

**Before the Hearing Panel Appointed by Wellington City Council
to Hear Submissions on the Proposed Wellington City District Plan**

In the matter of: **the Resource Management Act 1991**

And: **Submissions and Further Submissions
Lodged on the Proposed Wellington City
District Plan by Meridian Energy Limited**

**Statement of Evidence of Christine Anne Foster
Called by Meridian Energy Limited**

**HEARING STREAM 9 – RENEWABLE ELECTRICTY
GENERATION AND INFRASTRUCTURE**

27 May 2024

1. Introduction

- 1.1. My name is Christine Anne Foster. I am a Planning Consultant and sole director of CF Consulting Services Limited, based in Wellington. I hold a Bachelor of Regional Planning and have worked as a resource management planner in New Zealand for over 40 years.
- 1.2. This statement of evidence is within my area of expertise as a resource management planner, except where I state that I rely on the evidence of others or evidence presented in the Council's section 42A reports. I have read the Code of Conduct for Expert Witnesses set out in the Environment Court 2023 Practice Note (**Code**). While this hearing is not a hearing before the Court, I am aware of the obligations imposed on expert witnesses by the Code and agree to comply with the Code of Conduct. I have prepared this statement of evidence in accordance with the Code. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.3. My qualifications and resource management experience are set out in my statement of evidence to Hearing Stream 1 dated 3 February 2023.
- 1.4. I assisted Meridian in providing feedback on the Council's Draft District Plan and participated in meetings with Sherilyn Hinton (planning adviser to the Council) about the draft provisions. I assisted Meridian with the preparation of its original (first-round) submission and further submissions on the proposed Wellington City District Plan ('*PDP*'). I was asked by Meridian to consider the analysis and recommendations of the Council's section 42A reports for Hearing Stream 9 that pertain to Meridian's submission and further submissions. I am authorised by Meridian to present this statement of evidence to the Panel.

2. Context

- 2.1 I discussed the context and purpose of Meridian's submission and further submissions in my evidence to Hearing Stream 1 and in my evidence to Hearing Stream 8. In summary, these were to ensure the Proposed District Plan (**PDP**):
 - (a) recognises the company's two existing wind farms in Wellington City;
 - (b) enables the use and development of these generation assets to optimise their generation capacity;
 - (c) provides policy support for additional renewable electricity generation to support the transition from a national economy reliant on fossil fuels to an economy based on electricity generated from renewable sources; and
 - (d) also recognises and provides for the Brooklyn wind turbine.

3. Scope of Evidence

- 3.1 In this statement of evidence I address the 'Renewable Electricity Generation' (**REG**) and 'Infrastructure' (**INF**) topics, which were a key focus of Meridian's submissions. One of the core concerns addressed in Meridian's submissions is the structural relationship between the 'REG' chapter and other district-wide chapters (including the 'INF' chapter and 'INF' sub-chapters). This has largely been addressed by the amendments recommended by Mr

Anderson, but not completely in my view, and I discuss further potential amendments in Section 5 below.

3.2 I address the following matters in subsequent sections:

- Section 6: the overall approach to the REG chapter and Mr Jeffries' proposed rationalisation of the REG policies;
- Sections 7 and 8: the provisions for REG upgrading;
- Sections 9 to 13: the matters relating to REG chapter provisions that I consider do not fully address Meridian's submission points (and I suggest alternatives to Mr Jeffries' recommendations);
- Section 14: I list the recommendations of Mr Jeffries in relation to the REG chapter that I support (with my reasons);
- Section 15: In relation to infrastructure, Mr Anderson's recommendations largely agree with Meridian's requested decisions and I list the recommendations I support (with reasons).

4. Information Relied On

4.1 In preparing this statement of evidence I have read:

1. the section 42A report on Renewable Electricity Generation prepared by Joe Jeffries;
2. the section 42A reports on Infrastructure and infrastructure sub-chapters prepared by Tom Anderson;
3. Appendix 'B' to Mr Jeffries' s. 42A report which details his recommended amendments to the 'REG – Renewable Electricity Generation' Chapter;
4. Appendices 'A2', 'A3', 'A4', 'A5', 'A6' and 'A7' attached to Mr Anderson's s. 42A report detailing his recommended amendments to definitions and to the 'INF Infrastructure' Chapter and related sub-chapters ('INF-CE', 'INF-NFL', 'INF-NH', 'INF-OL' and 'INF-NG');
5. the s. 32 Evaluation Report Part 2 (Renewable Electricity Generation);
6. the s. 32 Evaluation Report Part 2 (Infrastructure);
7. the submissions and further submissions referenced in the following sections of this evidence;
8. the recommendations of the Hearing Panel and decisions of the Council on Hearing Stream 1 (noting that appeals on those decisions closed on 20 May 2024).

5. Primary Issue: Plan Structure

5.1 The discussion with the Hearing Panel at Hearing Stream 8 was useful in clarifying the PDP authors' and reporting officers' intention that the REG chapter should be self-contained. Amendments proposed by the reporting officers in their supplementary evidence to Hearing Stream 8 sought to explicitly state this intention. The matter was not able to be completely resolved at Hearing Stream 8, because some of Meridian's concerns related to the 'REG', 'INF' chapter and 'INF' sub-chapters. I address below the evidence of Mr Jeffries and Mr Anderson on one remaining matter arising.

5.2 The s. 42A reports by Mr Jeffries and Mr Anderson confirm the intention that the 'REG' chapter is to be read as a stand-alone self-contained chapter. They have clarified that the objectives

and policies of other district-wide chapters are not intended to apply to decision making on applications for REG under the 'REG' chapter, except where those objectives or policies are explicitly referenced in the 'REG' chapter. They have also clarified that the rules of other district-wide chapters, including the 'INF' chapter and 'INF' sub-chapters do not apply to REG activities¹.

5.3 Mr Anderson proposes an amendment to the introduction to the INF chapter to make this intention explicit. This is set out in paragraph 98 of Mr Anderson's 'Infrastructure – Part 1' report as follows:

'Further, the Resource Management Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airport and port facilities, and renewable electricity generation. Notwithstanding that, this Infrastructure Chapter (including the infrastructure sub chapters) do not apply to activities that fall under the definition of airport purposes or airport related activities (which are dealt with in the Airport Zone chapter), the definition of port or operational port activities (which are dealt with in the Port Zone chapter), or the definition of Renewable Electricity Generation Activity (which are dealt with in the Renewable Electricity Generation chapter). Any infrastructure in the airport or port areas that is inconsistent with those definitions is managed by the provisions in this Infrastructure Chapter.'

5.4 I agree that Mr Anderson's proposed wording completely resolves the concern in relation to the INF chapter. I am less certain it resolves the matter in relation to the INF sub-chapters. The expression 'sub-chapter', as it relates to the Infrastructure chapters, is not a defined term. Each of the 'sub-chapters' is a chapter in its own right. It would be more explicit and complete, in my view, if each of the individual chapters is listed as follows:

'Further, the Resource Management Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airport and port facilities, and renewable electricity generation. Notwithstanding that, this Infrastructure Chapter (including the infrastructure INF-CE, INF-ECO, INF-NFL, INF-NH, INF-OL, INF-NG sub chapters) do not apply to activities that fall under the definition of airport purposes or airport related activities (which are dealt with in the Airport Zone chapter), the definition of port or operational port activities (which are dealt with in the Port Zone chapter), or the definition of Renewable Electricity Generation Activity (which are dealt with in the Renewable Electricity Generation chapter). Any infrastructure in the airport or port areas that is inconsistent with those definitions is managed by the provisions in this Infrastructure Chapter.'

5.5 Meridian's submission requested this clarification explicitly for the INF-CE, INF-ECO and INF-NFL chapters.

¹ For example – in the s. 42A report on Renewable Electricity Generation for Hearing Stream 9: at paragraphs 3 (b), 15 (b), 92; and in the s. 42A report on Infrastructure for Hearing Stream 9 (part 'A'): at paragraphs 65, 93 and 98; and in part 'B' of the Infrastructure s. 42A report (on sub-chapters): at paragraphs 11 and 14, 169 and 174.

5.6 Meridian’s submission also requested insertion of explanatory text into the CE Coastal Environment and NFL Natural Features and Landscapes chapters to clarify that the rules of those chapters do not apply to REG. For example, for the CE Coastal Environment chapter, Meridian’s request was to insert the following text:

‘The rules applicable to renewable electricity generation activities in the coastal environment, including in areas of high and very high coastal natural character, are contained in Chapter REG Renewable Electricity Generation. The rules in Chapter CE Coastal Environment do not apply to renewable electricity generation activities in the coastal environment, including in areas of high and very high coastal natural character in the coastal environment.’

5.7 At Hearing Stream 8, Mr Sirl did not recommend insertion of any clarification text into the CE Coastal Environment chapter. Ms van Haren-Giles did recommend to Hearing Stream 8 an amendment to the introduction to the INF-Natural Features and Landscapes chapter to explicitly state that the policies and rules relating to REG in outstanding natural features and landscapes, special amenity landscapes and ridgelines and hilltops are located in the REG chapter. That would be a helpful clarification.

5.8 The introduction to the REG chapter includes a statement that reads:

‘The provisions within this chapter apply on a City-wide basis and are specific to renewable electricity generation activities. As such, the rules in the Zone chapters, and the rules in the Infrastructure, Noise, Earthworks and Overlay chapters, do not apply to renewable electricity generation activities unless specifically stated within a renewable electricity generation rule or standard.’

5.9 The introduction then goes on to say: *‘It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant for renewable electricity generation activities, including: ...’*. The listed district-wide chapters include the Infrastructure, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes and Coastal Environment chapters. At the bottom of the list of other potentially relevant district-wide chapters, there is the following statement:

‘Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.’

5.10 Read together, the three statements create ambiguity. The last statement (above) seems contrary to the clear advice of officers that the rules of the other chapters do not apply to REG. The ambiguity is less for the Natural Features and Landscapes chapter, where Ms van Haren-Giles has recommended additional wording to make the self-contained nature of the REG chapter clear. The ambiguity is also less for the Infrastructure chapters (including the sub-chapters) where Mr Anderson has recommended additional clarifying text and I have proposed additional refinement above. There remains ambiguity for the Coastal Environment chapter, where Mr Sirl did not recommend any additional clarifying text. The issue raised in

Meridian's submission has not been completely resolved in relation to the Coastal Environment chapter. It could be resolved by, either, inserting the text Meridian requested (or similar) into the introduction to the CE Coastal Environment chapter or (alternatively) inserting a broader statement of clarification into the introduction of the REG chapter (or deleting the last paragraph of the introductory text).

5.11 If it is to be inserted into the CE Coastal Environment chapter introduction, I suggest amending the wording requested by Meridian slightly to mirror the wording proposed by Ms van Haren-Giles for the NFL chapter, as follows:

Other relevant District Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant for your activity, including:

- **Ecosystems and Indigenous Biodiversity** - Provisions relating to significant natural areas in the Coastal Environment are located in the Ecosystems and Indigenous Biodiversity Chapter.
- **Natural Features and Landscapes** - Provisions relating to outstanding natural features and landscapes and special amenity landscapes in the coastal environment are located in the Natural Features and Landscapes Chapter.
- **Public access** – the Public Access Chapter contains additional policy direction relating to public access within the coastal environment.
- **Subdivision** - Provisions relating to subdivision in the coastal environment are located in the Subdivision Chapter.
- **Earthworks** - Provisions relating to earthworks in the coastal environment are located in the Earthworks Chapter.
- **Infrastructure - Coastal Environment** - Provisions relating to infrastructure in the coastal environment are located in the Infrastructure - Coastal Environment Chapter.
- **Renewable Electricity Generation** – The policies and rules Provisions relating to renewable electricity generation in the coastal environment, including in areas of high and very high natural character in the coastal environment, are located in the Renewable Electricity Generation Chapter.'

Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

5.12 The last statement above is problematic without further clarification in the CE Coastal Environment chapter. Meridian's submission did not seek to amend or delete that statement. However, in light of the aligned advice of the four reporting officers (Ms van Haren-Giles, Mr Sirl, Mr Jeffries and Mr Anderson) the statement appears to be incorrect (resource consent is not required for REG activities under the rules of other chapters). I have shown it as a recommended deletion in Attachment 1 to this statement.

5.13 Otherwise, I support the recommendations Mr Jeffries has made in relation to plan structure on the following submission points:

(a) **REG Chapter Introduction:** Meridian FS101.79 on Forest and Bird submission point S345.96 (REG s. 42A report paragraphs 48 and 49): No amendments are necessary to the REG chapter introduction clarifying the potential impact of REG on indigenous biodiversity, landscape or natural character values. These are already addressed within the REG chapter policies.

6. S. 42A REG Report – Overall REG Chapter Approach

6.1 Meridian’s submissions were largely supportive of the framework proposed in the REG chapter. The PDP provisions provide for large scale REG activities in the General Rural Zone and discourage it in other zones. The PDP provisions distinguish between REG activities within or outside the coastal environment and within or outside identified areas (outstanding natural features and landscapes, significant natural areas, coastal areas with high natural character, and special amenity landscapes). In general, the provisions take the following approach to managing the adverse effects of REG activities in these areas:

	Within the Coastal Environment (General Rural Zone)	Outside the Coastal Environment (General Rural Zone)	PDP Policy References
Within Identified ONFLs and High Natural Character Areas:	Avoid adverse effects on the identified values and consider functional and operational needs	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects and consider functional and operational needs	See proposed new Policy REG-PX
Within Identified SNAs:	NZCPS Policy 11 (a) and 11 (b) approach applies and consider functional and operational needs	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects and consider functional and operational needs	See proposed new Policy REG-PX
Outside Identified ONFLs, SNAs and High Natural Character Areas:	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects and consider functional and operational needs	Enable a range of scales of REG, recognise the benefits and the locational constraints and functional and operational needs	See Policies REG-P1, REG-P2, REG-P3 and REG-P9

6.2 I support the approach proposed by Mr Jeffries, broadly summarised above, which gives effect to the higher order NZCPS. I also support the rationalisation Mr Jeffries proposes in his proposed new Policy REG-PX, which brings together the approach summarised in the above table. I support inclusion in proposed Policy REG-PX of consideration of the functional needs

and operational needs of REG activities. These are valid considerations, including within identified areas.

7. S. 42A REG Report – Upgrading of REG

Submission Points:	Meridian S228.43, 228.44 and S228.51
Further Submissions:	Meridian FS101.101, FS101.102, FS101.103 and FS101.107 opposing Forest and Bird S345.124, S345.117, S345.118, S345.119 and S345.124 Meridian FS101.100 opposing M&P Makara Family Trust S159.5
S. 42A REG Report:	Paragraphs 152 to 168 and 195 to 202

7.1 Meridian’s submission highlighted the duplication between Policies REG-P8 and REG-P11 in relation to the upgrading of existing REG. Meridian requested that, either, the two policies be placed together in the PDP or combined (provided the key elements of both were retained). REG-P8 *provides for* the upgrading of REG. Policy REG-P11 *recognises the benefits of* REG upgrading. The subtle difference is important for existing REG assets which will have particular locational and operational constraints arising from the fact that they are located where they currently exist because of the presence of the REG resource. They will already be part of the landscape and, in some instances in the West Wind and Mill Creek wind farms, will already be located within identified areas or adjacent to identified outstanding natural features and landscapes or areas of high coastal natural character. The context for consideration of benefits and effects is not a ‘blank canvas’. Upgrading of these assets should not be subjected to the same ‘blank canvas’ assessment and policy framework as wholly new REG assets. Meridian supported the ‘provide for’ approach of Policy REG-P8. Providing for upgrading is important if the strategic objectives in relation to increasing the generation of electricity using renewable sources, that the Council has already endorsed from Hearing Stream 1, are to be achieved.

7.2 Mr Jeffries’ proposed rationalisation deletes Policy REG-P8 in favour of the less directive REG-P11. That is not the outcome requested in Meridian’s submission. I agree there is duplication between REG-P8 and REG-P11. My view is that the two policies could be successfully combined but that the ‘provide for’ element should be retained in a bespoke policy addressing upgrading. It was a positive feature of the draft PDP and the publicly notified PDP that upgrading of REG is provided for by the rule framework separately from new REG activities and has a bespoke policy framework supporting upgrading. There is no evidence supporting alteration of that approach.

7.3 It is relevant, in my opinion, that Policy REG-P8 adopts the ‘avoid significant and avoid, remedy or mitigate other adverse effects’ approach for managing adverse effects on the values of identified areas, except in relation to SNAs in the coastal environment. I am not aware that any of Meridian’s REG assets are located within identified areas of significant indigenous biodiversity in the coastal environment. The standards of the upgrading rule are quite limiting

as to location (a 5m horizontal distance). Any application for upgrading that proposes shifting beyond the 5m limit or into an identified SNA would be considered in terms of Mr Jeffries' proposed new Policy REG-PX in any event, which gives effect to the NZCPS Policy 11 direction in relation to threatened and at-risk species. No gap is left, in my view, by retaining Policy REG-P8 in a combined 'upgrading' policy. My suggestion for combining Policies REG-P8 and REG-P11 is as follows:

REG-P8 Upgrading existing large scale renewable electricity generation activities

Provide for the upgrading of existing large scale renewable electricity generation activities, including replacing or upgrading wind turbines and their support structures and ancillary facilities within existing wind farms, where the activity:

1. Increases the generation capacity of existing renewable electricity generation activities and improves generation efficiency; or
2. Allows for the re-use of existing structures and associated infrastructure or improves the resilience, safety or reliability of renewable electricity generation activities; or
3. Results in other environmental benefits or enhancements; and
4. Manages adverse effects on the environment in accordance with Policy REG-PX clauses (1) to (7); and
- ~~5. Avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on the identified values of any site identified any Overlay or any adjacent Overlay, high coastal natural character area, or coastal margin or riparian margin in the coastal environment;~~
5. Has a functional need or operational need for its location; and
6. Minimises adverse effects, including adverse cumulative effects, on:
 - a. Landscape, visual or amenity values of the site and surrounding area, having regard to:
 - i. The scale, intensity, duration or frequency of effects;
 - ii. The size and shading of any structures associated with the activity;
 - iii. The design and site layout of the activity and its ability to internalise effects, including and blade or shadow flicker;
 - iv. Traffic generation, earthworks and construction effects;
 - v. Potential adverse effects from scale, colour, shading, lighting, glare, reflectivity, blade or shadow flicker, or noise, and the potential to cause sleep disturbance or annoyance; and
 - vi. Whether there is adequate separation from existing sensitive activities to ensure conflict between activities, including potential reverse sensitivity effects, are minimised;
 - b. The natural character of the coastal environment;
 - c. The natural character of coastal margins and riparian margins;
 - d. Ecology and biodiversity values, including terrestrial ecology and avifauna; and
 - e. Existing navigation or telecommunication facilities;

while having regard to any adaptive management, offsetting measures or environmental compensation which may benefit the local environment or affected community.

~~**REG-P11 Upgrading existing renewable electricity generation activities and providing for technological advances**~~

~~Recognise the benefits of upgrading of existing renewable electricity generation activities, including the adoption of new and updated technologies and the repowering of existing wind turbines, where the upgrading or repowering activity:~~

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| <ol style="list-style-type: none"> 1. Increases the generation capacity of existing renewable electricity generation activities and improves generation efficiency; 2. Improves access to renewable energy sources; 3. Allows for the re-use of existing structures and associated infrastructure where appropriate; 4. Increases the resilience, safety or reliability of renewable electricity generation activities; or 5. Results in other environmental benefits or enhancements. |
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8. S. 42A REG Report – REG Upgrading Rule REG-R5

Submission Points:	Meridian S228.58, S228.59 and S228.60
Further Submissions:	Meridian FS101.111 and FS101.112 opposing Forest and Bird S345.140 and S345.141
S. 42A REG Report:	Paragraphs 252 to 259

8.1 Meridian’s submission sought the retention of Rule REG-R5 but requested deletion of the requirement to comply with the noise standards REG-S9 and REG-S10. I take Mr Jeffries’ point about the need to better specify how adverse effects on the values of overlay areas are managed. In my proposed amendments to Policy REG-P8 above, I have recommended that the management of adverse effects be as prescribed in proposed Policy REG-PX. This means that there is no need to refer to Policy REG-PX in the list of restricted matters in Rule REG-R5. It is sufficient to refer to Policy REG-P8 (as currently worded). The reference to Policy REG-P11 can be deleted (as I have merged this within an amended Policy REG-P8 set out above).

8.2 Rule REG-R5 requires consent as a restricted discretionary activity (where standards are met) or as a discretionary activity (where standards are not met). Noise effects are included in the list of restricted discretionary matters in detail (listed items (4) and (5)(a) to (f)). Meridian’s submission was highlighting potential inefficiency and duplication in having noise addressed both as a standard and as a discretionary matter. If the activity status of the rule was different, for example as a permitted activity or controlled activity, it might make sense for the ‘entry level’ rule to require compliance with the noise standard and then require consideration of noise effects as a restricted discretionary matter where compliance with the noise standard is not achieved. However, where the ‘entry level’ rule is a restricted discretionary activity with such a detailed list of matters for consideration specifically about noise, there seems little chance noise effects could be overlooked. For a REG upgrading activity that fails to comply with the non-noise standards, discretion is unlimited and the relevant Policy REG-P8 explicitly requires consideration of noise effects.

8.3 The point raised by Meridian’s submission relates to plan administrative efficiency rather than any resistance to the requirements of NZS6808 referred to in standards REG-S9 and REG-S10. Ultimately, the question of plan efficiency is a matter for the Council and I do not propose to pursue the requested deletion of the references to standards REG-S9 and REG-S10.

8.4 I support the following wording for the restricted discretionary matters in Rule REG-R5:

<p>Rule REG-R5: Upgrading of existing large scale renewable electricity generation activities (in the General Rural Zone)</p> <p>1. Activity status: Restricted Discretionary</p> <p>....</p> <p>Matters of discretion are:</p> <p>1. Any new or additional adverse effects;</p> <p>2. The relevant matters in REG-P1, REG-P2, and REG-P8 and REG-P11;</p> <p>3. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard;</p> <p>4. The ability to mitigate any adverse noise effects experienced by adjacent properties;</p> <p>5. For wind generation activities, the provisions for safeguards and contingencies particularly concerning:</p> <p style="padding-left: 20px;">a. The confirmation of the manufacturer’s noise emission levels for the wind turbines to be installed when these have been determined;</p> <p style="padding-left: 20px;">b. The early identification and remedy of any special audible characteristics present when the wind turbines commence operation;</p> <p style="padding-left: 20px;">c. Changes to background sound levels that may occur between the time consent is granted and when the wind turbines are installed;</p> <p style="padding-left: 20px;">d. Effective noise monitoring programmes to demonstrate compliance beyond the commissioning stage;</p> <p style="padding-left: 20px;">e. Procedures for addressing turbine malfunctions; and</p> <p style="padding-left: 20px;">f. Community liaison and methods of dealing with complaints and reporting such complaints to the Council.</p>	
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9. S. 42A REG Report – Definition of ‘Wind Farm’

Submission Points:	Meridian S228.1 and 228.2 WELL S355.1 and S355.2
Further Submissions:	M&P Makara Family Trust FS41.4 on WELL FS27.6
S. 42A REG Report:	Paragraphs 52 to 61

9.1 I support Mr Jeffries’ recommendation to amend the definition of ‘wind farm’ as requested in Meridian’s submission (to include all associated transmission facilities). I do not support the amendment requested by WELL to change ‘conveyed to’ the distribution network or National Grid to ‘conveyed by’ the distribution network or National Grid. The word ‘to’ has a specific purpose in the context of Meridian’s wind farms. That is, that the conveyance to the distribution network (e.g. the National Grid) is not always undertaken by a separate network provider or Transpower. The function of transmission of electricity by the distribution network or National Grid is addressed by other definitions and other provisions. The

amendment proposed appears minor but actually cuts across the original intention of this definition. I support the following wording for the definition of ‘wind farm’:

Wind Farm means wind turbines (and support pylons or towers) used to generate electricity from the wind which is then conveyed to the distribution network or National Grid. It includes ancillary access roads and tracks, buildings and structures (including substations, transmission lines and poles/supporting structures), communications equipment, electricity storage technologies, and the system of electricity conveyance required to convey the electricity to an associated substation.

10. S. 42A REG Report – Policy REG-P7

Submission Points:	Meridian S228.41 and 228.42
Further Submissions:	Meridian FS101.93, FS101.94, FS101.95 and FS101.96, FS101.97, FS101.98 and FS101.99 opposing Forest and Bird S345.110, S345.111, S345.112, S345.113, S345.114, S345.115 and S345.116
S. 42A REG Report:	Paragraphs 138 to 149

10.1 I understand Mr Jeffrie’s point about the PDP Drafting Style Guide directing that ‘only allow for’ is the language it associates with discretionary and restricted discretionary activities in identified areas where key outcomes can be achieved. As Mr Jeffries himself observes, the NPS-REG direction is to ‘provide for’. It is my view that the proviso of the NPS-REG Policy F (*‘to the extent applicable to the district’*) is accounted for in the terms on which the PDP provides for community-scale REG within identified areas. The PDP does not provide for REG in these areas in an unconstrained way. The relevant REG chapter policies specify the terms on which REG is to be provided for and sets out a clear direction for avoiding, remedying or mitigating adverse effects on the identified values of identified areas. My view is that the language ‘provide for’ aligns with and better gives effect to the NPS-REG. The direction of a relevant NPS should not be constrained by a ‘style guide’ in my opinion. I note Mr Jeffries agrees the word ‘energy’ should be amended to ‘electricity. I support the amended wording Meridian proposed for Policy REG-P7, as follows:

Policy REG-P7: Community-scale renewable electricity generation activities within other zones, locations and Overlays
 Only allow Provide for community-scale renewable ~~energy~~ **electricity** generation activities in other zones, locations and Overlays specified below where: ...

11. S. 42A REG Report – Rule REG-R6

Submission Points:	Meridian S228.61, S228.62 and S228.63
S. 42A REG Report:	Paragraphs 263 to 271

11.1 Rule REG-R6 is the rule providing for new large scale REG activities in the General Rural Zone. Mr Jeffries has accepted Meridian’s point that all large scale REG activities in the General Rural Zone should be considered as discretionary activities, whether they are located within or outside identified areas and overlays. I agree with Mr Jeffries that the policy framework supporting assessment of such applications is robust and detailed in relation to managing effects on the values of identified areas and there is no need to resort to a non-complying activity.

11.2 Meridian’s submission opposed the requirement to comply with standards REG-S9 and REG-S10. As I explained earlier in this statement, the issue raised by the submission was one of plan administrative efficiency, rather than any resistance to complying with NZS6808. The requirements of the standards are already addressed by NZS6808 and can be addressed in full in the assessment of an application for discretionary activity consent under Rule REG-R6. There is no justification for assigning non-complying activity status only to allow consideration of noise effects. These are already able to be considered in full through an application for discretionary activity consent.

11.3 I note that Meridian did not oppose the Rule REG-R6.3 non-complying activity status for large scale REG activities in zones other than the General Rural Zone.

11.4 For the reasons explained above, I support the following wording of Rule REG-R6:

<p>REG-R6 New large scale renewable electricity generation activities In the General Rural Zone</p> <p>1. Activity status: Discretionary Where: a. For any proposal involving wind generation, compliance is achieved with NZS 6808:2010 Acoustics – Wind farm noise, REG-S9 and REG-S10.</p> <p><u>Note: This rule only has immediate legal effect for Overlays relating to historic heritage, sites and areas of significance to Māori and significant natural areas.</u></p> <p>2. Activity status: Non-complying Where: a. Compliance is not achieved with REG-R6.1; or b. The activity is located: i. Within or on any sites, areas, items and/or features identified in SCHED1 – Heritage Buildings, SCHED2 – Heritage Structures, SCHED3 – Heritage Areas, SCHED4 – Archaeological Sites, SCHED7 – Sites and Areas of Significance to Māori, or SCHED5 – Schedule of Viewshafts; ii. Within the root protection area of a tree identified in SCHED6 – Schedule of Notable Trees; iii. Within any area identified as SCHED8 – Significant Natural Areas, SCHED11 – Special Amenity Landscapes; iv. Within any area identified as SCHED10 – Outstanding Natural Features and Landscapes, SCHED12 – High Coastal Natural Character Areas, or a coastal margin or riparian margin within the coastal environment; or</p>
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~~v. Within the stream corridor of the flood hazard extent or high hazard area of the Coastal Hazard Overlay. Note: This rule only has immediate legal effect for Overlays relating to historic heritage, sites and areas of significance to Māori and significant natural areas.~~

In All other Zones

~~3. 2.~~ Activity status: **Non-complying**

12. S. 42A REG Report – Standard REG-S8

Submission Points:	Meridian S228.64, S228.65
S. 42A REG Report:	Paragraphs 318 to 324

12.1 Standard REG-S8 places a limit on the cumulative area occupied by community scale freestanding solar panels of 150 square metres. Meridian’s submission requested amendment to differentiate between situations where solar panels are attached to the roofs of existing buildings and freestanding solar panels. Mr Jeffries has recommended accepting Meridian’s requested limit for solar panels attached to roofs (limited to the horizontal area of the roof) and proposed a separate standard for freestanding solar panels. Mr Jeffries opposes Meridian’s requested increase from 150 to 1500 square metres for freestanding solar panels.

12.2 The PDP limit of 150 square metres (15m x 10m) seems very small, particularly in the context of the General Rural Zone. I am not able to point to any evidence or guidelines to assist determining what is a ‘reasonable’ area limit in a rural zone. I note Mr Jeffries’ point that any larger area can be considered as a discretionary activity, with the 150 square metres providing a baseline for comparison. Even in that sense, 150 square metres seems small, but I accept that 1,500 square metres may be too large. Something somewhere in between may be appropriate.

13. S. 42A REG Report – Standard REG-S11

Further Submission Points:	Meridian FS101.115 and FS101.116 opposing M&P Makara Family Trust S159.8 and S159.9
S. 42A REG Report:	Paragraphs 337 to 342

13.1 Standard REG-S11 sets the limits on the additional height of structures and horizontal distance for upgrading of REG activities. The PDP limits are 5m horizontal distance, 10% additional height and maximum 25% additional building floor area footprint. The standard also specifies that no additional buildings or structures (including wind turbines) are allowed. M&P Makara Family Trust have requested that the additional height allowance be reduced to 5% and have requested the deletion of assessment criterion 9 (which is ‘whether there are topographical or other site constraints that make compliance with the standard impractical’).

13.2 Mr Jeffries agrees with the Trust that the height allowance should be reduced to 5% but does not agree that the assessment criterion should be deleted. The West Wind and Mill Creek turbines are 111 metres tall (including the towers and the turbine blades). A 10% additional height would mean an additional 11m (total height 122m). A 5% additional height, as proposed by Mr Jeffries, would mean an additional 5.5m. The reality is that upgrading of wind turbines currently would likely involve replacement of towers with structures much taller than 122m. Upgrading with larger capacity turbines would also necessitate reconfiguration of the turbines and likely require repositioning of some further than 5m from their current position. Compliance with the standards of REG-S11 would likely not be achievable and consent as a discretionary activity would likely be required in any event. This would require a comprehensive assessment against the relevant policy framework and my view is that, amended as I proposed in Policy REG-P8, this will appropriately address potential adverse effects. In this context, the meagre limits prescribed in standard REG-S11 may not be very meaningful.

13.3 It is also important to note that the assessment criteria do not override the considerations in the relevant REG policies. The activity status for upgrading is restricted discretionary activity which is a fairly cautious approach. I note that Meridian has secured permitted activity rules for REG upgrading, with a 40% additional height limit elsewhere). Structures higher than the 10% additional height are able to be considered by the rule framework (as discretionary activities). The REG-S11 height limit does not prohibit structures taller than the +10%. My proposed Policy REG-P8 explicitly requires that landscape, visual and noise effects are assessed for applications that exceed the REG-S11 limit. I expect it will be the site-specific assessment of effects that will be determinative of allowable height and not the 10% limit. Although meagre, I support the publicly notified 10% height limit and, otherwise, support the wording proposed by Mr Jeffries:

<p>REG-S11 Upgrading of existing large scale renewable electricity generation activities In the General Rural Zone and Brooklyn Hill Wind Turbine in the Natural Open Space Zone</p> <ol style="list-style-type: none">1. The upgrade, relocation or replacement of any building or structure (including any wind turbine) must be located within 5m of the existing building or structure to be replaced;2. A replacement building or structure (including any wind turbine) must not exceed the height of the existing building or structure to be replaced by more than 10%;3. The footprint of a replacement building or structure (including any wind turbine and supporting structures) must not increase the footprint of the existing building or structure by more than 25%; and4. The upgrade must not include any additional buildings or structures (including wind turbines). <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none">1. Operational needs, functional needs or other technical considerations;2. The type, scale, form and location of any wind turbine, structure or building;3. Noise effects, including sleep disturbance or public health and safety;4. Landscape, streetscape, visual and amenity effects and the extent to which any effects can be mitigated including by alternative siting, design, colour, finish, or number of buildings or structures;5. Dominance and shading effects on adjoining sites;6. Health and safety effects, including effects on public access;

7. Ecological and biodiversity effects;
8. Effects on natural character; Renewable Electricity Generation
9. Whether there are topographical or other site constraints that make compliance with the standard impractical;
10. The values and characteristics of any adjacent Overlay or high coastal natural character area; and
11. Any adverse cumulative effects.

14. S. 42A REG Report Recommendations Supported

14.1 Meridian supported many of the REG chapter provisions as publicly notified. Mr Jeffries has recommended retention of most of those, I record my support for his recommendations in respect of the following submission points:

(a) **Objective REG-O1 (benefits of renewable energy use and development):**

Meridian S228.31 and FS101.81 opposing GWRC submission point S351.101 (REG s. 42A report paragraphs 62 to 66):

Objective REG-O1 is not the appropriate place for the amendments GWRC seeks relating to energy-efficient design of buildings. Objective REG-O1 gives effect to the NPS-REG in recognising the benefits of REG activities and there are other objectives and policies dealing with energy efficient design.

(b) **Objective REG-O2 (adverse effects of REG):**

Meridian S228.32 and S228.33 and FS101.83 opposing Forest and Bird S345.98 and FS101.82 opposing M&P Makara Family Trust S159.2 (REG s. 42A report paragraphs 69 to 75):

Appropriate recognition is given to the values of interest to Forest and Bird in Mr Jeffries' proposed Policy REG-PX and in other REG policies. Objective REG-O2 is appropriate because it gives effect to the NPS-REG. It does not unfairly 'weigh in favour of REG activity'. It gives effect to important values recognised as nationally important. Mr Jeffries agrees with Meridian that there are some extra words that could be deleted and I support his proposed amendment to Objective REG-O2 as follows:

Objective REG-O2: The actual and potential adverse effects on the environment and communities of the investigation, development, operation, maintenance and repair, and upgrading of renewable electricity generation activities are effectively managed, while recognising the functional needs and operational needs ~~of renewable electricity generation activities~~ and the potential national benefits.

(c) **Objective REG-O3 (adverse effects on REG):**

Meridian S228.34 and WIAL S406.172 (REG s. 42A report paragraphs 77 to 79):

Mr Jeffries proposes no change to Objective REG-O3.

(d) **Policy REG-P1 (recognising the significance and benefits of REG):**

Meridian S228.35 and FS101.84 opposing Forest and Bird S345.99 (REG s. 42A report paragraphs 87 to 93):

There is no need to insert additional recognition for natural values in Policy REG-P1 because these values are appropriately recognised by other REG chapter policies and, particularly, in Mr Jeffries' proposed new Policy REG-PX. I support Mr Jeffries' recommendation to make no change to Policy REG-P1.

(e) **Policy REG-P2 (providing for REG):**

Meridian S228.36 and FS101.85 opposing Forest and Bird S345.100 (REG s. 42A report paragraphs 95 to 99):

There is no need to insert additional recognition for natural values in Policy REG-P2 because these values are appropriately recognised by other REG chapter policies and, particularly, in Mr Jeffries' proposed new Policy REG-PX. I support Mr Jeffries' recommendation to make no change to Policy REG-P2.

(f) **Policy REG-P3 (REG investigation activities):**

Meridian S228.35 and FS101.86 opposing Forest and Bird S345.101 (REG s. 42A report paragraphs 102 to 109):

The publicly notified verbs used in Policy REG-P3 ('enable' and 'allow') are appropriate and necessary to give effect to the NPS-REG. It is not necessary to water this down to 'consider enabling' as requested by Forest and Bird because the natural values of concern to that submitter are already addressed in the framing of the policy and the direction to minimise adverse effects. I support Mr Jeffries' recommendation to specify more explicitly the overlay references and to retain the reference to managing adverse effects on the 'identified' values. These are the values that are the reason for the site's identification and should be the focus of any assessment.

(g) **Policy REG-P4 (small scale REG outside overlays):**

Meridian S228.38 and FS101.88 opposing Forest and Bird S345.103 (REG s. 42A report paragraphs 111 to 119):

I agree with Mr Jeffries that Policy REG-P4 already gives effect to the relevant higher order planning instruments and there is no justification for widening the scope of the policy to capture unknown and unidentified areas that may (or may not) be 'sensitive'. The language used ('enable') is appropriate and there is no need to change this to 'consider enabling' because the policy already addresses effects on natural values and the coastal environment. I support Mr Jeffries' minor amendments to Policy REG-P4.

(h) **Policy REG-P5 (small scale REG within overlays):**

Meridian S228.39 and FS101.89, FS101.90, FS101.91 and FS101.92 opposing Forest and Bird S345.104, S345.105, S345.106, S345.107 and S345.108 (REG s. 42A report paragraphs 111 to 128):

I do not consider the amendments Forest and Bird requests (to provide the same level of protection as in the ECO and ONFL chapters) are necessary because these potential effects are already addressed in the framing of the policy. I do not agree that special amenity landscapes should be afforded the same level of protection as outstanding natural features and landscapes (they are not s. 6 matters). There is no justification for deletion of 'operational need'. Both functional need and operational need are potentially valid considerations even for small-scale REG activities. I support Mr Jeffries' minor amendments to Policy REG-P5, inserting the word 'specified' overlays.

(i) Policy REG-P6 (community scale REG in the General Rural Zone):

Meridian S228.40 (REG s. 42A report paragraphs 130 to 134):

I support Mr Jeffries' minor amendments to Policy REG-P6, inserting the word 'specified' overlays.

(j) Policy REG-P9 (new large scale REG in the General Rural Zone outside overlays):

Meridian S228.46 and S228.47 and FS101.104, FS101.105 and FS101.06 opposing Forest and Bird S345.120, S345.121 and S345.122 (REG s. 42A report paragraphs 171 to 181):

As already noted, I support the rationalisation Mr Jeffries proposes to the REG policies and his proposed new Policy REG-PX. In my opinion this addresses the issues raised in Meridian's submission in relation to the providing for large scale REG activities in the General Rural Zone within and outside identified areas and the coastal environment. For this reason, I support Mr Jeffries' retention of, and minor amendment of, Policy REG-P9. I consider that his proposed new Policy REG-PX gives effect to the relevant higher order planning instruments including the NZCPS in relation to identified areas and the coastal environment. I therefore do not consider the amendments requested by Forest and Bird are necessary. I do not support the deletion of 'operational need' proposed by Forest and Bird. Both functional need and operational need are valid considerations for large scale REG activities.

(k) Policy REG-P10 (new large scale REG in other zones):

Meridian S228.49 and S228.50 and FS101.104, FS101.105 and FS101.06 opposing Forest and Bird S345.120, S345.121 and S345.122 (REG s. 42A report paragraphs 184 to 192):

Meridian's submission requested, either, deletion of Policy REG-P10 or replacement with one that better provided for large scale REG activities in the General Rural Zone. As already noted, I support the rationalisation Mr Jeffries proposes to the REG policies and his proposed new Policy REG-PX. In my opinion this addresses the issues raised in Meridian's submission in relation to the providing for large scale REG activities in the General Rural Zone within and outside identified areas and the coastal environment. As a consequence of this, I support Mr Jeffries' proposed deletions of text from Policy REG-P10 that remove references to overlay areas and the coastal environment (because these are better addressed now in proposed Policy REG-PX).

(l) **Policy REG-P12 (reverse sensitivity effects):**

Meridian S228.52 (REG s. 42A report paragraphs 204 to 206):

Meridian's submission requested retention of Policy REG-P12 unchanged. I note Mr Jeffries proposes no changes to Policy REG-12.

(m) **Rule REG-R1 (maintenance and repair of existing REG):**

Meridian S228.53 and FS101.108 opposing Forest and Bird S345.129 (REG s. 42A report paragraphs 217 to 222):

Meridian's submission questioned whether Rule REG-R1 is necessary, particularly for REG activities that are authorised by consent, where conditions of consent will likely authorise repair and maintenance activities. I take Mr Jeffries' point that the rule may be relevant for unforeseen repair and maintenance activities and do not propose any further amendment.

(n) **Rule REG-R2 (REG investigation activities):**

Meridian S228.54, S228.55 and S228.56 and FS101.110 and FS110.109 opposing Forest and Bird S345.130 and S345. 132 (REG s. 42A report paragraphs 224 to 233):

I agree with Mr Jeffries' analysis that the vegetation trimming standard Forest and Bird propose is not relevant for REG investigation activities provided for under Rule REG-R2. I also support Mr Jeffries' proposed amendment to make it clearer that REG investigation activities within an identified SNA are restricted discretionary activities. This is the effect already of Rule REG-R2.3. Mr Jeffries' proposed amendment does not change the effect of the rules, only makes them clearer. I support Mr Jeffries' reasons for recommending rejection of the amendments requested by forest and Bird.

(o) **Rule REG-R4 (community scale REG):**

Meridian S228.57 (REG s. 42A report paragraphs 243 to 250):

I agree with Mr Jeffries' analysis that the amendments requested by Forest and Bird are not necessary because consideration of these overlay values is already provided for in the requirement that location within an overlay requires consent as a discretionary activity. I also support Mr Jeffries' proposed amendment to make it clearer that REG activities within specified overlay areas are discretionary activities. This is the effect already of Rule REG-R4.4. Mr Jeffries' proposed amendment does not change the effect of the rules, only makes them clearer. I support Mr Jeffries' reasons for recommending rejection of the amendments requested by forest and Bird.

(p) **Standard REG-S1 (trimming, pruning, removal of indigenous vegetation within SNAs):**

Meridian FS101.113 opposing Forest and Bird S345.144 (REG s. 42A report paragraphs 278 to 288):

I agree with Mr Jeffries that it is essential that practical and reasonable provision is made for trimming of vegetation to maintain existing REG facilities. This approach is supported by (directed by) the NPS-REG. I also agree with him that it is relevant to retain reference

to functional need and operational need in the assessment criteria (considered where non-compliance with the standard requires consent). I support Mr Jeffries' recommendation to retain standard REG-S1 unchanged.

15. S. 42A Infrastructure Report

15.1 Clarification of the PDP structure has resolved most of the concerns raised in Meridian's submissions on the 'INF' chapter and 'INF' sub-chapters. I note that, in addition to agreeing with Meridian that some additional clarification of plan structure is appropriate, Mr Anderson has recommended that Meridian's submission and further submission points on the 'INF' chapters be accepted. I simply record that I agree with Mr Anderson's reasoning and recommendations in relation to the following submission points:

- (a) **Infrastructure – Coastal Environment:** Meridian FS101.32 on Forest and Bird submission point S345.43 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 3 to 10):

No amendments are necessary to the INF-CE chapter to give effect to NZCPS Policy 13 or to mirror the 'CE' chapter.

- (b) **Policy INF-CE-P14 (operation, maintenance, repair of existing infrastructure):** Meridian FS101.34 on Forest and Bird submission point S345.45 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 19 to 22):

It is appropriate to allow for infrastructure activities in the coastal environment.

- (c) **Policy INF-CE-P15 (operation, maintenance and repair of existing infrastructure within high coastal natural character areas):**

Meridian FS101.35 on Forest and Bird submission point S345.46 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 24 to 27):

Policy INF-CE-P15 should apply to identified areas of high and very high natural character in the coastal environment (not all natural character, given the modified nature of much of the coastal environment where infrastructure is located).

- (d) **Policy INF-CE-P18 (upgrading of existing infrastructure within the coastal environment):** Meridian FS101.36 on Forest and Bird submission point S345.49 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 40 to 43):

It is appropriate (and in my opinion probably necessary) to provide for the upgrading of existing infrastructure in areas not identified as having high natural character and outside coastal and riparian margins in the coastal environment.

- (e) **Policies INF-CE-P20 and INF-CE-P23 (upgrading of existing infrastructure):** Meridian FS101.37 and FS101.38 on Forest and Bird submission points S345.51 and S345.54 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 49 to 51, 64 and 65):

There is no justification for deleting the defined expression ‘operational need’ which is a valid consideration for decision making on applications for consent for infrastructure activities, and particularly for regionally significant infrastructure.

(f) Policy INF-CE-P24 (new infrastructure within the coastal environment):

Meridian FS101.40 on GWRC submission point S351.92 and Meridian FS101.39 on Forest and Bird S345.55 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 68 to 74):

The s. 42A report perhaps over simplifies Meridian’s further submission point². FS101.40 stated that: *‘Meridian agrees that the ‘avoid significant adverse effects’ and ‘avoid, remedy or mitigate other effects’ is appropriate. However, Meridian also considers it remains valid to consider functional and operational needs in the circumstances covered by Policy INF-CE-P24’*. FS101.40 requested that, if GWRC’s amendment was allowed, a reference should be inserted into INF-CE-P24 to consideration of the functional needs and operational needs of the proposed infrastructure. Mr Anderson does not recommend the amendment GWRC requested. I agree with him that it is not necessary for the circumstances of concern under INF-CE-P24 (i.e. areas outside high natural character areas, coastal margins and riparian margins in the coastal environment).

(g) Policy INF-CE-P25 (new infrastructure within high coastal natural character areas):

Meridian FS101.42, FS101.43, FS101.44 on submission points S351.93 (GWRC), S106.128 and S106.129 (WIAL) and S345.56 (Forest and Bird) (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 77 to 82):

Meridian’s further submission points opposed deletion of the references to ‘identified’ values and ‘operational need’ and was opposed to deletion of the policy as requested by WIAL. I consider the policy is necessary and support the ‘avoid significant adverse effects’ and ‘avoid, remedy or mitigate’ other adverse effects approach because it gives effect to NZCPS Policy 13 recommended by Mr Anderson (i.e. no change to the publicly notified wording).

(h) Rule INF-CE-R27 (operation, maintenance, repair of existing infrastructure):

Meridian FS101.45 supporting WIAL submission point 406.130 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 84 and 85):

WIAL’s submission made the point that the rule will not be necessary where the existing infrastructure is authorised by consent and conditions of consent allow operation, maintenance and repair. Meridian made a similar point in its submission. Mr Anderson’s view is that the rule will be necessary if/where consent conditions do not allow all necessary maintenance and repair. On the basis of Mr Anderson’s belts and braces approach, I agree with his recommendation to make no change.

² Paragraph 70 of the s. 42A report ‘Infrastructure’ Part 2 Sub-chapters.

- (i) **Rule INF-CE-R29 (operation, maintenance, repair within coastal or riparian margins):**
Meridian FS101.46 opposing Avryl Bramley’s submission point S202.25 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 89 to 91):

The activities can be appropriately managed as permitted activities.

- (j) **Rule INF-CE-R33 (new infrastructure within the coastal environment):**
Meridian FS101.47 opposing WIAL submission point S406.140 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 101 and 102):

The rule remains relevant for non-airport infrastructure in the coastal environment outside areas of high natural character and outside coastal and riparian margins.

- (k) **INF-NFL Natural Features and Landscapes:**
Meridian FS101.66, FS101.64 and FS101.67 opposing Churton Park Community Association S189.5, John Tiley S142.5 and Forest and Bird S345.78 respectively (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 167 to 176):

The rule framework must recognise that there is important existing (regionally significant) infrastructure occupying parts of the City’s ridgelines and hilltops.

- (l) **INF-NFL Natural Features and Landscapes:**
Meridian FS101.68 and FS101.69 opposing Forest and Bird S345.79 and S345.80 Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 177 to 180):

It is not necessary to state explicitly that infrastructure can adversely affect natural features and landscapes. The policy framework already addresses the potential adverse effects of infrastructure on the values of identified natural features and landscapes (.

- (m) **Policy INF-NFL-P39 (operation, maintenance, repair of existing infrastructure within special amenity landscapes):**
Meridian FS101.71 opposing Forest and Bird S345.83 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 186 to 188):

There is no need for the amendment requested because Policy INF-NFL-P39 is not addressing the wider NFL and ECO provisions the submitter refers to.

- (n) **Policy INF-NFL-P40 (operation, maintenance, repair of existing infrastructure within outstanding natural landscapes):**
Meridian FS101.72 opposing Forest and Bird S345.84 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 191 to 193):

There is no need for the amendment requested because Policy INF-NFL-P40 is addressing outstanding natural features and landscapes (not indigenous biodiversity under Policy 11 of the NZCPS as referenced by the submitter) and the values protected should be those that are identified by the PDP.

(o) **Policy INF-NFL-P43 (upgrading of existing infrastructure within special amenity landscapes):**

Meridian FS101.73 opposing Forest and Bird S345.87 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 202 and 203):

There is no need for the amendment requested because Policy INF-NFL-P43 is addressing special amenity landscapes (not indigenous biodiversity or identified natural features and landscapes as referenced by the submitter). Also, the values protected should be those that are identified by the PDP and it is appropriate that the policy includes consideration of functional and operational need.

(p) **Policy INF-NFL-P45 (upgrading of existing infrastructure with ONFLs):**

Meridian FS101.74 opposing Forest and Bird S345.89 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 210 to 214):

There is no need for the amendment requested because Policy INF-NFL-P45, like all INF-NFL policies, is intended to be self-contained and addresses the relevant issues which should focus on the values identified for the particular natural feature or landscape as described in SCHED10). Also, it is appropriate that the policy includes consideration of functional and operational need.

(q) **Policy INF-NFL-P48 (new infrastructure within special amenity landscapes):**

Meridian FS101.75 opposing Forest and Bird S345.92 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 222 to 224):

There is no need for the amendment requested because Policy INF-NFL-P45, like all INF-NFL policies, is intended to be self-contained and addresses the relevant issues which should focus on the values identified for the particular natural feature or landscape as described in SCHED11). Also, it is appropriate that the policy includes consideration of functional and operational need.

(r) **Policy INF-NFL-P49 (new infrastructure within ONFLs):**

Meridian FS101.76 opposing Forest and Bird S345.93 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 226 to 228):

There is no need for the amendment requested because Policy INF-NFL-P49, like all INF-NFL policies, is intended to be self-contained and addresses the relevant issues which should focus on the values identified for the particular natural feature or landscape as described in SCHED10). Also, it is appropriate that the policy includes consideration of functional and operational need.

(s) **Policy INF-NFL-P50 (new infrastructure within ONFLs within the coastal environment):**

Meridian FS101.77 opposing Forest and Bird S345.94 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 230 and 231):

The focus of the policy should be on the values identified for the particular natural feature or landscape as described in SCHED10.

(t) **Additional INF-NFL Policy Requested by Forest and Bird:**

Meridian FS101.70 opposing Forest and Bird S345.81 (Infrastructure s. 42A report Part 2 Sub-chapters paragraphs 260 to 264):

There is no need for the additional policy in this INF-NFL chapter. The requested amendment relates to threatened and at-risk indigenous biodiversity which is not the subject matter of the INF-NFL chapters (and is addressed elsewhere in the PDP).

16. Conclusion

16.1 I summarise in Attachment 1 to this statement the provisions of the REG and INF chapters in which Meridian has an interest, annotated to show the reporting officers' recommended amendments (in red) and my further amendments (in blue).

Christine Foster

27 May 2024

**ATTACHMENT 1:
FURTHER AMENDMENTS TO THE PROPOSED DISTRICT PLAN PROVISIONS
PROPOSED BY CHRISTINE FOSTER (FOR MERIDIAN)**

Amendments proposed in the s.42A reports to Hearing Stream 9 are shown in red (to be inserted and to be deleted).

Additional amendments proposed by Christine Foster are shown in blue (to be inserted and to be deleted).

1. **Part 1 – Interpretation – Definitions: Definition of ‘Wind Farm’:** Amend the definition of ‘Wind Farm’ as follows:

Wind Farm means wind turbines (and support pylons or towers) used to generate electricity from the wind which is then conveyed to the distribution network or National Grid. It includes ancillary access roads and tracks, buildings and structures (including substations, transmission lines and poles/supporting structures), communications equipment, electricity storage technologies, and the system of electricity conveyance required to convey the electricity to an associated substation.

2. **Part 2 – INF Infrastructure Chapter:** Amend the text of the introduction as follows:

Introduction

Infrastructure plays a critical role in the successful functioning of Wellington City and the lives of Wellingtonians. Whether it is the provision or disposal of water through the three waters network, facilitating the movement of people and goods through the transport network, or in the provision of infrastructure by network utility operators, infrastructure is central to our daily lives.

.....

Further, the Resource Management Act, and therefore the District Plan, share the same broad definition of ‘infrastructure’, which includes airport and port facilities, and renewable electricity generation. Notwithstanding that, this Infrastructure Chapter (including the infrastructure INF-CE, INF-ECO, INF-NFL, INF-NH, INF-OL, INF-NG sub chapters) do not apply to activities that fall under the definition of airport purposes or airport related activities (which are dealt with in the Airport Zone chapter), the definition of port or operational port activities (which are dealt with in the Port Zone chapter), or the definition of Renewable Electricity Generation Activity (which are dealt with in the Renewable Electricity Generation chapter). Any infrastructure in the airport or port areas that is inconsistent with those definitions is managed by the provisions in this Infrastructure Chapter.

.....

3. Part 2 – REG Renewable Electricity Generation Chapter Objective REG-O1: Retain Objective REG-O1 unchanged:

REG-O1 Benefits of renewable energy use and development

The use and development of renewable energy sources is enabled and renewable electricity generation is increased.

4. Part 2 – REG Renewable Electricity Generation Chapter Objective REG-O2: Amend Objective REG-O2 as follows:

Objective REG-O2

The actual and potential adverse effects on the environment and communities of the investigation, development, operation, maintenance and repair, and upgrading of renewable electricity generation activities are effectively managed, while recognising the functional needs and operational needs ~~of renewable electricity generation activities~~ and the potential national benefits.

5. Part 2 – REG Renewable Electricity Generation Chapter Objective REG-O3: Retain Objective REG-O3 unchanged:

REG-O3 Adverse effects on renewable electricity generation activities

The efficient operation, maintenance and repair, and upgrading of renewable electricity generation activities are not constrained or compromised by effects caused by other activities, including reverse sensitivity effects.

6. Part 2 – REG Renewable Electricity Generation Chapter Objective REG-O4: Retain Objective REG-O4 unchanged:

REG-O4 Energy efficiency and conservation

Subdivision layout, site layout and building design and development supports increased energy efficiency and conservation and reduces energy demand.

7. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P1: Retain Policy REG-P1 unchanged:

REG-P1 Recognising the significance and benefits of the use and development of renewable energy

Recognise the national significance and the local, regional and national benefits of the use and development of renewable energy sources and renewable electricity generation activities, including:

1. The contribution to Central Government energy and climate change policy objectives, renewable energy targets, and the transition to a low emissions economy;
2. The contribution to reducing reliance on the use of non-renewable energy sources for electricity generation;
3. The contribution to the City's long-term sustainability and carbon zero goals;

4. The contribution to security of electricity supply, increased energy independence; and community resilience through the development of local energy resources and networks; and
5. The contribution to the economic, social, cultural and environmental wellbeing of people and communities and their health and safety.

8. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P2: Retain Policy REG-P2 unchanged:

REG-P2 Providing for renewable electricity generation activities

When making decisions on the investigation, development, operation, maintenance and repair, and upgrading of renewable electricity generation activities:

1. Recognise the need to locate renewable electricity generation activities where renewable energy sources are available;
2. Recognise the locational, technical and practical constraints associated with renewable electricity generation activities, including their functional needs and operational needs;
3. Enable the development of a range of scales of renewable electricity generation and generation from a range of renewable energy sources;
4. Recognise the benefits of locating renewable electricity generation activities close to end use and to electricity transmission or distribution infrastructure;
5. Recognise the benefits of having a distributed electricity generation network for greater energy resilience;
6. Enable the operation and maintenance and repair of existing renewable electricity generation activities;
7. Have particular regard to the potential for, and mitigation required to address, special audible characteristics of wind turbines; and
8. Require that during or following decommissioning of any renewable electricity generation activity, the site is remediated including by removal of all buildings, structures, equipment, transmission facilities and cabling.

9. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P3: Amend Policy REG-P3 as follows:

REG-P3 Renewable electricity generation investigation activities

1. Enable renewable electricity generation investigation activities in areas outside Overlays specified in REG-P5, REG-P7, and REG-PX high coastal natural character areas, and coastal margins and riparian margins in the coastal environment, where adverse effects are minimised.
2. Allow renewable electricity generation investigation activities within the Overlays specified in REG-P5 and REG-P7, high coastal natural character areas, and coastal margins and riparian margins in the coastal environment, where:
 - a. Significant adverse effects on the identified values are avoided; and
 - b. Other adverse effects on the identified values are avoided, remedied or mitigated by:
 - i. The use of structures, masts and equipment that minimise the visibility of those features from public roads and sensitive activities;

- ii. Limiting the extent of any vegetation removal and earthworks to the minimum necessary to establish the necessary structures, masts and equipment; and i
- iii. Limiting the duration that visible structures, masts and equipment are in place.

10. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P4: Amend Policy REG-P4 as follows:

REG-P4 Small scale renewable electricity generation outside Specified Overlays, high coastal natural character areas, and coastal and riparian margins

Enable small scale renewable electricity generation activities, including within the coastal environment, where:

1. They are located outside:
 - a. The overlays specified in REG-P5;
 - b. High coastal natural character areas identified in SCHED12;
 - c. Coastal margins and riparian margins within the coastal environment; and
2. The activity is of a form, location and scale that avoids, remedies or mitigates any adverse effects on the environment and is consistent with the anticipated amenity and character of the zone.

11. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P5: Amend Policy REG-P5 as follows:

REG-P5 Small-scale renewable electricity generation activities within Specified Overlays, high coastal natural character areas, and coastal and riparian margins

Allow small scale renewable electricity generation activities within the overlays specified below, high coastal natural character areas, or coastal margins and riparian margins within the coastal environment, where:

1. If located within or on any sites, areas, items or features identified in SCHED1 - Heritage Buildings, SCHED2 - Heritage structures, SCHED3 - Heritage areas, SCHED4 - Archaeological sites, SCHED7 - Sites and areas of significance to Māori, or SCHED5 - Schedule of viewshafts:
 - a. Its form and location is sympathetic to the identified values; and
 - b. Any structure is not visible from any adjacent public areas and is aligned with the plane of the roof where located on a roof;
2. If located within the root protection area of a tree identified in SCHED6 - Schedule of Notable Trees, the work will not compromise the long-term health, natural life or values of the notable tree;
3. If located within an area identified as ridgelines and hilltops, any adverse effects on visual amenity and landscape values are minimised;
4. If located within an area identified in SCHED11 - Special Amenity Landscapes:
 - a. The activity is of a scale that maintains or restores the identified values, including restoration and conservation activities;
 - b. Outside the coastal environment any adverse effects are avoided, remedied or mitigated;
 - c. Within the coastal environment, any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated; and

- d. There is a functional need or operational need for the activity to be undertaken inside a Special Amenity Landscape and there are no reasonably practical alternative locations outside of these areas; while having regard to the matters in NFL-P3 and NFL-P4;
- 5. If located within an area identified in SCHED10 - Outstanding Natural Features and Landscapes:
 - a. The activity is of a scale that maintains or restores the identified values, including restoration and conservation activities;
 - b. Outside the coastal environment significant adverse effects on the identified values are avoided and any other adverse effects on the identified values are avoided, remedied or mitigated;
 - c. Within the coastal environment any adverse effects on the identified values are avoided; and
 - d. There is a functional need or operational need for the activity to be undertaken inside an Outstanding Natural Feature or Landscape and there are no reasonably practical alternative locations outside of these areas; while having regard to the matters in NFL-P5 and NFL-P6;
- 6. If located within an area identified in SCHED8 - Significant Natural Areas:
 - a. The activity is of a scale that maintains or restores the identified values, including restoration and conservation activities;
 - b. Outside the coastal environment, significant adverse effects on the identified values are avoided and any other adverse effects on the identified values are avoided, remedied or mitigated;
 - c. Within the coastal environment: i. Adverse effects on the matters in Policy 11(a) of the New Zealand Coastal Policy Statement 2010 are avoided; and ii. Significant adverse effects on the matters in Policy 11(b) of the New Zealand Coastal Policy Statement 2010 are avoided, and other adverse effects on these matters are avoided, remedied or mitigated; and
 - d. There is a functional need or operational need for the activity to be undertaken inside a Significant Natural Area and there are no reasonably practical alternative locations outside of these areas; while having regard to the matters in ECO-P2, ECO-P7;
- 7. If located within an area identified in SCHED12 – High Coastal Natural Character Areas, or a coastal margin or riparian margin within the coastal environment:
 - a. The activity is of a scale that maintains or restores the identified values, including restoration and conservation activities;
 - b. Any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated;
 - c. The design and location of the activity is subordinate to and does not compromise the identified characteristics and values of the high coastal natural character area, or the coastal or riparian margin within the coastal environment; and
 - d. There is a functional need or operational need for the activity to be undertaken inside a high coastal natural character area or within coastal or riparian margins within the coastal environment, and there are no reasonably practical alternative locations outside of these areas; while having regard to the matters in CE-P5, CE-P6 and CE-P7;
- 8. If located within an area in a Hazard Overlay it:
 - a. Does not increase the risk from the natural hazard to people, or other property or infrastructure;

- b. Has a functional need or operational need that means its location cannot be avoided and there are no reasonable alternatives;
- c. Is not vulnerable to the natural hazard; and
- d. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event.

12. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P6: Amend Policy REG-P6 as follows:

REG-P6 Community scale renewable electricity generation activities in the General Rural Zone, General Industrial and Airport Zones, outside Specified Overlays, high coastal natural character areas, and coastal and riparian margins

Provide for community scale renewable electricity generation activities in the General Rural Zone, General Industrial Zone and Airport Zone, including within the coastal environment, where:

1. They are located outside:
 - a. The Overlays specified in REG-P7;
 - b. High coastal natural character areas identified in SCHED12;
 - c. Coastal margins and riparian margins within the coastal environment; and
2. Any adverse effects on the environment are avoided, remedied or mitigated, having regard to:
 - a. The scale, intensity, duration and frequency of the activity and the effects on the surrounding environment;
 - b. The design and site layout of the activity and its ability to internalise adverse effects;
 - c. The capacity of the roading and infrastructure network to accommodate the activity;
 - d. Any potential adverse landscape, visual or amenity effects from scale, colour, shading, light spill, glare, reflectivity, blade or shadow flicker, or noise, and the potential to cause sleep disturbance or annoyance;
 - e. The location of the activity and whether there is adequate separation and buffering from existing sensitive activities to ensure conflict between activities, including potential reverse sensitivity effects, are minimised;
 - f. Ecological and biodiversity effects, including adverse effects on terrestrial ecology and avifauna;
 - g. Effects on the natural character of the coastal environment;
 - h. Effects on the natural character of riparian margins;
 - i. Traffic generation, earthworks and construction effects; and
 - j. Any adverse cumulative effects.

13. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P7: Amend Policy REG-P7 as follows:

Policy REG-P7: Community-scale renewable electricity generation activities within other zones, locations and Overlays

Only allow Provide for community-scale renewable energy electricity generation activities in other zones, locations and Overlays specified below where: ...

14. Part 2 – REG Renewable Electricity Generation Chapter Policies REG-P8: Amend Policy REG-P8 as follows:

REG-P8 Upgrading existing large scale renewable electricity generation activities

Provide for the upgrading of existing large scale renewable electricity generation activities, including replacing or upgrading wind turbines and their support structures and ancillary facilities within existing wind farms, where the activity:

1. Increases the generation capacity of existing renewable electricity generation activities and improves generation efficiency; or
2. Allows for the re-use of existing structures and associated infrastructure or improves the resilience, safety or reliability of renewable electricity generation activities; or
3. Results in other environmental benefits or enhancements; and
4. Manages adverse effects on the environment in accordance with Policy REG-PX clauses (1) to (7); and
- ~~5. Avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on the identified values of any site identified any Overlay or any adjacent Overlay, high coastal natural character area, or coastal margin or riparian margin in the coastal environment;~~
5. Has a functional need or operational need for its location; and
6. Minimises adverse effects, including adverse cumulative effects, on:
 - a. Landscape, visual or amenity values of the site and surrounding area, having regard to:
 - i. The scale, intensity, duration or frequency of effects;
 - ii. The size and shading of any structures associated with the activity;
 - iii. The design and site layout of the activity and its ability to internalise effects, including and blade or shadow flicker;
 - iv. Traffic generation, earthworks and construction effects;
 - v. Potential adverse effects from scale, colour, shading, lighting, glare, reflectivity, blade or shadow flicker, or noise, and the potential to cause sleep disturbance or annoyance; and
 - vi. Whether there is adequate separation from existing sensitive activities to ensure conflict between activities, including potential reverse sensitivity effects, are minimised;
 - b. The natural character of the coastal environment;
 - c. The natural character of coastal margins and riparian margins;
 - d. Ecology and biodiversity values, including terrestrial ecology and avifauna; and
 - e. Existing navigation or telecommunication facilities; while having regard to any adaptive management, offsetting measures or environmental compensation which may benefit the local environment or affected community.

15. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P9: Amend Policy REG-P9 as follows:

REG-P9 ~~New~~ Large scale renewable electricity generation activities in the General Rural Zone outside Overlays, high coastal natural character areas, and coastal and riparian margins

Provide for ~~new~~ large scale renewable electricity generation activities in the General Rural Zone, including within the coastal environment, where:

1. They are located outside:
 - a. Overlays (other than ridgelines and hilltops, and low and medium hazard areas within the Hazard Overlays);
 - b. High coastal natural character areas identified in SCHED12; and
 - c. Coastal margins and riparian margins within the coastal environment;
2. They have an operational need or functional need to locate where the renewable energy resources are available;
3. There is or will be sufficient roading and infrastructure capacity to accommodate the activity;
4. They avoid any significant adverse effects and avoid, remedy or mitigate any other adverse effect on the identified values and qualities of any adjacent Overlay or high coastal natural character area;
5. They minimise any adverse effects, including adverse cumulative effects, on:
 - a. The natural character of the coastal environment;
 - b. The natural character of riparian margins;
 - c. Landscape, visual or amenity values of the site and surrounding area including any ridgelines and hilltops area, having regard to:
 - i. The scale, intensity, duration or frequency of the activity's effects;
 - ii. The size and shading of any structures associated with the activity;
 - iii. The design and site layout of the activity and its ability to internalise effects, including and blade or shadow flicker;
 - iv. Traffic generation, earthworks and construction effects;
 - v. Potential adverse effects from scale, colour, shading, lighting, glare, reflectivity, blade or shadow flicker, or noise, and the potential to cause sleep disturbance or annoyance; and
 - vi. Whether there is adequate separation from existing sensitive activities to ensure conflict between activities, including potential reverse sensitivity effects, are minimised;
 - d. Ecology and biodiversity values, including effects on terrestrial ecology and avifauna; and
 - e. Any existing navigation or telecommunication facilities; while having regard to any adaptive management, offsetting measures or environmental compensation which may benefit the local environment or the community affected.

16. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-PX: Insert Policy REG-PX as detailed in Mr Jeffries' s. 42A report.

17. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P10: Amend Policy REG-P10 as follows:

REG-P10 New large-scale renewable electricity generation activities in other zones, ~~locations and Overlays~~

Avoid locating new large scale renewable electricity generation activities within:

1. Any zone, other than the General Rural Zone.;
- ~~2. Any Overlay, other than ridgelines and hilltops, and low and medium hazard areas within the Hazard Overlays;~~
- ~~3. High coastal natural character areas identified in SCHED12; and~~
- ~~4. Any coastal margins and riparian margins within the coastal environment.~~

18. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P11: Delete Policy REG-P11:

~~**REG-P11 Upgrading existing renewable electricity generation activities and providing for technological advances**~~

~~Recognise the benefits of upgrading of existing renewable electricity generation activities, including the adoption of new and updated technologies and the repowering of existing wind turbines, where the upgrading or repowering activity:~~

- ~~1. Increases the generation capacity of existing renewable electricity generation activities and improves generation efficiency;~~
- ~~2. Improves access to renewable energy sources;~~
- ~~3. Allows for the re-use of existing structures and associated infrastructure where appropriate;~~
- ~~4. Increases the resilience, safety or reliability of renewable electricity generation activities; or~~
- ~~5. Results in other environmental benefits or enhancements.~~

19. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P12: Retain Policy REG-P12 unchanged:

REG-P12 Reverse sensitivity effects

Require new sensitive activities to be designed, located and undertaken to avoid conflict with, including reverse sensitivity effects on, existing renewable electricity generation activities.

20. Part 2 – REG Renewable Electricity Generation Chapter Policy REG-P13: Retain Policy REG-P13 unchanged:

REG-P13 Energy efficient subdivision and development

Encourage subdivision and development to be designed so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and the use of energy efficient materials, to assist in improving energy efficiency and reducing energy consumption.

21. Part 2 – REG Renewable Electricity Generation Chapter Rule REG-R5: Amend Rule REG-R5 as follows:

Rule REG-R5: Upgrading of existing large scale renewable electricity generation activities (in the General Rural Zone)

1. Activity status: **Restricted Discretionary**

....

Matters of discretion are:

1. Any new or additional adverse effects;
2. The **relevant** matters in REG-P1, REG-P2, ~~and~~ REG-P8 ~~and~~ ~~REG-P11~~;
3. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard;
4. The ability to mitigate any adverse noise effects experienced by adjacent properties;
5. For wind generation activities, the provisions for safeguards and contingencies particularly concerning:
 - a. The confirmation of the manufacturer’s noise emission levels for the wind turbines to be installed when these have been determined;
 - b. The early identification and remedy of any special audible characteristics present when the wind turbines commence operation;
 - c. Changes to background sound levels that may occur between the time consent is granted and when the wind turbines are installed;
 - d. Effective noise monitoring programmes to demonstrate compliance beyond the commissioning stage;
 - e. Procedures for addressing turbine malfunctions; and
 - f. Community liaison and methods of dealing with complaints and reporting such complaints to the Council.

22. Part 2 – REG Renewable Electricity Generation Chapter Rule REG-R6: Amend Rule REG-R6 as follows:

**REG-R6 New large scale renewable electricity generation activities
In the General Rural Zone**

1. Activity status: **Discretionary**

~~Where: a. For any proposal involving wind generation, compliance is achieved with NZS 6808:2010 Acoustics – Wind farm noise, REG S9 and REG S10.~~

Note: This rule only has immediate legal effect for Overlays relating to historic heritage, sites and areas of significance to Māori and significant natural areas.

~~2. Activity status: **Non-complying**~~

~~Where:~~

~~a. Compliance is not achieved with REG-R6.1; or~~

~~b. The activity is located: i. Within or on any sites, areas, items and/or features identified in SCHED1 – Heritage Buildings, SCHED2 – Heritage Structures, SCHED3 – Heritage Areas, SCHED4 – Archaeological Sites, SCHED7 – Sites and Areas of Significance to Māori, or SCHED5 – Schedule of Viewshafts; ii. Within the root protection area of a tree identified in SCHED6 – Schedule of Notable Trees; iii. Within any area identified as SCHED8 – Significant Natural Areas, SCHED11 – Special Amenity Landscapes; iv. Within any area identified as~~

~~SCHED10 – Outstanding Natural Features and Landscapes, SCHED12 – High Coastal Natural Character Areas, or a coastal margin or riparian margin within the coastal environment; or v. Within the stream corridor of the flood hazard extent or high hazard area of the Coastal Hazard Overlay. Note: This rule only has immediate legal effect for Overlays relating to historic heritage, sites and areas of significance to Māori and significant natural areas.~~

In All other Zones

~~3.2.~~ Activity status: **Non-complying**

23. Part 2 – REG Renewable Electricity Generation Chapter Standard REG-S8: Amend Standard REG-S8 as follows:

REG-S8	Community scale freestanding solar panels	
All Zones	<ol style="list-style-type: none"> 1. Any <u>freestanding solar panel</u> structure must not exceed: <ol style="list-style-type: none"> a. The permitted height in relation to boundary <u>standard</u> for the underlying Zone; b. The permitted—setback standards for the underlying Zone; or c. A maximum height of 6m above ground level; 2. The cumulative area of solar panels on the site must not exceed 150m²: <ol style="list-style-type: none"> a. <u>The horizontal area of the building's roof, where the solar panels are fixed to a building roof; or</u> b. <u>150 1500m² where the solar panels are freestanding.</u> 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. The type, scale, form and location of the panel; 2. Landscape, streetscape, visual and amenity effects and the extent to which any effects can be mitigated including by alternative siting, design, colour, finish, or number of panels and any ancillary buildings or structures; 3. Dominance and shading effects on adjoining sites; 4. Noise effects, including sleep disturbance or public health; 5. Health and safety effects, including effects on public access; 6. Ecological and biodiversity effects; 7. Effects on natural character; 8. Whether there are topographical or other site constraints that make compliance with the standard impractical; 9. Any adverse cumulative effects; and 10. The values and characteristics of any adjacent Overlay or high coastal natural character area.

24. Part 2 – REG Renewable Electricity Generation Chapter Standard REG-S11: Amend Standard REG-S11 as follows:

REG-S11	Upgrading of existing large scale renewable electricity generation activities	
All Zones	<ol style="list-style-type: none"> 1. The upgrade, relocation or replacement of any building or structure (including any wind turbine) must be located within 5m of the existing building or structure to be replaced; 2. A replacement building or structure (including any wind turbine) must not exceed the height of the existing building or structure to be replaced by more than 10%; 3. The footprint of a replacement building or structure (including any wind turbine and supporting structures) must not increase the footprint of the existing building or structure by more than 25%; and 4. The upgrade must not include any additional buildings or structures (including wind turbines). 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Operational needs, functional needs or other technical considerations; 2. The type, scale, form and location of any wind turbine, structure or building; 3. Noise effects, including sleep disturbance or public health and safety; 4. Landscape, streetscape, visual and amenity effects and the extent to which any effects can be mitigated including by alternative siting, design, colour, finish, or number of buildings or structures; 5. Dominance and shading effects on adjoining sites; 6. Health and safety effects, including effects on public access; 7 7. Ecological and biodiversity effects; 8. Effects on natural character; 9. Whether there are topographical or other site constraints that make compliance with the standard impractical; 10. The values and characteristics of any adjacent Overlay or high coastal natural character area; and 11. Any adverse cumulative effects.

25. Part 2 – CE Coastal Environment Chapter: Amend the text of the introduction as follows:

<p>Other relevant District Plan provisions</p> <p>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant for your activity, including:</p> <ul style="list-style-type: none"> • Ecosystems and Indigenous Biodiversity - Provisions relating to significant natural areas in the Coastal Environment are located in the Ecosystems and Indigenous Biodiversity Chapter. • Natural Features and Landscapes - Provisions relating to outstanding natural features and landscapes and special amenity landscapes in the coastal environment are located in the Natural Features and Landscapes Chapter.
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- **Public access** – the Public Access Chapter contains additional policy direction relating to public access within the coastal environment.
- **Subdivision** - Provisions relating to subdivision in the coastal environment are located in the Subdivision Chapter.
- **Earthworks** - Provisions relating to earthworks in the coastal environment are located in the Earthworks Chapter.
- **Infrastructure - Coastal Environment** - Provisions relating to infrastructure in the coastal environment are located in the Infrastructure - Coastal Environment Chapter.
- **Renewable Electricity Generation** – The policies and rules Provisions relating to renewable electricity generation in the coastal environment, including in areas of high and very high natural character in the coastal environment, are located in the Renewable Electricity Generation Chapter.’

~~Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.~~