consider the ‘protectionist’ approach of this Chapter does not accord with the intent of Part II of the RMA and misinterprets section 6.

⁶ Refer submissions 358 131, 358 132, 358 133 and 358 134

- 4.3 While section 6 of the RMA refers to *‘the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development’*, the provisions of the proposed One Plan focus not on the inappropriate use and development of these landscapes, but on absolute protection. In my opinion, such an approach precludes such areas from development and is contrary to the sustainable management intent of Part II. In my review of the revised provisions, nowhere would the plan reader get the impression that some activities within these areas may indeed be appropriate.
- 4.4 Given that the protection of outstanding natural features and landscapes is not one of the four priorities that the proposed One Plan seeks to address, I am uncertain as to why the Council should be committed to delineating parts of the region as regionally outstanding in the absence of a robust assessment and consultative process. I would consider that it would be more appropriate if the landscape and natural character provisions be amended to provide a general framework that better balances the Part II matters within this sustainable management framework (consistent with section 59 of the RMA to provide the policies and methods to achieve integrated management of the region’s natural and physical resources).
- 4.5 As an aside, a number of TrustPower’s submissions on the landscape and natural character provisions were cited as being ‘accepted in part’ by the section 42A report. However, a large number of the recommended decisions on these submission points related to changes proposed to Chapter 3, particularly the proposed Policy 3-4 in relation to renewable energy. Although TrustPower is satisfied with the changes proposed to Policy 3-4, I consider that Chapter 7 should still contain some reference to or recognition of renewable energy generation, given the particular locational constraints and requirements of such facilities within prominent landscapes compared with infrastructure and non-renewable energy generation in general.

Recommendation LSNC3

Chapter 7 - 4.3 Living Heritage – General

- 4.6 Given its existing infrastructure investments in the Manawatu-Wanganui Region, TrustPower originally submitted in some detail on the general landscape and natural character provisions. Key themes of TrustPower’s submission related to qualifying the inclusion of the significant number of outstanding natural features and landscapes identified in Chapter 7 and establishing why these features and landscapes require the proposed level of protection⁷. TrustPower’s submissions were almost entirely rejected in the section 42A report.
- 4.7 The section 42A report noted that the current landscapes *“originate from the current list of ‘outstanding and regionally significant’ natural features and landscapes in the operative RPS”*, using a list originally compiled by the Council in consultation with territorial authorities and the Department of Conservation (refer page 33). The section 42A report further stated that the RPS had been operative since 1998 and the list *“had not been challenged in that time”*. It also states that *“the landscapes listed in the table in Schedule F are well established as ‘outstanding’ in the context of this region”*, and quote’s Horizons’ expert landscape architect who said that *“all of the*

7 Refer submission 358 15; supported by X 521 39 and supported in part by X 522 175

areas scheduled as Outstanding Natural Features or Landscapes would satisfy the criteria accepted by the Environment Court”.

4.8 In my opinion, notwithstanding these assertions, the landscapes that have been mapped and included within the proposed One Plan have still been untested by a rigorous and robust assessment or consultation. I am not disputing that some of the scheduled landscapes are likely to emerge from a thorough landscape assessment process as regionally outstanding; and there may well be other landscapes not currently identified as significant that could materialise out of such a process. I am concerned that there appears to be no recognition of:

- (a) The limitations of mapping what was previously just a list of landscapes;
- (b) The limitations of generally confining outstanding landscapes to Department of Conservation estate;
- (c) Limited explanation of the differential values associated with each landscape;
- (d) The differential between nationally and regionally significant landscapes (for example, is Mount Aorangi considered nationally outstanding?); or
- (e) The recent inclusion of the entire coastal environment as regionally outstanding landscape.

4.9 I would also note that the review of the mapping by the Council’s consultant landscape architect resulted in a number of revisions to the boundaries of the scheduled areas of Regionally Outstanding Natural Features and Landscapes, such as the retraction of the Manganui o Te Ao River to exclude areas of nondescript farming land north of Raetihi. In my opinion, this revision indicates that a more rigorous and public process, proactively seeking community involvement, may well lead to a more refined mapping process, and one supported by community derived values assessment.

4.10 In light of these deficiencies, I would contend that there is a need to commit to a process of review, including a thorough region-wide assessment based on the now agreed criteria, and to either withdraw the current Schedule F as requested by TrustPower, or to retain the Schedule as a transitional provision.

Recommendation LSNC 6

Chapter 7 - 4.6 Living Heritage Paragraph 7.1.3 Landscapes and Natural Character

4.11 I support the recommendation in the section 42A report that the Chapter consistently adopts the language ‘outstanding natural features and landscapes’. These terms are consistent with the RMA and therefore avoid confusion as to the possible misrepresentation of the importance of these areas.⁸

Recommendation LSNC 7

Chapter 7 - 4.7 Living Heritage Issue 7-2 Landscapes and Natural Character

4.12 TrustPower supported the submission of Meridian Energy opposing Issues 7-2 (a) and (b) and requesting that the wording be amended to provide that landscapes and

8 Refer submission 363 106; supported by X 511 314 and X 519 284

the coastal environment ‘can be affected by development’⁹. These submissions were rejected by the section 42A report. As outlined earlier, I consider the proposed wording of this issue implies too high a level of vulnerability of these landscapes, and provides no consideration for other associated values or recognition that some form of development or use may be appropriate, particularly development that may have functional requirements to be located in such landscapes. Furthermore, specific reference to the Tararua and Ruahine Ranges elevates the entirety of these two landscapes, with no recognition that these Ranges vary considerably in form and natural character.

4.13 In summary, in relation to the Issue 7-2, TrustPower seeks:

(a) **That Issue 7-2 be amended as follows (changes shown in strikethrough and underlined):**

“(a) The Region’s outstanding natural features and landscapes can be adversely affected by ~~are at risk from the effects of land-use activities and development, particularly the Tararua and Ruahine Ranges. Adverse effects of development on natural features and landscapes include the potential for significant adverse cumulative effects. Developments with the potential for greatest impact include wind farms, residential subdivision and other major structures.~~

“(b) The natural character of coastal environment, wetlands, rivers, lakes and their margins can be adversely affected by ~~is at risk from the effects of land-use activities and development, particularly new river works, drainage and subdivision in areas with a high degree of natural character.~~ Naturalness.”

Recommendation LSNC 8

Chapter 7 - 4.8 Living Heritage Objective 7-2 Landscapes and Natural Character

4.14 In conjunction with several submitters, including Genesis Energy and Mighty River Power¹⁰, TrustPower sought the deletion of Objective 7-2 from the proposed One Plan or its amendment to include greater recognition of the possible provision of infrastructure development and energy generation within landscapes identified in Schedule F11. These submissions were rejected by the section 42A report, citing that it is inappropriate to limit the effect of Objective 7-2 for reasons related to the functional requirements of infrastructure or energy generation.

4.15 The section 42A report noted in response to a number of submissions that Objective 7-2(b) adds clarity to section 6(a) of the RMA by further specifying the level of protection that is to be achieved in addressing the issue. Further, it contends that ‘preservation’ of the natural character should occur where there is a high degree of natural character, and that ‘protection’ should occur in other areas, and this is achieved by avoiding or remedying or mitigating adverse effects. [page59].

4.16 In my view, this objective does not take section 6(a) RMA much further, other than a reference to “characteristics and values”. However, now it is recommended that this objective applies to landscapes outside those listed in Schedule F, thereby

9 Refer submission 363 107; supported by X 511 316; and submission 363 108; supported by X 511 317

10 Refer submissions 268 16 and 359 76

11 Refer submission 358 59; supported by X 521 43 and supported in part by X 522 227

significantly widening the ambit and potential effect of this objective (I discuss my concerns as to the reference to Schedule F in more detail later in my evidence).

4.17 In summary, in relation to the Objective 7-2, if Schedule F is to be retained, even on a transitional basis, I would recommend this objective be reworded as follows:

(a) That Objective 7-2(a) be amended as follows:

“The characteristics and values of the regionally outstanding natural features and landscapes ~~including those~~ identified in Schedule F are protected from inappropriate subdivision, use and development as far as practicable.”

Recommendation LSNC 9

Chapter 7 - 4.9 Living Heritage Policy 7-7 Outstanding Landscapes

4.18 Policy 7-7 was the subject of a large number of submissions from TrustPower and other submitters, primarily seeking its deletion or its amendment to include increased recognition of infrastructure development and energy generation within landscapes identified in Schedule F¹². However, the majority of TrustPower’s submissions are recommended to be rejected by the section 42A report. The section 42A report also recommended a number of amendments to this policy, significantly altering its intent, but most importantly removing the requirement to “take into account the policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance”.

4.19 I consider Policy 7-7 will be fundamental to addressing the issue of the region’s landscapes’ potential for containing renewable energy generation opportunities. Despite the rejection of a number of TrustPower’s submission points, I support a number of the proposed revisions to Policy 7-7 that now provide for the remediation or mitigation of adverse effects where avoidance of adverse effects is not reasonably practicable. The inclusion of the wording “as far as reasonably practicable” in relation to avoiding adverse effects is consistent with the approach taken in other policies within the proposed One Plan and connotes a realistic assessment where preservation at all costs is unnecessary and unrealistic in respect of ‘all’ natural features and landscapes. As noted by the section 42A report, section 6(b) of the RMA “does not require absolute protection of outstanding natural features and landscapes; it requires protection from inappropriate subdivision, use and development” [page 71].

4.20 I do, however, have an issue with the recommended amendment to Policy 7-7(a)(ii) which would require the avoidance of (rather than take into account) “any significant adverse cumulative effects”. While the section 42A report states that the intention of specifying cumulative adverse effects separately in Policy 7-7 is to give them particular consideration in decision-making as a unique type of adverse effect [page 65], I am concerned that the blanket “avoidance approach” raises potential difficulties in policy interpretation and application. In particular, when are such

12 Refer to submission 358 60, supported by X 521 44 and supported in part by X 522 260; submission 268 17, supported by X 511 346; submission 308 19, supported by X 511 345; submission 359 81, supported by X 511 348; submission 363 119, supported by X 511 349; submission 363 120, supported by X 511 350

- effects initiated – at the point when the first development occurs or at some unspecified point later?
- 4.21 The matter of cumulative effects under the RMA has been well canvassed over recent years and should be typically considered as part of any effects assessment, thus not requiring specific consideration. If this policy is retained, it should not be focused on blanket avoidance.
- 4.22 The most significant outcome for TrustPower resulting from the submission and pre-hearing meeting process was the recommendation that a set of criteria for landscape assessment be included in the proposed One Plan, together with policies detailing how the criteria should be applied consistently by territorial authorities and the Council. I support the inclusion of these Environment Court-recognised criterion and concur with the recommendation of Mr Anstey to insert “*additional policies and methods to provide direction to systematic landscape assessments and evaluations in accordance with a consistent process and criteria*” [para 25]. As Mr Anstey goes on to note, “*until such a comprehensive assessment is completed the criteria proposed will assist in identifying important landscape values and any outstanding natural features and landscapes on a case by case basis*”. On this basis, I largely support the revised Policies 7-7(b) and 7-7(c) as they relate to the new Table 7.2 and the new Method 7-7A Consistent Landscape Assessment.
- 4.23 Nonetheless, in the absence of the comprehensive assessment outlined by Mr Anstey and provided for in the section 42A report, I concur with TrustPower that there is insufficient justification for the inclusion of all the natural features and landscapes in Schedule F of the proposed One Plan, particularly given that “*landscape is not one of the four priorities the POP seeks to address*” [page 18 of the section 42A report]. I shall return to my concerns with Schedule F later in my evidence.
- 4.24 TrustPower’s submission sought the retention of Policy 7-7(c) to take into account the policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance¹³. Despite the section 42A report stating that Policy 7-7 “*also requires the consideration of the policies in Chapter 3 of the POP when assessing activities involving renewable energy and infrastructure of regional importance*” [page 66], TrustPower’s submissions were rejected by the section 42A report which recommended the deletion of this clause and any cross-references to Chapter 3.
- 4.25 Consistent with TrustPower’s submissions seeking greater cross-referencing of the relevant polices, I disagree with the section 42A report’s recommendation to remove specific recognition of renewable energy development potential within the Region’s outstanding landscapes under Policy 7-7. While I generally concur with the statement in the section 42A report that the matters in section 6 are of a higher order than section 7 of the RMA, I consider it is imperative to explicitly recognise the benefits associated with regionally and nationally important infrastructure and the functional constraints requiring renewable energy generation activities to be located within a number of the natural features and landscapes outlined in Schedule F. This is a key issue facing the sustainable management of the Region’s landscapes, and should therefore be adequately addressed through the relevant policy, even by way of cross-reference.

13 Refer to submissions 358 62 and 358 60, supported by X 521 44 and supported in part by X 522 260

4.26 In summary, in relation to the Policy 7-7, TrustPower seeks:

- (a) That all reference to Schedule F be deleted from Policy 7-7 and clauses (a) to (c) be re-ordered to ensure any outstanding natural features and landscapes are identified using the criteria provided for in Table 7.2 as follows (changes shown in strikethrough and underlined):

Policy 7.7(a) Identifying other outstanding natural features and landscapes

For the purposes of identifying ~~any~~ natural features or landscapes as outstanding and the inclusion of that natural feature or landscape in Schedule F Table F1 or in any District Plan or Regional Plan, the Regional Council, and Territorial Authorities shall take into account, but shall not be limited to, the assessment factors in Table 7.2.

This Policy relates back to Issue 7-2 and Objective 7-2.

Policy 7-7(b) ...

The ~~natural features and landscapes listed identified in Schedule F Table F1~~ shall be recognised as regionally outstanding. All subdivision, use and development affecting the natural features and landscapes recognised as regionally outstanding ~~these areas~~ shall be managed in a manner which:

- (a) avoids ~~adverse effects as far as reasonably practicable and, where avoidance is not reasonably practicable, remedies or mitigates adverse effects or minimises to the extent reasonable any adverse effects on the specified characteristics and values specified in Schedule F Table F1~~ for each regionally outstanding natural feature or landscape
- (b) seeks to avoid as far as reasonably practicable any ~~significant adverse cumulative adverse effects on the specified characteristics and values of each regionally outstanding natural feature or landscape.~~
- (c) takes into account the policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance
- ...

Policy 7.7(c) Assessment of effects on outstanding natural features and landscapes

In considering the extent to which any subdivision, use or development has the potential to adversely affect the characteristics and values of any outstanding natural feature or landscape listed in Schedule F Table F1 or in any District Plan, ~~the assessment of effects~~ the Regional Council and Territorial Authorities in exercising their powers and functions under the RMA shall take into account, but shall not be limited to, the factors listed in Table 7.2

Recommendation LSNC 10

Chapter 7 - 4.10 Living Heritage Policy 7-8 Natural Character

- 4.27 TrustPower’s submission sought the insertion of a clause into Policy 7-8 to have regard to the objectives and policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance.¹⁴ TrustPower also supported similar submissions from Meridian Energy and Mighty River Power to add a new section to the policy that gives effect to the objectives and policies in Chapter 3¹⁵. All these submissions and further submissions were rejected by the section 42A report, citing that the policies in Chapter 3, and any other relevant policies, will be considered as a matter of course in the decision-making process for individual resource consent applications and there is therefore no need to single them out for mention in Policy 7-8.
- 4.28 While I support the revised provisions in Chapter 3 in relation to the benefits and particular requirements of infrastructure and energy generation, including from renewable energy sources, I do not support the section 42A report’s rejection of these submissions on the basis that the policies in Chapter 3 is adequate. As I have just outlined, the potential of the Region’s outstanding landscapes for renewable energy generation is a critical issue to address in terms of the sustainable management of the Region’s landscapes. Accordingly, it is appropriate that some specific policy recognition is made, even if it is by reference to Chapter 3. I would submit that cross-referencing to the provisions in Chapter 3 would assist future decision-makers.
- 4.29 TrustPower also supported the submission of Mighty River Power to revise the areas identified in Schedule F.11 and F.12 to show the areas of the coastline that qualify for protection under section 6(a)¹⁶. This relief was rejected by the section 42A report, stating that *“the Regional Council has not undertaken a detailed assessment of all of the mapped area to determine the characteristics and values at a more refined level than indicated in Figures F:11 and F:12”*. Similar to the other mapped areas in Schedule F, I consider it inappropriate to include these areas solely on a *“best approximation, based on historical information, of the part of the ‘coastal environment’ within which outstanding characteristics and values will be present”*. As discussed in Recommendation LSNC 17, without such a study, I am not satisfied that enormous area of coastline (inshore and offshore) can *“warrant protection under section 6(a) of the RMA”* [page 83].
- 4.30 In addition, the criteria listed in Policy 7-8, as recommended to be amended by the section 42A report, cumulatively would, I submit, make it difficult to obtain consent for a renewable energy project within the coastal environment of the Region, even a relatively small-scaled proposal.
- 4.31 In summary, in relation to Policy 7-8, TrustPower seeks:
- (a) That Policy 7-8 is deleted in its entirety.**

14 Refer submission 358 63, supported in part by X 522 264

15 Refer submission 359 83, supported by X 511 355; submission 363 121, supported by X 511 357, X 519 25 and X 519 287

16 Refer submission 359 84, supported by X 511 356, X 521 63 and X 522 267

Recommendation LSNC 12

Chapter 4.12 Living Heritage Method District Planning – Natural Features, Landscapes and Habitats

- 4.32 The submission of TrustPower sought that this Method be amended to clarify that development opportunities (including windfarm proposals) will not necessarily be discouraged in these areas¹⁷. TrustPower also submitted in support of a submission from NZ Windfarms Ltd seeking similar relief¹⁸. The section 42A report rejected these submissions suggesting that preferential treatment should not be afforded to wind energy facilities. However, I note to the Commissioners that TrustPower’s submission was more in relation to seeking a method that recognised the potential of these areas for wind farms, rather than solely precluding such activities (as currently written). Nonetheless, I agree with the section 42A report recommendation that Chapter 3 is the most appropriate place to address this issue.
- 4.33 My other outstanding concern relates to the very onerous obligation on the Council implied through the use of the term ‘will’ in the Method. I consider substitution of the term ‘will’ with ‘may’ places a much less onerous requirement on Horizons to submit on every resource consent application where there is a potential for adverse effects on these natural features and landscapes¹⁹.
- 4.34 In summary, in relation to the Method District Planning – Natural Features, Landscapes and Habitats, TrustPower seeks:

- (a) **That the introductory text to the Method be replaced as follows (changes in strikethrough and underlined):**

“The Regional Council ~~will~~ may formally submit on resource consent where there is potential for adverse effects on outstanding natural features, and landscapes, or native habitats, or areas that have a high degree of natural character.

The Regional Council ~~will~~ may formally seek changes to district plans if required to ensure provisions are in place to provide an appropriate level of protection to for outstanding natural features, and landscapes, and native habitats and areas that have a high degree of natural character.”

Recommendation LSNC 17

Chapter 7 - 4.17 Schedule F Regional Landscapes General

- 4.35 The list of regional landscapes and their location prescribed in Schedule F remains the most significant outstanding matter in this Chapter for TrustPower. TrustPower was one of a number of submitters who sought that all the landscapes listed in Schedule F be deleted unless their inclusion has been appropriately justified, with the proposed One Plan amended to include detailed discussion of the reasons for their significance based on a regional landscape assessment²⁰. Similarly, TrustPower also sought that a number of landscapes and figures outlining the extent of these

17 Refer submission 358 65, supported by X 519 292

18 Refer submission 308 4, supported by X 511 358

19 Refer submissions 417 108 X 511 360, and 460 79 X 511 359

20 Refer submission 358 61, supported by X 477 5 and X 521 45; submission 363 211, supported by X 511 584

- landscapes be deleted from Schedule F²¹. The section 42A report rejected all of these submissions.
- 4.36 I have several concerns with the retention of Schedule F. First, the natural features and landscapes listed in Schedule F as being regionally outstanding have been selected in the absence of any robust assessment process. The desktop mapping of the listed areas by the Council’s Catchment Information Team seems at best an imprecise way of defining the region’s and the community’s most important landscapes and natural features [3.4.2 Officers report].
- 4.37 Secondly, while the section 42A report states that the inclusion of the maps is to provide improved guidance for decision-makers [3.4.2 Officer’s report], I consider that desktop mapping of the unsubstantiated Schedule F natural features and landscapes will not provide a sound basis for decisions relating to the future protection or management of these areas, particularly given the generally protectionist approach of the policies.
- 4.38 I therefore concur with TrustPower’s primary submission that it is preferable to exclude both the Schedule F list and the indicative maps from the proposed One Plan until such time as a comprehensive assessment is undertaken. In my opinion, inclusion of such ‘incomplete’ provisions in the absence of a robust or defensible methodology will only lead to misconceptions for the community and landholders. Ultimately, there is a risk that some of the identified ‘outstanding’ landscapes and features may not be outstanding and others that are outstanding may have been missed altogether.
- 4.39 I consider that the suggested landscape assessment criteria are simply a component of the full landscape assessment that the Council should undertake if it is to satisfactorily address the sustainable management of the region’s landscapes and natural features. In addition, for a landscape assessment to be robust, a comprehensive evaluation process is also an essential stage of the process, in which there is an identification of the community values with respect to landscapes. An evaluation of a landscape requires a component of judgement by experts, that is then informed by input from the community and stakeholder groups. Assessments to identify outstanding natural features and landscapes must involve the appropriate expertise in the areas such as geology, geomorphology, archaeology, tangata whenua values, and agriculture, as well as specialist landscape assessment. Landowner, stakeholder and general public input also play a significant role. That is to say, these assessments require a multidisciplinary approach and stakeholder input.
- 4.40 I would note that Mr Anstey concurs with this approach in paragraph 9 of his report, where he says “*Only with a comprehensive understanding of the region’s landscapes and the ways in which communities relate to and value them can we begin to establish any sense of their relative importance and vulnerability*”.
- 4.41 However, Mr Anstey appears to contradict this view later in his report, when he infers that he has concluded from his knowledge of the Schedule F landscapes that they would satisfy the criteria generally accepted by the Environment Court as outstanding and therefore should be identified as outstanding in the proposed One Plan. Mr Anstey goes on to state that he has visited all of the Schedule F sites “*at some time*” and based on his opinion the Schedule F landscapes are ‘outstanding’.

21 Refer submission 358 169, supported by X 519 294 and X 521 46; submission 358 170, supported by X 521

- Mr Anstey appears to consider that a comprehensive assessment of the landscapes would simply confirm that they were outstanding and would also assist to confirm the accuracy of the boundaries [paras 6 & 14].
- 4.42 In effect, Mr Anstey seems to be saying that there is no need to conduct a comprehensive landscape assessment to determine the region’s outstanding landscapes because, in his view, the landscapes in the Schedule F are outstanding. In Mr Anstey’s view the assessment is simply a verification exercise that would provide additional details.
- 4.43 I concur with TrustPower’s primary submission that this approach is arbitrary and not defensible, especially given that the Schedule F areas seem to have been assigned by Council as a result of a desktop exercise. I note, in particular, the section 42A report quoting of Mr Anstey that “*Some boundaries are clearly cadastral rather than topographical and do not reflect natural patterns*” [page 33].
- 4.44 I refer the Commissioners to the Environment Court’s endorsement of the methodology of a recent district-wide landscape assessment carried out for Banks Peninsula by Christchurch City Council. The study was conducted in three stages:
- (a) Stage one involved landscape character analysis;
 - (b) The second stage involved a landscape value assessment and identification of outstanding natural landscapes, coastal natural character landscapes, visual amenity landscapes and heritage landscapes; and
 - (c) The third stage involved the development of appropriate planning/management mechanisms to achieve desired outcomes.
- 4.45 Preparation of the study involved wide ranging consultation with stakeholders and the community. The Environment Court in its decision on an appeal relating to the study commented that, “the approach was robust and repeatable”²² and that “the methodology was broad and robust”²³. In my opinion, this decision reiterates the importance of the need for a comprehensive assessment process when identifying the relative importance and vulnerabilities of particular landscapes, and not simply relying on a list of sites that have not been subject to comprehensive assessment and scrutiny by suitably qualified professionals (including landscape experts).
- 4.46 In his statement, Mr Anstey stresses the “*importance of engagement with land managers, tangata whenua, communities, and interest groups*” [para 11] in identifying such landscapes and features. In this respect, I reiterate the statement at page 14 of the section 42A report that despite the operative RPS being “*accepted by the regional community ... and has been unchallenged since that time*”, the list of outstanding natural features and landscapes was not developed in accordance with such stakeholders, but was, instead, ‘identified’ by the Council in consultation with the territorial authorities and Department of Conservation [page 12]. This approach is contrary to Mr Anstey’s statement in response to submitters that further detailed assessment is required for all other requested additions and deletions [para 9].
- 4.47 Ultimately, I consider that there are a number of major risks of including the natural features and landscapes outlined in Schedule F with the intention that they will be

22 Briggs EM & Ors vs. Christchurch City Council (formerly Banks Peninsula District Council) C 45/2008, paragraph 116

23 Ibid, paragraph 122

confirmed at some undefined stage in the future through further assessment and boundaries adjusted accordingly:

- (a) First, the Schedule embeds an expectation by the community that these landscapes and natural features are without doubt ‘outstanding’, and consequently, it would be difficult to delete these features and landscapes from the Schedule or indeed even alter their boundaries;
- (b) Second, starting a landscape assessment from a position of having already identified outstanding natural features and landscapes would presuppose the outcomes of future assessments;
- (c) Third, it places an onus on applicants to enter debates about whether a particular landscape (or part of) is outstanding; and
- (d) Finally, if it is the intention that at some stage the landscapes listed in Schedule F would be simply be confirmed and their boundaries adjusted, I would question whether there is any incentive for councils to ever commit to a full and thorough assessment?

4.48 While I agree in part with both the section 42A report and the evidence of Mr Anstey that a regional approach to a comprehensive landscape assessment would “*enable the development of a Region-wide consensus on outstanding landscapes and development of appropriate District Plan controls on land use to protect landscape values*”, in my experience such consensus will be some time off (even optimistically), and is unlikely to be achieved within the timeframes of the proposed One Plan. To this end, I note that, on page 18 of the section 42A report, there is a statement that “*the advice from the majority of the Territorial Authorities is that they have no appetite for such direction at this time*” and that “*the Territorial Authorities would resist any stronger policy direction*”.

4.49 I note to the Commissioners that several other Regional Councils (including Wellington, Auckland, Marlborough and Canterbury) have embarked on comprehensive region-wide landscape assessments as part of reviewing their regional policy statements. These councils have undertaken this because they acknowledge the importance of this work in underpinning their region’s intrinsic and distinctive landscapes and the need for them to be taken into account fully and in an integrated manner.

4.50 Given that the Manawatu-Wanganui Region is home to a number of New Zealand’s iconic outstanding natural features and landscapes, I would submit that the regional policy statement should include more than a desktop exercise to assess their values and significance. Accordingly, I would recommend that it is preferable for the proposed One Plan to recognise that the current policies on outstanding landscapes and natural features are, at the least, a transitional phase, based on a commitment to work towards a more comprehensive, robust and defensible process being developed for the large geographic region.

4.51 In summary, in relation to Schedule F, TrustPower seeks:

- (a) **That all the natural features and landscapes in Schedule F be deleted until such time as a region-wide landscape assessment is undertaken using the assessment criteria outlined in Table 7-2; or**

- (b) **That Schedule F (and all references to it) acknowledges that it represents a transitional identification of the Region’s outstanding landscapes and natural features, with a commitment (through method of implementation, preferably supported by a policy) to work towards a region-wide assessment process.**

5 Infrastructure and Energy Provisions

- 5.1 The evidence I prepared for TrustPower on the Infrastructure, Energy and Waste Chapter has already been tabled and circulated.
- 5.2 Since that time, there has been a series of prehearing meetings, both formally facilitated meetings with submitters and Council Officers, and among submitters. As a result of the discussions on possible amendments to Chapter 3, various tracked-change revisions of Chapter 3 have been circulated among the parties. In my opinion, significant progress has been made in addressing the concerns of submitters, including TrustPower.
- 5.3 Despite the progress made to date – and I would like to fully acknowledge the constructive approach of Council officers – a number of outstanding differences still remain between the recommendations of the Council’s Reporting Officer and the relief sought by TrustPower and other generators. I have attached to my evidence (as Appendix 2) a preferred ‘Generators’ position’²⁴ on the revisions that are now sought to be made to the Infrastructure and Energy Chapter to assist the Commissioners.

Key Changes Sought by TrustPower

- 5.4 Before addressing the Officer’s supplementary recommendations, I will outline the key changes sought by TrustPower which I have assisted in preparing, working with the other generators and their advisers:
- (a) The creation of a stronger flow and relationship between the issues, many of which were buried in the explanatory text (or absent), and the pursuant objectives and policies. In addition to the five issues agreed to by the generators, TrustPower seeks inclusion of a fifth issue, on protecting energy and infrastructure from reverse sensitivity issues, as this directly links with and flows onto Policy 3-2.
 - (b) Revision of Objective 3-1 to provide a more proactive direction in terms of the development of the Region’s renewable energy resources.
 - (c) Some minor corrections and changes to Policy 3-1 in regard to the regional and/or national benefits of infrastructure, and Policy 3-2 in regard to reverse sensitivity.
 - (d) Simplification of Policy 3-3 to focus it on the functional and other constraints of infrastructure, and delete reference to the management of effects that are best addressed in the relevant chapter.
 - (e) Expansion of the benefits of renewable energy under Policy 3-4.

²⁴ TrustPower, Mighty River Power, Genesis Energy, Meridian Energy, as well as the Energy Efficiency and Conservation Authority (EECA)

- 5.5 In my opinion, these changes would provide a stronger focus to this Chapter, which, as notified, was unduly complicated by policies on managing the effects on other resources, which is best kept to the relevant chapters of the proposed One Plan: for example, the avoidance of adverse effects on rare and threatened habitats as defined in Chapter 7.

Officer's Supplementary Recommendations

- 5.6 I have reviewed the supplementary section 42A report on Energy, Infrastructure and Waste provided by Horizons, and I have the following comments.

Recommendation IEW_ADD 1

General

- 5.7 TrustPower's primary submission sought the insertion of a new section to Part 6 of the proposed One Plan that would provide a policy framework (objectives and policies) for managing the Region's existing and potential hydroelectricity generation resources²⁵. TrustPower also supported a submission from Meridian Energy seeking similar changes to Chapter 6 or alternatively cross-references to Chapter 3²⁶. These submissions were supported in part by the section 42A addendum report. These aspects will be addressed in more detail by TrustPower as part of the hearing on the water provisions of the proposed One Plan.

Recommendation IEW_ADD 2

General

- 5.8 TrustPower also supported a number of primary submissions of Meridian Energy and PowerCo on the proposed One Plan definitions of 'infrastructure' and related terms and 'renewable energy generation facilities'²⁷. TrustPower is satisfied with the section 42A report recommendations in respect of these submissions.

6 Conclusion

- 6.1 In conclusion, I support the overall intent and approach of the proposed One Plan to provide a strong framework for promoting the integrated management of the Region's natural and physical resources, focusing on key regional assets and issues. In particular, the recognition of the region's significant infrastructural and energy generation assets and resources within the proposed One Plan are supported.
- 6.2 However, I do not consider that the proposed One Plan sufficiently recognises the national and regional benefits provided by infrastructure and energy and takes into account the Government's stated commitment to providing for renewable energy generation consistent with its climate change goals and other related policies.

25 Refer submission 358 32, supported by X 519 31 and X 525 240

26 Refer submission 363 61, supported by X 511 149

27 Refer submission 272 26, supported by X 511 529; submission 363 203, supported by X 511 530; and submission 363 204, supported by X 511 531

- 6.3 Accordingly, I consider that the Administration and Finance, Landscape and Natural Character, and Energy, Infrastructure and Waste provisions of the proposed One Plan should contain a greater level of recognition of, and provision for, renewable energy generation to recognise the regional and national significance of this resource use, and the Region's contribution to their national benefits, consistent with purpose and principles of the RMA.
- 6.4 Accordingly, I would recommend that the relief sought by TrustPower be accepted, according to the manner outlined in my evidence.



Robert Schofield
Director, Boffa Miskell Limited | Environmental Planner
17 April 2009

APPENDIX 1:

Summary of Primary and Further Submissions of TrustPower Limited on the Administration and Finance, Landscapes and Natural Character, and Energy, Infrastructure and Waste provisions of the Proposed One Plan

Table 1: Administration and Finance

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
4.1 STS 1 – Chapter 1 General Overview			
358 1 TrustPower Limited (TPL) X 522 15 Meridian Energy Limited (Meridian) (Support in Part)	(i) Retain Section 1 on significant resource management issues as written. (ii) Any similar provisions with like effect. (iii) Any consequential amendments that stem from the retention of Section 1 as proposed in this submission.	Accept 358 1 Accept in part X 522 15	Support
4.4 STS 4 – Chapter 1 Paragraph 1.3 Our Challenges “The Big Four”			
359 11 Mighty River Power (MRP) X 511 22 TPL (Support) X 521 50 Allco Wind Energy N Z Ltd – (Support)	The addition of a new paragraph following paragraph two and before Issue 1 in 1.3 as follows: The Council will manage the Big Four" issues within a sustainable management framework. This follows that the benefits people and communities obtain from the use and development of natural and physical resource will be given due regard in the approaches identified to manage these issues.	Reject 359 11 Reject X 511 22 Reject X 521 50	Support
4.8 STS 8 – Chapter 1 Issue 4 Threatened Native Habitats			
359 13 MRP X 511 23 TPL (Support)	Amend 1.4 by amending the words under the heading "Look" for as follows: Look for: Objectives, policies and methods that directly or indirectly address climate change effects in Chapters 3, 5, 6 and 10.	Reject 359 13 Reject X 511 23	Support
4.9 STS 9 – Chapter 1 Paragraph 1.4 Adapting to Climate Change			
359 12 MRP X 487 23 Fonterra (Oppose) X 511 24 TPL (Support) X 521 51 Allco (Support) X 522 20 Meridian (Support) X 525 96 Genesis (Support)	The amendment of 1.4 as follows under the Proposed Approach: 1.4 Climate Change Horizons' primary focus is to help the Region to adapt to the effects of climate change and to wherever possible avoid additional effects by for example recognising the benefits to be derived from the use and development of resources for renewable energy and by: - [...]	Reject 359 12 Accept X 487 23 Reject X 511 24 Reject X 521 51 Reject X 522 20 Reject X 525 96	Oppose, the issue is about responding to the effects of climate change and renewable energy should be a core component of this. Relying on Chapter 3 alone is insufficient.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
	<ul style="list-style-type: none"> - recognising the nationally significant renewable energy resources in the region - recognising the benefits that the use and development of the natural resources of the region has - [...] 		
363 12 Meridian Energy X 495 38 RUAPEHU DISTRICT COUNCIL (Support) X 511 26 TPL (Support)	Meridian opposes in part Section 1.4 and requests the following amendments or similar: Amend Section 1.3 to include climate change as one of the big challenges facing the Region; Any consequential amendments necessary to give effect to this submission	Reject 363 12 Reject X 495 38 Reject X 511 26	Oppose, as above
363 13 Meridian X 495 43 RUAPEHU DISTRICT COUNCIL - Support X 511 27 TRUST POWER LIMITED - Support	Meridian opposes in part Section 1.4 and requests the following amendments or similar: Include a much fuller description and explanation of the effects of climate change and the regional and national importance of adopting measures to reduce our greenhouse gas emissions is included Any consequential amendments necessary to give effect to this submission	Reject 363 13 Reject X 495 43 Reject X 511 27	Oppose, as above
363 14 Meridian X 511 28 TPL (Support)	Meridian opposes in part Section 1.4 and requests the following amendments or similar: Amend the heading to Adapting to and limiting the effects of climate change. Any consequential amendments necessary to give effect to this submission.	Accept in part 363 14 Accept in part X 511 28	Support change to 'Planning for Climate Change'.
4.13 ADM 2 – Chapter 2 Paragraph 2.1 Cross-Boundary Issues			
358 2 TrustPower	(i) Retain Section 2.1 on cross-boundary issues as read. (ii) Any similar provisions with like effect. (iii) Any consequential amendments that stem from the retention of Section 2.1 as proposed in this submission	Accept 358 2	Support
4.17 ADM 6 – Chapter 2 Objective 2-1 Consent Duration, Review and Enforcement			
358 3 TrustPower	(i) Retain Objective 2-1 in relation to consent duration, review and enforcement as read. (ii) Any similar provisions with like effects. (iii) Any consequential amendments that stem from the retention of Objective 2-1 as proposed in this submission.	Accept 358 3	Support

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
4.19 ADM 8 – Chapter 2 Policy 2-1 Consent Conditions			
358 4 TrustPower	Retain Policy 2-1 in relation to granting of consents with conditions identified as necessary during the resource consent process as read. Any similar amendment with like effect.	Accept 358 4	Support
372 9 DOC X 511 33 TPL (Unknown)	Add additional criteria: '(v) the conditions will ensure that the provisions of this plan are implemented (vi) the conditions are enforceable'	Accept in part 372 9 UNKNOWN X 511 33	Support, subject to clarification.
417 7 FISH & GAME X 511 29 TPL (Unknown)	Add to Policy 2-1(b) (v) Consent conditions will ensure the provisions of this Plan are met. (vi) Consent conditions will be enforceable.	Accept in part 417 7 UNKNOWN X 511	Support, as above.
4.20 ADM 9 – Chapter 2 Policy 2-2 Consent Durations			
357 159 HORTICULTURE NEW ZEALAND X 484 48 MINISTRY OF AGRICULTURE & FORESTRY (Support) X 511 37 TPL (Oppose)	Amend Policy 2-2 so that consents issued within 3 years of the relevant common catchment expiry date will be issued to align with the second common expiry date (that is the number of years up to the closest expiry date plus ten years.)	Accept 357 159 Accept X 484 48 Reject X 511 37	Oppose, provisions do not take account of investment in infrastructure etc.
357 39 HORTICULTURE NEW ZEALAND X 511 36 TPL (Support)	Decisions Sought: Review common expiry dates policy and approach to provide for flexibility in terms of duration of consents to ensure that the term reflects the effects of the activity, not the requirements of a common expiry date.	Reject 357 39 Reject X 511 36	Oppose, as above.
358 5 TrustPower X 492 31 DOC (Oppose)	Amend Policy 2-2 (b) as follows (or words to similar like effect) "(b) Consent expiry dates will be set to the closest common catchment expiry or review date to the date identified in (a), except for consents which primarily enable electricity generation." Any similar amendment with like effect. Any consequential amendments that stem from the amendments proposed in this submission.	Reject 358 5 Accept X 492 31	Oppose, common expiry dates do not take account of existing infrastructure investment etc.
359 14 MRP X 492 42 DOC (Oppose) X 511 30 TPL (Support)	The amendment of (a) as follows (or words to similar effect): Horizons will generally grant resource consents for the terms sought by the applicant unless the term sought is inappropriate due to the potential for significant	Accept in part 359 14 Accept in part X 492 42	Support in part, subject to common expiry dates being reviewed.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 521 52 Allco (Support)	adverse effects that are not able to be avoided, remedied or mitigated through conditions of consent;	Accept in part X 511 30 Accept in part X 521 52	
359 15 MRP X 487 31 FONTERRA (Oppose) X 492 43 DOC (Oppose) X 511 31 TPL (Support) X 521 53 Allco (Support) X 525 98 Genesis (Support)	The amendment of (b) as follows (or words to similar effect): (b) For the taking, diversion and use of surface water, consent expiry dates will be set to the closest common catchment expiry or review date to the date identified in (a) except those consents that have the primary purpose of electricity generation;	Reject 359 15 Accept X 487 31 Accept X 492 43 Reject X 511 31 Reject X 521 53 Reject X 525 98	Support in part, subject to other qualifiers such as track record, existing infrastructure investment, national or regional interest etc.
398 8 Fonterra X 492 36 DOC (Oppose) X 506 62 Green Party (Oppose) X 511 32 TPL (Oppose)	Fonterra considers that Policy 2-2(b) should be deleted in its entirety.	Reject 398 8 Accept X 492 36 Accept X 506 62 Accept X 511 32	Support
398 9 Fonterra X 492 37 DOC (Oppose) X 494 7 RANGITIKEI AGGREGATES LTD (Oppose) X 506 63 Green Party (Oppose) X 511 34 TPL (Oppose)	Fonterra considers that Policy 2-2(c) should be deleted in its entirety.	Reject 398 9 Accept X 492 37 Accept X 494 7 Accept X 506 63 Accept X 511 34	Support
426 11 Federated Farmers X 511 35 TPL (Support)	Retain 2-2(vi) as written	Accept in part 426 11 Accept in part X 511 35	Support addition of <i>'in relation to environmental effects for the same activity.'</i>
4.21 ADM 10 – Chapter 2 Policy 2-3 Consent Review			
357 157 HORTICULTURE NEW ZEALAND X 487 36 Fonterra (Support) X 511 41 TPL (Oppose)	Include in Policy 2-3 that review of consent conditions cannot render a consent inoperable or amend the duration of the consent.	Reject 357 157 Reject X 487 36 Reject X 511 41 TPL	Oppose, particularly the proposed change to policy that <i>'Council shall use impose consent conditions that specify'</i>

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
357 158 Horticulture NZ X 511 42 TPL (Oppose) X 525 53 Genesis (Support)	Amend the last paragraph in Policy 2-3 by adding the words: Horizons will initiate reviews of consent conditions, as provided for in the consent notice, if monitoring results or other evidence demonstrates a review is required."	Reject 357 158 Accept X 511 42 Reject X 525 53	Support
358 6 TPL X 492 47 DOC (Oppose)	Delete Policy 2-3. Any similar amendment with like effect. Any consequential amendments that stem from the amendments proposed in this submission.	Reject 358 6 Accept X 492 47	Oppose.
359 16 MRP X 492 53 DOC (Oppose) X 511 38 TPL (Support)	The deletion of Policy 2-3.	Reject 359 16 Accept X 492 53 Reject X 511 38	Oppose.
398 10 Fonterra X 484 64 MAF (Support) X 492 48 DOC (Oppose) X 506 64 Green Party (Oppose) X 511 39 TPL (Support)	Fonterra considers that Policy 2-3 should be deleted in its entirety and replaced by the following: Horizons may initiate a review of consent conditions in circumstances as provided for in section 128 of the RMA.	Reject 398 10 Reject X 484 64 Accept X 492 48 Accept X 506 64 Reject X 511 39	Oppose.
426 12 Federated Farmers X 487 35 Fonterra (Support) X 511 40 TPL (Support)	Rewrite Policy 2-3 to ensure consistency with section 128 of the Act.	Reject 426 12 Reject X 487 35 Reject X 511 40	Oppose.
4.22 ADM 11 – Chapter 2 Policy 2-4 Sites with Multiple Activities and Activities Covering Multiple Sites			
358 7 TPL	Retain Policy 2-4 as read. Any similar amendment with like effect. Any consequential amendments that stem from the amendments proposed in this submission.	Accept in part	Support
359 17 MRP X 511 43 TPL (Support)	The addition of a further sentence as follows (or words to similar effect): - Consent applicants may combine some or all activities or sites under umbrella consents, and Horizons will establish consent conditions, durations and review provisions which enable an integrated approach to be taken for managing environmental effects from the site or activity as a whole. The potential for reverse sensitivity effects will need to be identified in any application and assessed on a site basis	Reject 359 17 Reject X 511 43	Support

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
4.23 ADM 12 – Chapter 2 Policy 2-5 Enforcement Procedures			
417 8 Fish & Game X 511 44 TPL (Support)	Policy 2-5(a) is supported and we wish it be retained.	Accept 417 8 Accept X 511 44	
417 9 Fish & Game X 511 45 TPL (Support)	That the Enforcement Matrix above (or similar) be adopted as Policy 2-5(b) Re-name the proposed Policy 2-5(b) as Policy 2-5(c) and reword "In determining what enforcement tool will be used within the discretionary category of the Enforcement Matrix, the following factors will be taken into account: [(i) through (viii)]	Reject 417 9 Reject X 511 45	Support
4.34 ITR 9 – Chapter 11 Policy 11-4 Common Catchment Expiry or Review Date			
357 106 Horticulture NZ X 492 185 DOC (Oppose) X 495 214 RUAPEHU DISTRICT COUNCIL (Support) X 510 1 NEW ZEALAND POLICE (Support) X 511 380 TPL (Support) X 519 103 MRP (Oppose) X 522 291 Meridian (Support) X 533 3 Federated Farmers (Support)	Decisions Sought: Review common expiry dates policy and approach to provide for flexibility in terms of duration of consents to ensure that the term reflects the effects of the activity, not the requirements of a common expiry date. Amend Policy 11-4 so that consents issued within 3 years of the relevant common catchment expiry date will be issued to align with the second common expiry date (that is the number of years up to the closest expiry date plus ten years.)	Accept in part 357 106 Accept in part X 492 185 Accept in part X 495 214 Accept in part X 510 1 Accept in part X 511 380 Accept in part X 519 103 Accept in part X 522 291 Accept in part X 533 3	Support in part.
426 121 Federated Farmers X 478 6 MINISTRY OF EDUCATION (Support) X 492 186 DOC (Oppose) X 495 215 RUAPEHU DISTRICT COUNCIL (Support)	Amend Policy 11-4 as follows: provide for review of common expiry dates policy and approach to provide for flexibility in terms of duration of consents to ensure that the term reflects the effects of the activity, not the requirements of a common expiry date.	Accept in part 426 121 Accept in part X 478 6 Accept in part X 492 186 Accept in part X 495	Support in part.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 511 381 TPL (Support) X 519 96 MRP (Oppose) X 522 292 Meridian (Support)		215 Accept in part X 511 381 Accept in part X 519 96 Accept in part X 522 292	
4.36 FC 1 – Chapter 18 General			
363 191 Meridian X 511 524 TPL (Support)	Meridian opposes Chapter 18 and requests the following amendments or similar: Delete Chapter 18 in its entirety; and Create a new chapter in Part 1 of the Plan entitled "Environmental Compensation", which expressly recognises that adverse effects may be avoided, remedied or mitigated through actions undertaken off-site (not limited to money or land) that achieve the relevant environmental objectives contained in the other chapters of Part 1; Or, in the alternative but without prejudice to the relief set out above: Add an appropriate objective, policy and supporting explanation to every relevant chapter in Part 1 of the Plan (ie., all chapters that require the avoidance, remediation or mitigation of adverse effects) expressly recognising the concept of environmental compensation and its legitimacy in the context of resource consent applications. Any consequential amendments necessary to give effect to this submission.	Reject 363 191 Reject X 511 524	Support in part, subject to changes to Chapter 3 and other clarifications in Chapter 18
4.38 FC 3 – Chapter 18 Policy 18-1 Purpose of financial contributions			
358 131 TPL	Amend Policy 18-1 to provide adequate and appropriate clarification in relation to consideration of infrastructure development and energy generation of regional and national interest. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Policies 18-1 - 18-3 as proposed in this submission.	Not stated	Support in part, subject to changes to Chapter 3 and other clarifications in Chapter 18
358 132 TPL	Delete clauses (a) - (g) of Policy 18-1 from the Proposed Plan. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Policies 18-1 - 18-3 as proposed in this submission.	Not stated	Support in part, as above.
359 130 MRP X 511 525 TPL (Oppose)	Retain the policy as proposed.	Not stated Not stated	Support in part, as above

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
417 91 Fish and Game X 492 339 DOC (Support) X 511 526 TPL (Oppose)	Policy 18-1 is supported and we wish to have this retained.	Not stated Not stated Not stated	Support in part, as above.
4.39 FC 4 – Chapter 18 Policy 18-2 Amount of contribution			
358 133 TPL	Amend Policy 18-2 to more appropriately define the method for calculating the amount of financial contributions. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Policies 18-1 - 18-3 as proposed in this submission.	Not stated	Support in part, subject to changes to Chapter 3 and other clarifications in Chapter 18
417 92 Fish and Game X 492 340 DOC (Support) X 495 379 RUAPEHU DISTRICT COUNCIL (Oppose) X 511 527 TPL (Oppose)	Policy 18-2 is supported and we wish to have this retained.	Not stated Not stated Not stated Not stated	Support in part, as above.
4.40 FC 5 – Chapter 18 Policy 18-3 Matters to be considered for financial contributions			
358 134 TPL	Amend Policy 18-3 clause (a) to appropriately and adequately set out the possible circumstances when financial contributions, designed to offset or compensate for adverse effects, will be considered as a secondary measure. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Policies 18-1 - 18-3 as proposed in this submission.	Not stated	Support in part, subject to changes to Chapter 3 and other clarifications in Chapter 18
417 93 Fish and Game X 492 341 DOC (Support) X 511 528 TPL (Support)	Policy 18-3 is supported and we wish to have this retained.	Not stated Not stated Not stated	Support in part, as above.

Table 2: Landscape and Natural Character Provisions

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
Recommendation LSNC3 - 4.3 Living Heritage – General			
308 6 N Z WINDFARMS LTD X 511 310 TrustPower Limited (TPL) (Support)	No decision requested but the following point is made It is considered that a determination of the status of windfarms within the proposed One Plan as not appropriate forms of development, would not be in accordance with the enabling function of the RMA to provide, and give effect to policy led initiatives incorporated within the Draft New Zealand Energy Strategy, and the provisions contained in Chapter 3 of the Proposed One Plan.	Accept In Part 308 6 Accept In Part X 511 310	Support, changes made in Chapter 3 to take this into account (policy 3-4)
358 15 TrustPower Ltd (TPL) X 521 39 Allco Wind Energy N Z Ltd (Support) X 522 175 Meridian Energy Ltd (MEL) (Support in Part)	Appropriate and adequate justification for the inclusion of the significant number of outstanding natural features and landscapes identified in Chapter 7, including reasons for the extent and landscape character of these landscapes that require this level of protection.	Reject 358 15 Reject X 521 39 Reject X 522 175	Oppose, these areas have been mapped and extended without any assessment methods using robust and recognised assessment criteria. In particular, all of the coastal environment.
Recommendation LSNC6 - 4.6 Living Heritage Paragraph 7.1.3 Landscapes and Natural Character			
308 1 N Z WINDFARMS LTD X 511 313 TPL (Support) X 527 27 Tararua Aokautere Guardians Inc (TAG) (Oppose)	We seek amendments to the plan which reconcile the identified contradictions of Chapter 3 Infrastructure, Energy, and Waste with the provisions of Chapter 7 Living Heritage.	Reject 308 1 Reject X 511 313 Accept X 527 27	Support, changes made to Policy 3-4 deal with this in part in terms of providing more guidance.
363 106 MEL X 511 314 TPL (Support) X 519 284 Mighty River Power (MRP) (Support)	Meridian opposes Section 7.1.3, and requests the following amendments or similar: Amend Section 7.1.3 to resolve the confusion surrounding use of the terms outstanding and unique regional landscapes Any consequential amendments necessary to give effect to this submission	Accept in part 363 106 Accept in part X 511 314 Accept in part X 519 284	Support
Recommendation LSNC7 - 4.7 Living Heritage Issue 7-2 Landscapes and Natural Character			
359 75 MRP X 511 315 TPL (Support) X 521 59 Allco Wind Energy	Amend the issue in respect of wind farms to state that there is a wind resource of international quality in the Tararua and Ruahine ranges and the use of the wind resource has the potential to affect the landscape values of the ranges	Reject 359 75 Reject X 511 315 Reject X 521 59	Support, this has been addressed through changes to Chapter 3, particularly policy 3-4.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
N Z Ltd (Allco) (Support) X 522 199 MEL (Support in Part) X 527 54 TAG (Oppose)		Accept X 527 54 TAG	
363 107 MEL X 511 316 TPL (Support) X 519 285 MRP (Support) X 527 79 TAG (Oppose)	Meridian opposes Issue 7-2 and requests the following amendment or similar: (a) The Region's landscapes can be affected by development ...etc. Any consequential amendments necessary to give effect to this submission	Reject 363 107 Reject X 511 316 Reject X 519 285 Accept X 527 79	Oppose, the current wording implies a level of vulnerability of these landscapes.
363 108 MEL X 511 317 TPL (Support) X 527 80 TAG (Oppose)	Meridian opposes Issue 7-2 and requests the following amendment or similar: (b) The natural character of the coastal environment, wetlands, rivers, lakes and their margins can be affected by land use activities and development, etc. Any consequential amendments necessary to give effect to this submission	Reject 363 108 Reject X 511 317 Accept X 527 80	Oppose, as above.
Recommendation LSNC8 - 4.8 Living Heritage Objective 7-2 Landscapes and Natural Character			
268 16 Genesis X 511 325 TPL (Support) X 527 19 TAG (Oppose)	Delete Objective 7-2 (b).	Reject 268 16 Reject X 511 325 Accept X 527 19	Support
308 7 N Z WINDFARMS LTD X 511 324 TPL (Oppose)	Submitter supports Objective 7-2 (a) Landscapes and natural character, pg no 7-4	Accept in part 308 7 Reject X 511 324	Support, subject to changes outlined above.
358 59 TPL X 506 31 MANAWATU BRANCH OF N Z GREEN PARTY (Green Party) (Oppose) X 521 43 Allco Wind Energy N Z Ltd (Support) X 522 227 MEL (Support in Part) X 527 41 TAG (Oppose)	Either delete Objective 7-2 from the Proposed Plan or amend Objective 7-2 to include greater recognition of the possible provision of infrastructure development and energy generation within landscapes identified in Schedule F. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Objective 7-2, Policy 7-7 and Schedule F as proposed in this submission.	Reject 358 59 Accept X 506 31 Reject X 521 43 Reject X 522 227 Accept X 527 41	Support in part, subject to the retention and amendments of the relevant provisions in Chapter 3 (particularly Policy 3-4).
359 76 MRP X 492 134 Minister of	Amend (a) as follows: The characteristics and values of the outstanding landscapes identified in Schedule F are protected as far as is reasonable. It is recognised that it	Reject 359 76 Accept X 492 134	Support in part, proposed amendments to Chapter 3 now

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
Conservation (DOC) (Oppose) X 506 32 Green Party (Oppose) X 511 326 TPL (Support) X 521 60 Allco (Support) X 527 55 TAG (Oppose)	will not be possible to protect these values where there are functional constraints associated with the location of infrastructure (Refer Policy 3-3).	Accept X 506 32 Reject X 511 326 Reject X 521 60 Accept X 527 55	include such provisions in regard to functional constraints – however, acceptance needs to be provisional on the basis of this being covered in Chapter 3.
363 114 MEL X 511 327 TPL (Support) X 527 81 TAG (Oppose)	Meridian opposes Objective 7-2 and requests the amendments to clauses (a) and (b) as follows, or similar: (a) The characteristics and values of the outstanding landscapes are protected from inappropriate subdivision, use and development. It is recognised that it will not be possible to protect these values in all instances. (b) Adverse effects including the cumulative adverse effects on the natural character of the coastal environment, wetlands and rivers, lakes and their margins are avoided remedied or mitigated as far as practicable. Or; Delete Objective 7-2. Any consequential amendments necessary to give effect to this submission	Accept in part 363 114 Accept in part X 511 327 Reject X 527 81 TAG	Support, amendments to include 'appropriate subdivision, use and development' are consistent with the Act.
Recommendation LSN9 - 4.9 Living Heritage Policy 7-7 Outstanding Landscapes			
268 17 Genesis X 492 135 DOC (Oppose) X 506 33 Green Party (Oppose) X 508 1 RICHARD GEORGE MILDON (Oppose) X 511 346 TPL (Support)	Delete Policy 7-7.	Reject 268 17 Accept X 492 135 Accept X 506 33 Accept X 508 1 Reject X 511 346	Support, changes to policy outlined below.
272 20 POWERCO X 511 347 TPL (Oppose) X 527 24 TAG (Oppose)	M1 - Policy 7-7(c) to remain unchanged provided the definition of "regional and national infrastructure" is revised as per our Submission B.	Reject 272 20 Accept X 511 347 Accept X 527 24	Support
308 19 NZ Windfarms X 511 345 TPL (Support) X 527 35 TAG (Oppose)	The provisions of the proposed One Plan that we do not support in their current form are: Policy 7-7 Outstanding Landscapes, pg no 7-7	Reject 308 19 Reject X 511 345 Accept X 527 35	Support, changes to policy outlined below.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
308 3 NZ Windfarms X 511 344 TPL (Oppose) X 519 281 MRP (Oppose) X 527 29 TAG (Oppose)	Resultant statements of objectives and policy for energy and landscape could include text similar to the following example: Discourage inappropriate development within areas of outstanding natural character of the Tararua and Ruahine Ranges, other than in areas that do not visibly reduce the extent of the natural area, as viewed from significant public vantage points by: Discouraging development which would conflict with the form of the landscape or by minimising the effect of structures on the skyline, ridges, hills and prominent slopes and places; and Encouraging all structures, including but not limited to wind turbines, to be located in areas with higher potential to absorb change, by being co-located within the backdrop of an already modified natural landscape.	Reject 308 3 Accept X 511 344 Accept X 519 281 Accept X 527 29	Support, as outlined below.
358 60 TPL X 521 44 Allco (Support) X 522 260 MEL (Support in Part) X 527 42 TAG (Oppose)	Either delete Policy 7-7 from the Proposed Plan or amend Policy 7-7 to include greater recognition of the possible provision of infrastructure development and energy generation within landscapes identified in Schedule F. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Objective 7-2, Policy 7-7 and Schedule F as proposed in this submission.	Reject 358 60 Reject X 521 44 Reject X 522 260 Accept X 527 42	Oppose, some good changes to the policy, including assessment criteria – but oppose removal of reference to Chapter 3 and energy generation.
358 62 TPL X 527 44 TAG (Oppose)	Retain Policy 7-7(c) as read. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Objective 7-2, Policy 7-7 and Schedule F as proposed in this submission	Reject 358 62 Accept X 527 44	Oppose, as above.
359 81 MRP X 508 2 RICHARD GEORGE MILDON (Oppose) X 511 348 TPL (Support) X 521 61 Allco (Support) X 522 261 MEL (Support in Part)	Exclude renewable energy facilities and other infrastructure from this policy. In the alternative amend the policy as follows: - The landscapes listed in Schedule F shall be recognised as being outstanding under Section 6 (b) within a regional context. All subdivision, use and development affecting these areas shall be managed in a manner which: - Avoids or remedies or mitigates to the extent reasonable any adverse effects on the characteristics and values specified in Schedule F for each landscape. - In considering what is reasonable, the benefits from the proposal at a regional and national level shall be given regard to. In some situations the benefits will outweigh adverse effects on the characteristic and values in Schedule F. - Takes into account cumulative adverse effects - Gives effect to the policies in Chapter 3 when assessing activities involving	Reject 359 81 Accept X 508 2 Reject X 511 348 Reject X 521 61 Reject X 522 261	Oppose, as above.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
<p>363 119 MEL X 508 3 RICHARD GEORGE MILDON (Oppose) X 511 349 TPL (Support)</p>	<p>renewable energy and infrastructure of regional and national importance.</p> <p>Meridian opposes Policy 7-7 and requests the following amendments or similar: Amend Schedule F as per Meridians submission. Any consequential amendments necessary to give effect to this submission</p>	<p>Reject 363 119 Accept X 508 3 Reject X 511 349</p>	<p>Oppose, as above.</p>
<p>363 120 MEL X 492 136 DOC (Oppose) X 508 4 RICHARD GEORGE MILDON (Oppose) X 511 350 TPL (Support)</p>	<p>Meridian opposes Policy 7-7 and requests the following amendments or similar: Amend Policy 7-7 as follows: Outstanding natural features and landscapes shall be protected from inappropriate subdivision use and development. These areas shall be managed in a manner which: (a) Avoids, remedies or mitigates as far as practicable any significant adverse effects on the characteristics and values of the outstanding natural feature or landscape; (b) Has regard to the Regional and national benefits of a proposal; (c) Takes into account cumulative adverse effects; and (d) Provides effect to the objectives and policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional and national importance. Or; Delete Policy 7-7 in its entirety. Any consequential amendments necessary to give effect to this submission</p>	<p>Reject 363 120 Accept X 492 136 Accept X 508 4 Reject X 511 350</p>	<p>Oppose, as above.</p>
<p>372 114 DOC X 511 354 TPL (Oppose) X 513 1 Ngamatea Station Ltd (Oppose) X 522 262 MEL (Oppose) X 527 172 TAG (Support)</p>	<p>Amend first part of policy to read: 'Policy 7-7: Outstanding natural features and landscapes The natural features and landscapes listed in Schedule F shall be recognised as outstanding...'. Insert 'arising from activities within or outside their boundaries' after 'affecting these areas' in the second sentence. Add 'feature or' before 'landscape at the end of subparagraph (a).</p>	<p>Accept in part 372 114 Reject X 511 354 Reject X 513 1 Reject X 522 262 Accept in part X 527 172</p>	<p>Oppose, as above.</p>
<p>372 95 DOC X 506 34 Green Party (Support) X 511 352 TPL (Oppose)</p>	<p>Amend Policy 7-7 as requested below. Delete final paragraph and insert the following: 'The coastal environment has seen some change in recent decades as a result of forestry development, intensification of farming activities, increased recreational pressures and coastal residential development on both the western and eastern</p>	<p>Accept in part 372 95 Accept in part X 506 34 Reject X 511 352</p>	<p>Oppose, as above.</p>

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 525 121 Genesis (Oppose) X 527 166 TAG (Support)	coastlines. The extent and scale of these activities are all likely to increase during the plan period and other new activities such as wind farms may also seek to locate in the coastal environment. Whilst taken separately these changes may have local rather than regional scale effects on the natural character and landscape of the coastal environment the cumulative effects of these changes are significant and need to be managed. Opportunities to enhance or restore the natural character of the coastal environment should also be taken'.	Reject X 525 121 Accept in part X 527 166	
426 107 Federated Farmers X 511 353 TPL (Oppose) X 519 306 MRP (Support)	Retain Policy 7.7 but differentiate between 'outstanding' and 'regional' landscapes identified in Schedule F	Accept 426 107 Reject X 511 353 Accept X 519 306	Oppose, as above.
460 71 Forest & Bird X 511 351 TPL (Oppose) X 519 310 MRP (Oppose)	(a) avoids or minimises (to the extent reasonable any- (delete)) adverse effects on the characteristics and values specified in Schedule F for each landscape (support with change. To the extent reasonable is not necessary, or minimises allows for some adverse effects.	Accept 460 71 Reject X 511 351 Reject X 519 310	Oppose, as above.
Recommendation LSNC10 - 4.10 Living Heritage Policy 7-8 Natural Character			
358 63 TPL X 522 264 MEL (Support in Part) X 527 45 TAG (Oppose)	Insert the following clause into Policy 7-8 of the Proposed Plan: (h) have regard to the objectives and policies in Chapter 3 when assessing activities involving renewable energy and infrastructure of regional importance.	Reject 358 63 Reject X 522 264 Accept X 527 45	Oppose, consider this should have reference to renewable energy, or the provisions in Chapter 3.
359 83 MRP X 511 355 TPL (Support) X 522 266 MEL (Support)	Add a new section to the policy that gives effect to the Objectives and polices in Chapter 3.	Reject 359 83 Reject X 511 355 Reject X 522 266	Oppose, as above.
359 84 MRP X 511 356 TPL (Support) X 521 63 Allco (Support) X 522 267 MEL (Support)	Revise the areas identified in Schedule F.11 and F.12 to show the areas of the coastline that qualify for protection under Section 6(a)	Reject 359 84 Reject X 511 356 Reject X 521 63 Reject X 522 267	Oppose, needs a better 'interim' solution that is more enabling than currently drafted (i.e., "until such time as this assessment is undertaken")
363 121 MEL X 492 139 DOC (Oppose) X 492 147 DOC (Oppose) X 511 357 TPL (Support) X 519 25 MRP (Support)	Meridian opposes Policy 7-8 and requests the following amendments or similar: Delete clauses (d) to (g); Provide recognition of the policies in Chapter 3 when assessing activities involving renewable energy generation; Or; Delete Policy 7-8 in its entirety Any consequential amendments necessary to give effect to this submission	Reject 363 121 Accept X 492 139 Accept X 492 147 Reject X 511 357 Reject X 519 25	Oppose, consider this should have reference to renewable energy, or the provisions in Chapter 3.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 519 287 MRP (Support)		Reject X 519 287	
Recommendation LSNC12 - 4.12 Living Heritage Method District Planning – Natural Features, Landscapes and Habitats			
308 4 N Z WINDFARMS LTD X 511 358 TPL (Support) X 519 282 MRP (Oppose) X 527 30 TAG (Oppose)	Implementation Methods to achieve the above (submission decision points 308/2 & 3) could include: Provisions controlling the range of activities within areas of landscape importance, with provisions in relation to wind farms restricted to matters such as: scale, height, ecological protection, and co-location within the context of an existing modified environment; Provision for the design and appearance of structures to be restricted through such methods as colour; Provision for all new roads and tracks to be discretionary activities within areas of landscape importance, restricted to such performance standards as extent of cut and fill, ecological protection, and vehicle movements post construction activities.	Reject 308 4 Reject X 511 358 Accept X 519 282 Accept X 527 30	Support
358 65 TPL X 519 292 MRP (Support) X 527 47 TAG (Oppose)	Amend the text in Method "District Planning – Natural Features, Landscapes and Habitats" to clarify that development opportunities (including windfarm proposals) will not necessarily be discouraged in these areas.	Reject 358 65 Reject X 519 292 Accept X 527 47	Support in part.
417 108 Fish & Game X 511 360 TPL (Oppose) X 522 279 MEL (Oppose)	Method is supported and we wish it to be retained.	Accept in part 417 108 Reject X 511 360 Reject X 522 279	Support in part
460 79 Forest & Bird X 511 359 TPL (Oppose)	Submitter supports Method: District Planning – Natural Features, Landscapes and Habitats.	Accept in part 460 79 Reject X 511 359	Support in part.
Recommendation LSNC13 - 4.13 Living Heritage Anticipated Environmental Result Table Row 3			
460 80 Forest & Bird X 506 21 Green Party (Support) X 511 363 TPL (Oppose) X 519 311 MRP (Oppose) X 527 547 TAG (Support)	Except for change because of natural processes, at 2017 the characteristics/values of all outstanding landscapes and natural features identified in the Region (Schedule F) will be in the same (add-) or better) state as assessed prior to this Plan becoming operative.	Reject 460 80 Reject X 506 21 Accept X 511 363 Accept X 519 311 Reject X 527 547	Support
Recommendation LSNC17 - 4.17 Schedule F Regional Landscapes General			

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
<p>358 169 TPL X 519 294 MRP (Support) X 521 46 Allco (Support) X 527 50 TAG (Oppose)</p>	<p>Delete the following landscapes from Schedule F: All the skyline of the Kaimanawa, Ruahine and Tararua Ranges (or seek clarification of "skyline") The Manganui o Te Ao River and river valleys, the Makatote and Mangaturuturu Rivers and their valleys, the Waimarino and Orautoha Streams The Rangitikei River and river valley as outlined in the associated table The Manawatu Gorge The large area of coastline of the region Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Schedule F as proposed in this submission.</p>	<p>Reject 358 169 Reject X 519 294 Reject X 521 46 Accept X 527 50</p>	<p>Oppose, these areas require systematic assessment of their values according to accepted values and criteria.</p>
<p>358 170 TPL X 521 47 Allco (Support) X 527 51 TAG (Oppose)</p>	<p>Delete any Figures in Schedule F in relation to the landscapes identified above from the Proposed Plan. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Schedule F as proposed in this submission.</p>	<p>Reject 358 170 Reject X 521 47 Accept X 527 51</p>	<p>Oppose, as above.</p>
<p>358 61 TPL X 477 5 PRITCHARD GROUP LIMITED (Support) X 519 290 MRP (Oppose) X 521 45 Allco (Support) X 527 43 TAG (Oppose)</p>	<p>Delete all the landscapes listed in Schedule F as outstanding unless their inclusion has been appropriately justified and the Proposed Plan is amended to include detailed discussion of the reasons for their significance based on a regional landscape assessment. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Objective 7-2, Policy 7-7 and Schedule F as proposed in this submission.</p>	<p>Reject 358 61 Reject X 477 5 Accept X 519 290 Reject X 521 45 Accept X 527 43</p>	<p>Oppose, as above.</p>
<p>363 211 MEL X 495 445 RUAPEHU DISTRICT COUNCIL (Oppose) X 500 218 TARARUA DISTRICT COUNCIL (Oppose) X 507 218 MANAWATU DISTRICT COUNCIL (Oppose)</p>	<p>Meridian opposes Schedule E and requests the following amendments or similar: Delete Schedule E; In the alternative, but without prejudice to the relief sought above: Amend Schedule F to be more appropriate to the s6(a) and s6(b) RMA requirements; and Amend Schedule F to be less inclusive, and contain improved justification of the inclusion of each of the outstanding natural features or landscapes. Any consequential amendments necessary to give effect to this Submission</p>	<p>Reject 363 211 Accept X 495 445 Accept X 500 218 Accept X 511 584 Reject X 511 584 Accept X 515 218 Accept X 517 125 Reject X 519 288 Accept X 527 82</p>	<p>Oppose, as above.</p>

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 511 584 TPL (Support) X 515 218 HOROWHENUA DISTRICT COUNCIL (Oppose) X 517 125 RANGITIKEI DISTRICT COUNCIL (Oppose) X 519 288 MRP (Support) X 527 82 TAG (Oppose) X 532 218 WANGANUI DISTRICT COUNCIL (Oppose)		Accept X 532 218	
372 234 DOC X 511 587 TPL (Oppose)	Amend title to read: Schedule F: Outstanding Natural Features and Landscapes	Accept in Part 372 234 Reject X 511 587	Support
372 235 DOC X 511 588 TPL (Oppose)	Amend the first sentence to read 'Outstanding natural features and landscapes in the Manawatu Wanganui Region are as follows:'	Accept in part 372 235 Reject X 511 588	Support
372 236 DOC X 511 589 TPL (Oppose)	Amend key in figures attached to the table to refer to 'outstanding landscape' instead of 'significant landscape'.	Accept in part 372 236 Reject X 511 589	Support
372 237 DOC X 511 590 TPL (Oppose) X 527 174 TAG (Support)	Modify characteristics/values to include: Visual and scenic characteristics, particularly the open tops, stony riverbeds and vegetation gradients from high low altitude and from north south wilderness.	INTERIM Reject 372 237 INTERIM Accept X 511 590 INTERIM Reject X 527 174	Support (as interim measure).
372 238 DOC X 474 1 JOHANNES ALTENBURG (Support) X 511 591 TPL (Oppose) X 522 461 MEL (Oppose)	Modify Other values to include: recreation especially tramping and hunting; ecological significance with provision of habitat for rare bird species, provision of habitat for rare snail species, occurrence of threatened plant species, historic values in association with early recreation, hunting and botanical exploration.	INTERIM Reject 372 238 INTERIM Reject X 474 1 INTERIM Accept X 511 591 TPL	Support (as interim measure).

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 527 175 TAG (Support)		INTERIM Accept X 522 461 INTERIM Reject X 527 175	
372 239 DOC X 511 592 TPL (Oppose) X 527 176 TAG (Support)	Modify to include full suite of values associated with this important recreation/ecological landscape.	INTERIM Reject 372 239 INTERIM Accept X 511 592 INTERIM Reject X 527 176	Support (as interim measure).
372 240 DOC X 511 593 TPL (Oppose)	Add 'and remnant dune fields' after the reference to Akitio Shore Platform in the first column; add '(iii) natural character of the coast, particularly the coastal cliffs and remnant dune fields'.	INTERIM Reject 372 240 INTERIM Accept X 511 593	Support (as interim measure).
372 241 DOC X 497 1 JAMES BULL HOLDINGS LIMITED (Oppose) X 511 594 TPL (Oppose) X 519 301 MRP (Oppose) X 522 462 MEL (Oppose) X 533 70 Federated Farmers (Oppose)	Include the Moawhango Ecological Region as an outstanding landscape in Schedule F (boundary as identified in Rogers, G.M. (1993) 'Moawhango Ecological Region Survey Report for the Protected Natural Areas Programme', Department of Conservation, Wanganui Conservancy.	INTERIM Reject INTERIM Accept INTERIM Accept INTERIM Accept INTERIM Accept	Support (as interim measure).
372 242 DOC X 497 2 JAMES BULL HOLDINGS LIMITED (Oppose) X 511 595 TPL (Oppose) X 519 302 MRP (Oppose) X 522 463 MEL (Oppose) X 527 177 TAG (Support)	Include these outstanding natural features within Schedule F of the plan and the attached maps, along with a description of their values	INTERIM Reject INTERIM Accept INTERIM Accept INTERIM Accept INTERIM Accept INTERIM Reject	Support (as interim measure).
426 90 Federated Farmers	Amend Schedule F to note those landscape that are defined as 'outstanding' and those that are 'regional landscapes'	Accept in part 426 90	Oppose, insufficient justification of these areas.

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
X 511 585 TPL (Oppose) X 531 150 HORTICULTURE NEW ZEALAND (Support)		Reject X 511 585 Accept in part X 531 150	
426 91 Federated Farmers X 511 586 TPL (Support) X 527 408 TAG (Support) X 531 151 HORTICULTURE NEW ZEALAND (Support)	include the criteria within the Plan and the methodology used to define the landscapes as 'outstanding' or 'regional' in Schedule F	Accept in part 426 91 Accept in part X 511 586 Accept in part X 527 408 Accept in part X 531 151	Support in part the inclusion of recognised assessment criteria.

Table 3: Infrastructure and Energy Provisions

Submitter number	Relief Sought	Officer's recommendation	Comments on Staff Recommendation
Recommendation IEW_ADD 1			
358 32 TrustPower (TPL) X 519 31 Mighty River Power (MRP) (Support) X 525 240 Genesis (Support)	Insert a new section to Part 6 of the Proposed Plan that provides a policy framework (objectives and policies) for hydroelectricity generation. Any similar amendments to like effect. Any consequential amendments that stem from the amendment of Section 6 as proposed in this submission	Accept in part 358 32 Accept in part X 519 31 Accept in part X 525 240	Support in part, subject to appropriate changes made to the Water Chapter.
363 61 Meridian X 511 149 TPL (Support)	Meridian requests that Chapter 6 is amended as follows or similar: In the alternative, but without prejudice to the relief sought above [363/58] to 363/60], if it is the Council's deliberate intent to not make specific policy provision for hydro electricity generation in Chapter 6 because of the provisions in Chapter 3, then it is Meridian's opinion that the majority of changes recommended in this submission will need to be made to Chapter 3 with cross references being added to relevant chapters. Any consequential amendments necessary to give effect to this submission	Accept in part 363 61 Accept in part X 511 149	Support in part, subject to appropriate changes made to the Water Chapter.
Recommendation IEW_ADD 2			
272 26 POWERCO LIMITED X 511 529 TPL (Support)	P2 - A review of the range of definitions and terms referring to infrastructure and essential services and works. We note that the Proposed Plan does not contain the logic that sits behind the different classifications and resulting hierarchy of protection provided for infrastructure and we submit that it would be useful to understand the basis for the distinctions and the intended use of each term.	Accept in part 272 26 Accept in part X 511 529	Support
363 203 Meridian X 511 530 TPL (Support)	Add new definition In line with the amendments suggested by Meridian to the One Plan, Meridian requests that a new definition of renewable energy is included in the Glossary.	Reject 363 203 Reject X 511 530	Support
363 204 Meridian X 511 531 TPL (Support) X 519 29 MRP (Oppose)	Meridian requests a definition of renewable energy generation facilities is included as follows: Renewable energy generation facilities means land, dams, weirs, tunnels, penstocks, generation units / turbines, underground cabling, substations, earthworks, access tracks, roads and associated buildings and structures associated with the generation of electricity by renewable energy and the operation of those energy facilities. It does not include: Any cabling required to link the renewable energy generation facility to the point of entry into the electricity network, whether transmission or distribution in nature Any consequential amendments necessary to give effect to this submission.	Reject 363 204 Reject X 511 531 Accept X 519 29	Support

APPENDIX 2

Generators' Position on the Recommended Revisions to Chapter 3 of the Proposed One Plan – Energy, Infrastructure and Waste

Wording considered by Electricity Generators (Mighty River Power, Genesis Energy, Meridian Energy, TrustPower) and Energy Efficiency and Conservation Authority to improve the position presented by Horizons' Officers in the Tracked Changes Document dated 10 February, and presented to the pre-hearing meeting on 16 February. Each organisation may have wording preferences in addition to those presented here that will be addressed in evidence at the hearing. Powerco have also provided comment on Policy 3-1 (iii) and (iv).

Issue 3-1

Reword existing and add new issues as follows (as per Catherine Clarke's evidence appearing for Meridian dated 5 August 2008):

Issue 3.1 Infrastructure and energy

- i) *The use and development of infrastructure and renewable energy resources is essential to the economic, cultural, social and environmental wellbeing of people and communities and offers potentially significant national and regional benefits.*
- ii) *There is potential for concerns about local adverse effects to prevail over the regional and national benefits of developing infrastructure and renewable energy*
- iii) *Energy conservation and efficiency measures will assist, but alone, will not be sufficient to meet future energy demands.*
- iv) *Additional electricity generation will be needed to meet regional and national growth in energy demand. To meet national renewable energy targets the region needs to provide for additional electricity generation through the use and development of its renewable energy resources in a manner consistent with the RMA.*
- v) *The Manawatu-Wanganui region contains significant potential for the use and development of new renewable resource, however the use and development of new renewable energy generation facilities face a number of barriers including securing access to natural resource, an operational and technical factors which constrain the location, lay out, design and generation capacity of renewable energy facilities.*

TrustPower has suggested an additional issue dealing with reverse sensitivity to support Policy 3-2, and no view has been expressed by the other generators about this issue at this point. The issue would read:

- vi) *New activities within close proximity to existing or authorised infrastructure including generation from renewable energy resources can constrain or affect the effective operation, maintenance, and upgrading of such facilities.*

Objective 3-1

The amendments to Objective 3-1 as proposed by the Council in the pre-hearing track change version are shown below with deletions struck through and additions underlined:

- (i) *To recognise the local, regional and national benefits of ~~providing for its development~~ activities associated with its upgrading the development, operation, maintenance, and upgrading of infrastructure, ~~while managing its adverse environmental effects and the adverse effects of other activities on it.~~*
- (ii) *To recognise the local, regional and national benefits of and to provide for the increased development and use of the regions renewable resources ~~in decision making processes while managing adverse environmental effects and encouraging efficiency in energy use.~~*
- (iii) *To encourage efficiency in energy use.*

It is noted that the Electricity Generators and EECA have a significant concern about the Horizons Officer's view expressed at the pre-hearing meeting that the associated resource use is not considered part of the policy framework in Chapter 3. This will be the subject of submissions and evidence for the Infrastructure Energy and Waste hearing and subsequent hearings dealing with water. I understand that from the generators' perspective, the amendments set out above would go some way to clarifying this issue.

Policy 3-1: Benefits of Infrastructure

Amendments to Policy 3-1 as proposed by the Council in the pre-hearing track change version are shown below with deletions struck through and additions underlined including comments from Powerco to (a) (ii) and (iii):

- (a) *All persons exercising functions and powers under the RMA shall recognise the following infrastructure* as being physical resources of regional and / or national importance:*
 - i) *facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity transmission and distribution networks ~~grid and facilities and infrastructure to transmit the electricity generated into the electricity grid;~~*
 - ii) *the electricity grid as defined as the system of transmission lines, substations and other works, including the HVDC link used to connect grid injection points and grid exit points to convey electricity throughout the North and South Island by the Electricity Governance Rules 2003 space;*
 - iii) *electricity transmission and distribution networks defined as the system of transmission lines, sub-transmission, and distribution feeders (6.6kV) and above) and all associated substations and other works used to convey electricity;*
 - iv) *Pipelines, and gas facilities used for the transmission and distribution of natural, and manufactured gas;*
 - v) *The strategic road and rail network as defined in the Regional Land Transport Strategy;*
 - vi) *The Palmerston North and Wanganui Airports;*

- vii) *The RNZAF airport at Ohakea;*
 - viii) *Telecommunications and radiocommunications facilities;*
 - ix) *Public sewerage treatment plants and distribution systems;*
 - x) *Flood protection and drainage schemes managed by a local authority;*
 - xi) *Port of Wanganui.*
- (b) ~~*In making decisions about*~~ *All persons exercising functions and powers under the RMA in relation to the establishment, upgrading, maintenance and operation alteration and expansion of infrastructure* within the Region including the infrastructure of regional and / or national importance listed in subsection (a), shall recognise and provide for the benefits derived from the infrastructure* at a local, regional and national level shall be taken into account.*
- (c) *Existing and future infrastructure* shall be managed in a manner which achieves as much consistency across local authority boundaries as reasonably practicable.*

Policy 3-2: Adverse Effects of Other Activities on Infrastructure

The following amendments are sought to Policy 3-2(b).

- (b) *Ensuring that any new activities that will adversely affect the efficiency or effectiveness of infrastructure are not located near existing infrastructure; infrastructure allowed by unimplemented resource consents; or infrastructure allowed by other RMA authorisations such as designations. and, Ensuring that there is no change to existing activities that increases their incompatibility with existing infrastructure or unimplemented resource consents, or other RMA authorisations which allow for infrastructure.*

Policy 3-3: Particular Characteristics of Infrastructure

Potential wording for Policy 3-3 (including a change in the title to this policy) is as follows (which largely follows the evidence of Richard Peterson appearing for Mighty River Power dated 6 August 2008):

Policy 3-3 Particular Characteristics of Infrastructure

All persons exercising functions and powers under the RMA shall take into account any functional, operational, and technical constraints which require infrastructure to be located and designed in the manner proposed.

Policy 3-4: Benefits of Renewable Energy

Proposed wording for Policy 3-4 as follows:

- (a) *All persons exercising functions and powers under the RMA shall have particular regard to:*
- (i) *The social, economic, cultural and environmental benefits of the use and development of renewable energy including electricity generation from renewable energy, including the benefits:*

- Benefits to social and economic wellbeing;
 - Contributing to a reduction of greenhouse gases in New Zealand, and globally;
 - Of reduced dependency on imported energy sources;
 - Of reduced exposure to fossil fuel price volatility; and
 - For security of supply for current and future generations.
- (ii) *The Manawatu-Wanganui Region’s potential for the use and development of renewable energy resources*
- (iii) *The need for renewable energy ~~facilities~~ activities to locate where the renewable energy resource is located*
- (iv) *The development of electricity generation from renewable energy ~~generation~~ and use of renewable energy resources in policy development and resource consent decision making.*

It is noted that EECA prefers the retention to the broader reference to renewable energy in (i) while the Generators seek specific reference to electricity generation.

It is my understanding that there are different views among the Generators as to the wording of (iv) above. Genesis opposes subsection (iv) and in particular the phrase “shall be preferred to the development and use of non-renewable energy resources” as shown deleted. Mighty River Power would also prefer that those words were deleted from iv so that it reads as above. Meridian Energy and TrustPower would support the retention of (iv) as it is written in the Horizons 10 February 2009 version.

New Policy 3-5

EECA sought in its submission a new policy and this is supported for inclusion:

District and regional plans shall include objectives, policies and rules that:

- i) recognise and provide for the development, operation, maintenance and upgrade of renewable energy activities; and*
- ii) recognise the social, economic and environmental benefits of the production and transmission of renewable energy, including national and regional benefits; and*
- iii) recognise the functional need for renewable energy facilities to locate where the renewable energy resource is; and*
- iv) Manage activities that adversely affect renewable energy infrastructure, including reverse sensitivity.*