Central Hawke's Bay District Council District Plan Review

Network Utilities & Renewable Energy – Section 32 Topic Report

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# 1 Introduction

This report contains a summary evaluation of the Network Utilities and Renewable Energy provisions of the Proposed Central Hawke's Bay District Plan. These provisions are mostly found in the NU – Network Utilities chapter and the RE – Renewable Energy chapter of the Proposed Plan, which contain objectives and policies and rules that may be applied across the district. It is important to read this report in conjunction with the Section 32 Overview Report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

This report contains a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from implementing the proposed provisions.

The provisions of the Proposed Plan have been assessed against the relevant higher-order documents that have been prepared under the RMA including the Hawke's Bay Regional Policy Statement (RPS).

Network utilities are physical resources that provide infrastructure service networks, such as water supply, sewerage, trade waste and stormwater drainage networks, roads and rail networks, cycleway and walkway networks, telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, and associated buildings, structures, equipment, and customer connections.

Network utilities provide essential services and are critical to the efficient and on-going functioning of the District. They enable communities to undertake everyday activities and functions and allow people to provide for their social, cultural, and economic wellbeing and their health and safety.

Renewable energy means energy produced from solar, wind, hydro, geothermal, biomass, tidal wave and ocean current sources. Use and development of renewable electricity generation is an important strategy for reducing greenhouse gas emissions from electricity generation. Renewable electricity generation within the urban areas may also contribute to energy resilience through small scale renewable electricity generation activities, such as solar generation.

The investigation and development of renewable electricity generation activities can cause adverse effects, particularly in relation to amenity, landscape, ecology, cultural values, and traffic. These adverse effects need to be appropriately managed and weighed up against the benefits provided by renewable electricity generation activities. A particular issue is that the effects of renewable electricity generation activities are generally experienced locally, while the benefits are generally realised at wider regional or national scales. Additionally, the adverse effects of operational renewable electricity generation activities mean that subdivision, use and development in close proximity to these facilities requires careful management as reverse sensitivity can result in effects on the operation, maintenance and upgrading of these facilities.

Renewable electricity generation also has practical constraints that need to be considered. These activities can only occur where renewable energy resources are found, limiting the geographic areas where renewable electricity generation activities can occur. Logistical or technical practicalities, and the need to integrate with existing supporting infrastructure may also place constraints on these activities.

# 2 Statutory & Policy Context

# 2.1 Resource Management Act

The RMA sets out in section 31 the functions of territorial authorities. The key function for the District Council is the integrated management of the use, development, or protection of land and associated

natural and physical resources of the district. 'Natural and physical resources' includes all parts of the natural environment, including air, water, soil, and ecosystems (natural resources) throughout the District.

Section 5 sets out the purpose of the RMA, which is to promote sustainable management of natural and physical resources and this is explained more in section 5(2).

In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Sections 6 and 7 of the Act set out principles of national importance and other matters in which the Council shall recognise and provide for, or have particular regard to, when reviewing the District Plan.

Section 6 'of the RMA specifically requires the Council to recognise and provide for matters of national importance, of which the following are relevant to the proposed Network Utilities provisions:

- 6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- *6(b)* the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:
- *6(c)* the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- *6(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- 6(f) the protection of historic heritage from inappropriate subdivision, use and development:
- 6(h) the management of the significant risks of natural hazards.

Relevant section 7 'Other Matters' seek that the Council has particular regard to the following:

- 7(aa) the ethic of stewardship:
- 7(b) the efficient use and development of natural and physical resources:
- 7(ba) the efficiency of the end use of energy.
- 7(c) the maintenance and enhancement of amenity values:
- 7(f) maintenance and enhancement of the quality of the environment:
- 7(g) any finite characteristics of natural and physical resources:
- 7(i) the effects of climate change:
- *7(j) the benefits to be derived from the use and development of renewable energy.*

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities, have been consulted as part of the review process and the obligation to make informed decisions based on that consultation is noted.

Section 31 of the RMA further requires Councils to control any actual or potential effects of the use, development or protection of land and associated natural and physical resources of the district.

Section 75(3) of the Resource Management Act directs that district plans must give effect to any relevant National Policy Statements (NPSs) and National Environmental Standards (NESs), and to the Regional Policy Statement (RPS).

All of the above matters are relevant when considering network utilities and ensuring their safe, efficient, and sustainable development, operation, maintenance, and upgrading, while also managing potential adverse effects on the environment.

## 2.2 National Direction

Relevant documents in respect of NU – Network Utilities Chapter and RE – Renewable Energy chapter of the District Plan are discussed below.

When considering Network Utility matters, the following National Policy Statement applies:

- Resource Management (National Policy Statement on Electricity Transmission) 2008.

When considering Renewable Energy matters, the following National Policy Statement applies

- Resource Management (National Policy Statement for Renewable Electricity Generation) 2011.

#### 2.2.1 National Policy Statement on Electricity Transmission 2008

The objective of the National Policy Statement on Electricity Transmission (NPSET) is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.

The NPSET provides the following direction for the District Plan:

- Established electricity transmission assets must recognise, provide for, and enable the effective and reasonable operation, maintenance, upgrading and development requirements of the electricity transmission network/assets (Policies 2 and 5).
- Consider the technical and operational requirements and constraints of the network (Policy 3);
- When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection (Policy 4).
- Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmissions, including effects on sensitive activities where appropriate (Policy 6).
- Adverse effects from the planning and development of the transmission system on urban amenity should be minimised, and adverse effects on town centres and on areas of high recreational value or amenity and existing sensitive activities should be avoided (Policy 7).
- In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, areas of high recreation value and amenity, and existing sensitive activities (Policy 8).
- Policies 10 and 11 relate to managing the adverse effects of third parties on the transmission network. Policy 10 requires decision makers to manage (to the extent reasonably possible)

activities to avoid reverse sensitivity effects on the electricity network and to ensure that the operation, maintenance, upgrading and development of the network is not compromised. Policy 11 requires local authorities to consult with the operator of the electricity transmission network (National Grid) to identify an appropriate buffer corridor within which sensitive activities will generally not be provided for in District Plans and/or given resource consent.

• Identify the National Grid on the Planning Maps (Policy 12).

#### 2.2.2 National Policy Statement for Renewable Energy Generation 2011

The National Policy Statement for Renewable Electricity Generation (NPS REG) came into effect on 13 May 2011.

The objective of the NPS REG is to recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.

The NPS REG works alongside other government initiatives as part of New Zealand's wider response to tackling climate change.

Decision makers on resource consent applications must have regard to the provisions of the NPS REG. The NPS REG ensures that the national benefits of renewable electricity generation are taken into account in consenting decisions. It also requires decision makers to have particular regard to the locational requirements, the logistical or technical practicalities, and infrastructure requirements associated with developing, upgrading, operating or maintaining renewable electricity generation activities. By giving this guidance, the NPS REG promotes a more consistent approach to balancing the competing values associated with the development of New Zealand's renewable energy resources when consent authorities make decisions. This is intended to give greater certainty to applicants and the wider community.

The NPS REG provides the following direction for the District Plan:

- must recognise the national significance of renewable electricity generation by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation (Objective).
- must recognise the benefits of renewable electricity generation activities (Policy A).
- must acknowledge the practical implications of achieving New Zealand's target for electricity generation from renewable resources and the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities (Policy B and Policy C1).
- consider off-setting and compensation when considering residual adverse effects (Policy C2).
- manage reverse sensitivity effects on renewable electricity generation activities (Policy D).
- incorporate provisions for small and community-scale renewable electricity generation activities into district plans (Policy F).
- enable identification of renewable electricity generation possibilities (Policy G).

# 2.2.3 New Zealand Coastal Policy Statement 2010 (NZCPS)

The purpose of the New Zealand Coastal Policy Statement (2010) (NZCPS) is to state policies to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. In terms of the hierarchy of statutory planning documents, the Regional and District Plans must give effect to the NZCPS.

The NZCPS is relevant to network utilities and renewable electricity generation activities located within the coastal environment.

The NZCPS includes the following relevant objectives that seek to:

- Safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land (Objective 1).
- Preserve the natural character of the coastal environment and protect natural features and landscape values (Objective 2).
- To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment (Objective 3).
- To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment (Objective 4).
- To ensure that coastal hazard risks taking account of climate change, are managed (Objective 5).
- To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, and recognising that the coastal environment contains renewable energy resources of significant value (Objective 6).

The NZCPS provides the following direction for the District Plan:

- Policy 2 includes a number of matters that are to be considered in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment. These include recognising that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations.
- Policies 6(1)(a), 6(2)(a), 6(2)(b) and 6(2)(c) recognise the importance of the provision of infrastructure in contributing to the social and economic and cultural well-being of people and communities, the need to maintain and enhance public open space and recreation qualities and values in the CMA, and for activities with a functional need to be located within the CMA.
- Policy 6(1)(g) seeks to take into account the potential of renewable energy resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations.
- Policy 6(2)(e)(ii) seeks to promote the efficient use of occupied space by requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value.
- Policy 11 seeks to protect indigenous biodiversity in the coastal environment and avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities on areas of indigenous vegetation and habitats of indigenous species.

- Policy 13 and Policy 15 seek to preserve and restore the natural character of the coastal environment and to protect the natural features and natural landscapes from inappropriate subdivision, use and development.
- Policy 17 seeks to protect historic heritage in the coastal environment from inappropriate subdivision, use and development.
- Policies 18 and 19 recognise the need to provide public open space within and adjacent to the CMA for public use and appreciation, including active and passive recreation, and to maintain and enhance public walking access to, along and adjacent to the CMA.
- Policy 25 relates to areas potentially affected by coastal hazards over at least the next 100 years. Policy 25(d) encourages the location of infrastructure away from areas of hazard risk, where practicable and Policy 25(e) discourages hard protection structures, and promotes the use of alternatives to them, including natural defences. Policy 27(1) outlines a range of options that should be assessed for reducing coastal hazard risk and Policy 27(2) provides guidance on evaluating options considered under Policy 27(1).

#### 2.2.4 National Planning Standards

The first set of National Planning Standards (NPS) were released in April 2019. Their purpose is to improve consistency in district plan and policy structure, format, and content.

The District Plan Structure Standard (Standard #4) and the District-Wide Matters Standard (Standard #7, clause 5) includes direction that provisions relating to energy, infrastructure and transport be located within a chapter under the 'Energy, Infrastructure and Transport' heading. As such, all network utility provisions are located in the 'NU - Network Utilities' chapter and all renewable energy provisions are located in the 'RE - Renewable Energy' chapter under the 'Part 2 Energy, Infrastructure and Transport' heading. The proposed network utilities provisions also use the standardised definitions from the Definitions Standard (Standard #14), as appropriate. Network Utility designations are also contained with the Designations section under the Part 3: Area Specific Matters heading, which have been formatted in line with the Designations standard (Standard #9).

#### 2.2.5 National Environmental Standards

The following National Environmental Standards (NESs) are relevant to network utilities. No NESs currently in force are relevant to renewable electricity generation activities.

### Resource Management (National Environmental Standards on Electricity Transmission Activities) Regulations 2009

The National Environmental Standards on Electricity Transmission Activities (NESETA) came into effect on 14 January 2010 and assists Councils to implement some aspects of the NPSET policies relating to the National Grid. The NESETA sets out the regulations for the operation, maintenance and upgrade of existing high voltage electricity transmission lines (i.e. existing at 14 January 2010). It permits electricity transmission activities, subject to terms and conditions, including:

- Operating existing transmission lines.
- Maintaining conductors (wires) and adding a limited number of conductors provided limits on electric and magnetic fields are not exceeded.
- Signs on transmission line support structures (within specified size limits).
- Strengthening, upgrading and replacing support structures and foundations.

All other electricity transmission activities and any new transmission activities are to be considered and managed through the District Plan.

# Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2016

The National Environmental Standards for Telecommunications Facilities (NESTF) came into effect on 1 January 2017 and replaced the NESTF 2008. They provide national standards for telecommunication facilities and their support structures located within the road reserve. The standards do not provide nationalised methods for facilities within residential, commercial, rural, or industrial zones, other than radio frequency limits and measures. Regional and district plans generally cannot provide alternative rules that are either more lenient or restrictive than a National Environmental Standard.

The NESTF seeks to provide nation-wide consistency in regulations for the following activities:

- Cabinets in road reserve, outside road reserve and on buildings.
- Antennas on existing poles in road reserve.
- Replacement, upgrading and co-location of existing poles and antennas outside road reserve.
- New poles and antennas in rural areas.
- Antennas on buildings (above a permitted height in residential areas).
- Small-cell units on existing structures.
- Telecommunications lines (above and below ground).
- 2.3 Regional Policy Statement & Regional Plans

# 2.3.1 Hawke's Bay Regional Resource Management Plan (containing the Regional Policy Statement)

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement (RPS). The Hawke's Bay Regional Policy Statement (RPS) is contained within the Regional Resource Management Plan. The following RPS provisions are particularly relevant to this topic.

- OJB1 To achieve the integrated sustainable management of the natural and physical resources of the Hawke's Bay region, while recognising the importance of resource use activity in Hawke's Bay, and its contribution to the development and prosperity of the region.
- OBJ3 To avoid the imposition of unnecessary costs of regulation on resource users and other people.
- POL UD4.2 In determining future Residential Greenfield Growth Areas, not already identified in Policy UD4.3, for inclusion within urban limits in the Heretaunga Plains sub-region, the following criteria shall apply:
  - [...]
  - *h)* An appropriate separation distance from electricity transmission infrastructure should be maintained in order to ensure the continued safe and efficient operation and development of the electricity transmission network.
- POL UD12 In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:
  - [...]
  - n) Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development.

OBJ 9 Appropriate provision for economic development within the coastal environment, including the maintenance and enhancement of infrastructure, network utilities, industry and commerce, and aquaculture.

#### POL 3 PROBLEM SOLVING APPROACH – VEGETATION REMOVAL

- 3.3.16 (a) To use non-regulatory methods, as set out in Chapter 4, to discourage the removal of vegetation on highly erodible land, particularly Class VIIe and VIII land, except where: [...]
  - (ii) The removal of vegetation is for the purpose of establishing or maintaining a network utility firebreak or fence line.
- OBJ 32 The ongoing operation, maintenance and development of physical infrastructure that supports the economic, social and/or cultural wellbeing of the region's people and communities and provides for their health and safety.
- *OBJ* 33 *Recognition that some infrastructure which is regionally significant has specific locational requirements.*
- OBJ 33A Adverse effects on existing physical infrastructure arising from the location and proximity of sensitive land use activities are avoided or mitigated.
- OBJ 33B Adverse effects on existing landuse activities arising from the development of physical infrastructure are avoided or mitigated in a manner consistent with Objectives 16, 17, 18, 32 and 33.
- OBJ LW1 Integrated management of fresh water and land use and development

Fresh water and the effects of land use and development are managed in an integrated and sustainable manner which includes:

- [...]
- 7. recognising the potential national, regional and local benefits arising from the use of water for renewable electricity generation.
- POL LW1 (1) Adopt an integrated management approach to fresh water and the effects of land use and development within each catchment area, that:
  - [...]
  - *iD*) provides opportunities for new renewable electricity generation infrastructure where the adverse effects on the environment can be appropriately managed.

#### 2.3.2 Hawke's Bay Regional Coastal Environment Plan

The following provisions are particularly relevant to this topic:

- *Objective 2.1 Preservation of the natural character of the coastal environment, and the protection of the coastal environment from inappropriate subdivision, use and development.*
- Policy 2.4 To recognise and provide for appropriate use and development provided any adverse effects on the coastal environment's natural character arising from such use and development are avoided, remedied or mitigated.
- Policy 2.6 To recognise that local authorities have statutory functions on behalf of their communities including provision of services for wastewater, stormwater, water supply, parks and recreation, roads, solid waste disposal.

# 2.4 Other Relevant legislation and Policy Documents

The following legislation and regulations are relevant to network utilities and have been considered in preparing this Proposed Plan:

- <u>Telecommunications Act 2001</u> regulates the supply of telecommunications services.
- <u>Radiocommunications Act 1989</u> the primary legislation for managing radio spectrum usage in New Zealand.
- <u>Electricity Act 1992</u> provides for the regulation, supply and use of electricity in New Zealand, including the health and safety of members of the public, and prevention of damage to property.
- <u>Local Government Act 2002</u> defines the purpose, roles and responsibilities of local government. Sets out the responsibility of territorial authorities in relation to land transport matters, including responsibility for roads, footpaths and street lighting, as well as road safety works.
- <u>Gas Act 1992</u> provides for the regulation, supply and use of gas in New Zealand, and regulates the gas industry, protects the health and safety of members of the public, and promotes the prevention of damage to property in connection with the supply and use of gas.
- <u>Railways Act 2005</u> includes the basis safety obligations of railway operators and the general public when near a railway, as well as the powers the railway operators have to protect and manage the railway corridor.
- <u>New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NSECP 34:2001)</u> sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.
- <u>Electricity (Hazards from Trees) Regulations 2003</u> protects the security of the supply of electricity and the safety of the public, by prescribing distances from electrical conductors within which trees must not encroach, and sets rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors.
- <u>Utilities Act 2010</u> requires utility operators and corridor managers to comply with a national code of practice that regulates access to transport corridors and provides for the making and administration of that code.
- <u>National Code of Practice for Utility Operators' Access to Transport Corridors</u> applies to the placement, maintenance, upgrading and removal of network utility structures in roads.
- <u>Operating Code Standard for Pipelines Gas and Liquid Petroleum (NZS/AS 2885)</u> ensure safe separation distances are maintained when establishing rules and considering applications for buildings, structures and other activities near the Gas Transmission Network.
- <u>New Zealand Energy Strategy 2011-2021</u> under this strategy the Government's goal is for New Zealand to make the most of its abundant energy potential, for the benefit of all New Zealanders. This will be achieved through the environmentally-responsible development and efficient use of the country's diverse energy resources, so that:
  - o The economy grows, powered by secure, competitively-priced energy and increasing energy exports.
  - The environment is recognised for its importance to our New Zealand way of life.

Areas of focus of the Strategy are:

- Development of renewable energy resources.
- Embrace new energy technologies.
- Best practice in environmental management for energy projects.
- o Reduction in energy-related greenhouse gas emissions.
- <u>New Zealand Energy Efficiency and Conservation Strategy (2017-2022)</u> under this strategy the Government's goal is for New Zealand to have an energy productive and low emissions economy. A priority area is the innovative and efficient use of electricity. The target is for 90 percent of electricity to be generated from renewable sources by 2025, and the objectives are for:
  - individuals, households and community institutions to choose energy efficient technologies, adopt energy efficient behaviours and make greater use of renewable energy.
  - the public sector to demonstrate leadership by adopting greater energy efficiency and renewable energy.

# 2.5 Local Policies, Plans and Strategies

#### 2.5.1 Iwi Environmental Management Plan

There are currently no iwi management plans relevant to Central Hawke's Bay District.

#### 2.5.2 Statutory Acknowledgements

Heretaunga Tamatea and its hapū is one of six large natural groupings represented by He Toa Takatini who negotiated settlement of the historical Treaty of Waitangi claims of Ngāti Kahungunu, signed on the 26 September 2015. Settlement assets for Tamatea sit with the trustees of the Heretaunga Tamatea Settlement Trust, the post-settlement governance entity.

As part of the deeds of settlement are statutory acknowledgements. These statutory acknowledgements are to be included as appendices in the relevant District Plan. Current State, Issues & Trends

# 2.6 Operative District Plan Approach

There are no provisions in the Operative Central Hawke's Bay District Plan (made operative on 1 May 2003) (Operative District Plan) for renewable energy.

Chapter 10 Utilities of the Operative District Plan outlines the issues, objectives, policies, methods, environmental results anticipated, rules and performance standards for Utilities, applying to every zone across the District.

Utilities (or Network Utilities) include:

- pipelines for the distribution or transmission of natural or manufactured gas, petroleum, hydrogen, carbon dioxide or geothermal energy;
- networks for the purpose of telecommunications;
- lines for the purpose of line function services as defined in section 2 of the Electricity Act 1992;
- a system for the distribution of water for supply (including irrigation);
- drainage or sewage systems;

- railway lines and roads;
- airports operated by an airport authority (as defined by the Airport Authorities Act 1966);
- an approach control service as defined by the Civil Aviation Act 1990;
- meteorological facilities, including equipment to measure, collect and distribute meteorological information, including telecommunication radio and satellite links;
- all structures and incidental facilities such as lines, support structures, pipes, pumping stations, aerials and similar structures which directly form part of the network; and
- any other network utility operation as defined by section 166 of the Resource Management Act 1999.

The emphasis of the provisions is around the establishment, use and maintenance and operation of utilities necessary for the wellbeing of the community, while ensuring that adverse effects on the amenity and surrounding environment are avoided, remedied or mitigated by setting performance standards for the design, location and operation of utilities.

The issues identified in this chapter are:

- "Utilities can have adverse visual impact on the character of an area; and the construction, operation and/or maintenance of utilities can adversely affect the amenities of an area'.
- "The effective establishment, use and maintenance of the District's utility infrastructure can be adversely affected by the inappropriate location and nature of land use activities, and by a failure to recognise their importance in meeting community needs'.

Environmental results anticipated in this chapter are:

- 'Provision of utilities consistent with the nature of the local environment, operational needs, and the cost and scale of facilities'.
- 'Protection of the functioning of utilities.'
- 'New development in areas where utilities can supply resources on a sustainable basis'
- 'Maintenance of high quality and availability of groundwater supplies'.
- 'Development of areas more able to be serviced with consequent economies in use and provision'.
- 'Sewer and water reticulation in areas where this is necessary to prevent degradation of groundwater resources'.
- 'Adequate disposal of solid wastes, sewerage and stormwater in a manner which protects water resources and amenities'.
- 'Degree of risk to community from flooding minimised through the protection of flood control measures'.

Under Rule 10.4.3(a) any Permitted Activity or controlled Activity which does not comply with the one or more of the performance standards in Part 10.5 is a Discretionary Activity.

The following Assessment Criteria are included in Part 14.7 of the Operative District Plan in relation to assessing:

#### "1. Setback

- a) The degree of any adverse effect created through a reduced setback from boundaries on the surrounding environment including the potential to affect the privacy and outlook of residents.
- b) The degree to which any adverse effect created by a reduced setback may be mitigated through different options for site layout.
- 2. Environmental Effects

- a) The degree to which the proposed choice of site or route for the utility will affect the environment and the reasons for that choice of site or route.
- b) The degree to which the proposed utility may affect the health or safety of the community including positive effects from the operation of the utility.
- c) The degree to which the proposed utility may affect values held by the Tangata Whenua.

# 3. Siting

- a) The degree to which alternative sites or routes have been considered and where relevant the impact of those alternatives on the environment.
- b) The potential for co-siting telecommunication and radiocommunication facilities and the degree to which the provider of the utility has investigated this potential.
- 4. Costs
- a) The degree of any additional costs imposed by requiring compliance with any performance standard listed including the cost of placing lines underground or requiring design modifications to a utility.
- 5. Less than 110KV and 100MVA lines and support structures in an area of outstanding landscape view
- a) Refer to Assessment Matter 14.3.5.
- 6. Other Utilities in the coastal margin area and areas of outstanding landscape view
- a) Refer to Assessment Matter 14.2.14 and 14.3.5."

# 3 Approach to Evaluation

# 3.1 Background Research

In 2017, a high-level scoping exercise was undertaken to determine what aspects of the Operative District Plan were in reasonable shape and identify areas for review and the general approach to be taken to review them<sup>1</sup>. With respect to network utilities, the scoping report identified that this part of the Plan needed a significant re-write to give effect to the relevant NPSs and NESs and the RPS, reflect advances in best practice, and align with the utilities provisions of the neighbouring Territorial Local Authorities (e.g. Hastings District Council) and that this was *'the most appropriate, effective and efficient option..., and is therefore the preferred option'*.

As part of the District Plan scoping exercise the following background reports and feedback was also noted:

# 3.1.1 'Rural Discussion Document' (Feb 2012)

This document was released for public discussion as part of the rolling District Plan review. It identified and sought feedback on a range of issues relating to Subdivision and Land Use in the Rural Zone, Reverse Sensitivity/Farming Activities, Significant Landscapes, Significant Indigenous Vegetation, Noise, Earthworks, Climate Change and Natural Hazards.

The following matter was raised by the Transpower New Zealand Limited:

- Reverse sensitivity effects of subdivision and development (including earthworks) on the National Grid and the need for the District Plan to refer to the National Policy Statement on Electricity Transmission;
- Need to control planting of trees near electricity transmission lines refer to the Electricity (Hazards from Trees) Regulations 2003.

<sup>&</sup>lt;sup>1</sup> "Initial Section 32 Scoping Report – CHB District Plan Review 2017", prepared by Sage Planning HB Ltd, dated 24 August 2017.

No matters were raised in relation to renewable energy.

#### 3.1.2 Draft Plan Effectiveness Report

The following matter was raised in relation to network utilities:

• A number of changes have occurred at a national level in relation to network utilities since the plan was made operative. Council has statutory obligations to implement the National Policy Statements and National Environmental Standards for Electricity Generation. It is recommended that the Utilities section be reviewed to integrate these amendments from Central Government.

The following issues were raised in relation to renewable energy:

- Lack of recognition of energy matters, including the need to address renewable energy generation.
- The Operative District Plan is relatively silent in regard to the issues relating to energy with the exception of the provisions in the Utilities Chapter in the Plan which addresses network transmission and servicing.
- Since the Operative District Plan was made operative in 2003 there have been a number of significant changes at a national level relating to the issue of energy. This includes the following:
  - o The New Zealand Energy Strategy 2011
  - The New Zealand Energy Efficiency & Conservation Strategy 2011
  - National Policy Statement for Renewable Electricity Generation 2011.

#### 3.1.3 'Project Thrive' Feedback (2016)

No matters were raised in relation to network utilities or renewable energy.

#### 3.1.4 Issues Raised in Staff Interviews

No matters were raised in relation to network utilities or renewable energy.

# 3.2 Analysis of Other District Plan Provisions

The provisions of the RE – Renewable Energy chapter are based primarily on the provisions of Chapter 23.1 Renewable Energy of the Hastings District Plan. This is because adopting the neighbouring District Council's District Plan approach would achieve consistency between the Central Hawke's Bay and Hastings Districts, and the Hastings District Plan has been reviewed since the NPSREG came into effect and is recognised as current good practice.

For the network utilities provisions, current practice, particularly for amateur radio configuration, has been considered in relation to the District Plans identified in the table below.

Meeting	Document	Overview and Direction
Hastings District Plan	Hastings District Council	This Plan was made partially operative on 12 March 2020, with the exception of Section 16.1 Wāhi Taonga District Wide Activity.
		The Plan includes a single network utilities chapter (Chapter 22.1 Network Utilities) within Part C District Wide Activities.
		Contains two objectives: one relating to network utilities; and one relating specifically to amateur radio configuration.

Contains eight policies that relate to:

- Providing for ongoing operation, maintenance, replacement, refurbishment and upgrading of all existing network utilities.
- Enabling establishment and upgrading of network utilities while ensuring any adverse effects on the environment and adjoining land are avoided, remedied or mitigated.
- Recognising need for network utilities to be reliable in operation and act promptly in an emergency.
- Recognising special technical and operational requirements of network utilities, including those associated with their scale, location, design and operation.
- Specifying that new transmission infrastructure should avoid outstanding and significant landscapes, and areas of significant historical, cultural and creational value unless the infrastructure is subject to significant functional constraint, or where there is no practicable alternative route, and that significant adverse effects can be outweighed by the overall benefits of the proposal.
- Recognising reverse sensitivity effects on network utilities.
- Recognising significance of the National Grid.
- Requiring amateur radio configuration to be designed, constructed and located to minimise adverse effects on existing or anticipated residential character and amenity of adjoining properties or the surrounding neighbourhood.

#### Rules address:

- Construction, operation, maintenance, replacement, refurbishment and upgrading of network utilities (above ground and in-ground)
- Work undertaken in response to an emergency or disaster
- Natural hazard mitigation activities to protect existing network utilities.
- Activities within the National Grid Yard
- Earthworks within the National Grid Yard
- Amateur radio configuration
- Construction of new water reservoirs, or upgrading of existing water reservoirs

Generally, where permitted or controlled activity standards are not complied with these activities become restricted discretionary activities.

General performance standards address:

- Disturbance to land and vegetation
- Noise
- Traffic sightlines, parking, access and loading
- Landscaping and screening
- Lighting
- Hazardous substances
- Protection of flood channels

		<ul><li>Radiofrequency radiation</li><li>Airport protection areas.</li></ul>
City of Napier District	Napier City Council	This Plan was made operative on 8 May 2019.
Plan		The Plan includes a single Network Utility Operations chapter (Chapter 53).
		It identifies two significant resource managemen issues relating to:
		<ul> <li>Efficient distribution of network utility operations within the meaning of the Act</li> <li>Management of adverse effects of network utility operations on the City's natural and physical resources.</li> </ul>
		Has one objective – to enable the safe and efficient use development, upgrading and maintenance of network utility operations throughout the City while avoiding remedying or mitigating any adverse effects on the environment.
		Includes 11 policies, relating to:
		<ul> <li>Construction, operation, maintenance and upgrading of network utility operations</li> <li>Encouraging undergrounding of appropriate existing network utility operations or othe innovative solutions within residential environments and roads throughout the City.</li> <li>Encouraging co-siting and sharing of facilities</li> <li>Encouraging removal of redundant and superseded network utility facilities</li> <li>Ensuring adverse effects on outstanding natura features and significant landscapes are avoided remedied or mitigated.</li> <li>Managing reverse sensitivity effects on networl utility operations.</li> <li>Works within the National Grid Corridor</li> <li>Recognising significance of the National Grid and its special technical and operational requirements</li> <li>Rules address:</li> </ul>
		<ul> <li>Construction, operation, maintenance replacement, removal and upgrading of network utilities (above ground and in-ground)</li> <li>Buildings and structures within the National Grid Transmission Yard</li> <li>Earthworks within the National Grid Transmission Yard</li> <li>Network Utility Operations within the coasta hazard area, River Hazard Area, and/or within the Foreshore Reserve, Reserve and/or River Conservation Zones.</li> <li>Subdivision undertaken for the purposes of the network utility operation.</li> </ul>
		standards are not complied with these activities become restricted discretionary activities.

		General performance standards address:
		<ul> <li>Yards</li> <li>Height</li> <li>Floor space</li> <li>Noise</li> <li>Light Spill</li> <li>Vibration</li> <li>Radiofrequency Exposures</li> <li>Removal of derelict network utility operations</li> <li>District wide rules</li> <li>Reinstatement</li> <li>Earthworks within any National Grid Yard</li> <li>Buildings and Structures within the National Grid Yard – vertical clearance distance.</li> </ul>
Proposed New Plymouth District Plan	New Plymouth District Council	This Plan has been prepared in accordance with the National Planning Standards.
		This plan includes a single network utilities chapter within Energy, Infrastructure and Transport, along with Energy and Transport chapters. The chapter incorporates provisions for general and three waters infrastructure, amateur radio, and protecting strategic infrastructure (the National Grid, and gas transmission lines). Generally, the chapter follows the infrastructure group draft National Planning Standard for network utilities. Additional rules for infrastructure are included in the Overlay chapters. Has 3 objectives that relate to:
		Benefits provided by infrastructure
		<ul> <li>Adverse effects of infrastructure</li> <li>Reverse sensitivity effects on infrastructure</li> </ul>
		Eight policies relating to:
		<ul> <li>Recognising the benefits of network utilities</li> <li>Integrating network utilities and land use</li> <li>New technologies</li> <li>Managing the adverse effects of network utilities</li> <li>Recognising the function need or operational needs of network utilities</li> <li>Activities within the National Grid Yard and National Grid Corridor</li> <li>Setbacks from gas transmission pipelines</li> <li>Minimising reverse sensitivity effects on network utilities.</li> </ul>
		Rules divided into:
		<ul> <li>General</li> <li>Three waters</li> <li>Amateur radio</li> <li>Protection National Grid</li> <li>Protecting Gas Transmission Pipelines.</li> <li>Each rule contains detailed standards specific to the activity, where relevant, Generally, where permitted activity standards are not complied with these activities become restricted discretionary activities.</li> </ul>

Maximum height of structures (including poles, towers, and antenna on poles)
<ul> <li>Parking and access</li> <li>Radio frequency</li> <li>Electric and magnetic fields</li> <li>Outdoor lighting</li> <li>Noise.</li> </ul>

These plans were selected because:

- Hastings District Plan and City of Napier District Plan relate to territorial authorities within the same region (Hawke's Bay) as the Central Hawke's Bay District Council; and/or
- They have been subject to recent/relatively recent plan changes/reviews; and
- The Proposed New Plymouth District Plan has been prepared in accordance with the National Planning Standards.

# 3.3 Draft National Planning Standard for Network Utilities (draft NPSNU)

The draft NPSNU is being developed by a national level working group comprising the New Zealand Transport Agency, Kiwirail, Telecommunication Carrier Forum, First Gas, Local Government New Zealand, Electricity Networks Association, and the Ministry for the Environment. The draft NPSNU is still being developed and as no legal status. Therefore, no weight is required to be given to it. Nevertheless, the draft NPSNU (dated 21 February 2019) has been used for guidance and as many elements of it as reasonably practicable have been included in Chapter 15 Network Utilities of the Proposed District Plan. However, the draft NPSNU is extremely detailed, complex and repetitive in places, and it includes many standards from the NESTF and the Resource Management (National Environmental Standards for Electricity Transmission Activities (NESETA)) Regulations 2009 NES which do not need to be included in the District Plan.

# 3.4 Consultation

#### 3.4.1 Transpower New Zealand Limited

Transpower New Zealand Limited wrote to the Council on 19 April 2018, setting out Transpower's preferred approach to National Grid buffer corridor provisions in the Draft District Plan. This included a diagram demonstrating the National Grid corridor sought by Transpower and indicating the approach for various types of National Grid support structures and earthworks within the corridor. Transpower also generally sought that new 'sensitive' activities, such as dwellings, schools and hospitals, not be allowed within the corridor. It was requested that Transpower be consulted on any subdivision consent applications within a 'subdivision corridor' of 14 metres either side of the centreline of a 110kV line.

#### 3.4.2 Network Utility Operators

Network utility operators in the District, including representatives of the national level working group on the draft NPSNU, were invited to attend a consultation workshop on 10 May 2019. However, the meeting was cancelled as none of the operators/representatives were able to attend.

#### 3.4.3 Iwi Consultation and Advice

Meetings were held as follows with iwi and hapu to outline (among other District Plan matters) proposed network utilities and renewable energy provisions:

• Hui seeking feedback on the Draft Plan, Rongomaraeroa Marae, Porangahau (20 June 2019).

#### 3.4.4 Wider Consultation

- Public notification of the Draft District Plan, inviting members of the community to attend dropin meetings, and calling for submissions – 3 June 2019.
- Public drop-in meetings were held to present the Draft District Plan:
  - Waipukurau Club 4 June 2019
  - o Ōtāne Hall 11 June 2019
  - o Porangahau Hall 12 June 2019
  - o Takapau Hall 18 June 2019
  - o Tikokino Hall 19 June 2019
  - Waipawa Municipal Theatre 25 June 2019
- Informal hearings for submitters to present their submissions on the Draft District Plan to the District Plan Committee 3 February to 21 February 2020.

#### 3.5 Draft District Plan Feedback

A Draft District Plan was publicly notified in May 2019.

#### Network Utilities

Fourteen submissions were received on the provisions of Chapter 15 – Network Utilities in the Draft District Plan from the following:

- Powerco
- Spark, Vodafone and Chorus (Spark)
- Transpower New Zealand
- First Gas
- Horticulture New Zealand (HortNZ)
- New Zealand Defence Force (NZDF)
- New Zealand Transport Agency (NZTA)
- Kiwirail
- Centralines
- Federated Farmers (Fed Farmers)
- Department of Conservation (DOC)
- New Zealand Pork Industry Board (NZ Pork Industry Board)
- Hawke's Bay Regional Council (HBRC)
- 2 local submitters

The submissions generally supported the draft provisions but requested the adoption of definitions to achieve better consistency with the NESTF, NZECP34:2001 and the National Planning Standards (with respect to definitions relating to terminology used), replacing some of the provisions with those from the Draft National Policy Statement for Network Utilities that had been developed by the Network Utility Operators Working Group. KiwiRail, First Gas, Transpower and NZTA sought amendments to provisions relating to the National Grid, State Highways, rail and the gas transmission line, including those addressing potential reverse sensitivity effects of sensitive activities establishing near network utilities. The submissions also requested the retention of a number of provisions.

One local submitter considered that Rule 15.9.10 of the Draft District Plan did not provide for experimentation in radio communications by enabling different amateur radio configurations (antennas, aerials and support structures) of size and scale. The submitter therefore requested that

the performance standards for amateur radio configuration be amended to remove restrictions on the amateur radio service.

Key changes to this chapter as a result of this feedback to the Draft included:

- Added new issue about potential adverse effects of network utilities and amateur radio on the environment.
- Amendment to the objectives to include recognition of the functional and operational needs of network utilities.
- Amended permitted activity rules to also provide for the replacement of existing network utilities (in addition to operation, maintenance, removal and minor upgrading).
- Amended the rules and standards to better reflect the provisions of the draft NPSNU.
- Amended the rules and standards in relation to activities within the National Grid Yard.

#### Renewable Energy

Submissions were received from the following on the provisions of Chapter 16 – Renewable Energy in the Draft District Plan from the following:

- One local submitter
- Transpower New Zealand
- NZ Pork Industry Board (NZ Pork)
- Spark
- DOC

The local submitter referred to the sunshine hours being amongst the highest in New Zealand and investigation of the technology of 'solar farms' in rural areas where energy generation takes places alongside existing farming activities.

Transpower requested that the Introduction to Chapter 16 be retained as drafted.

NZ Pork advised that pig effluent is a biomass feedstock that can be used to generate biogas which can be converted to electricity or used for heating. Given the increased focus on the reduction in greenhouse gases as part of the Zero Carbon Amendment Bill, the submitter requested that the activity status of renewable electricity generation from biomass/biogas be more permissive, subject to meeting relevant performance standards.

Spark supported the assessment criteria for renewable energy in Section 29.14 of the Draft District Plan.

DOC supported the consideration of alternative locations and methods in Assessment Matter 29.14.2(d) f the Draft District Plan.

No changes were made to the Draft District Plan as a result of the above submissions.

#### 3.6 Decision-Making

A series of presentations and discussion documents were presented to the District Plan Committee on the Network Utilities topic during the preparation of Draft / Proposed District Plan provisions. These are described in the following table:

Meeting	Document	Overview and Direction
30 August 2017	Initial Section 32 Scoping Report	Refer to Section 3.1 of this report.
26 September 2018	Overview Report – Part 10: Utilities	Outlined the operative District Plan approach to network utilities.
		Set out the statutory basis for having network utility provisions in the District Plan.
		Outlined feedback on issues raised about the Operative District Plan network utilities provisions identified from the Rural Discussion Document (2012), Draft 'Plan Effectiveness Report', Project Thrive feedback, and interviews with Council staff.
		Outlined the findings of the Sage Planning 'Initial Section 32 Scoping Report' (August 2017).
		Outlined the proposed approach for the District Plan review and summarised the proposed amendments to the network utilities provisions, which largely replicated the provisions in the Hastings District Plan but also incorporated some provisions and definitions from the Draft New Plymouth District Plan, Proposed South Taranaki District Plan and the City of Napier District Plan.
		Presented amendments to Part 10: Network Utilities of the Operative District Plan for the Council's Working Party Sub- Committee's consideration.
	Overview Report – New Part 3.1G Renewable Energy	Outlined the operative District Plan approach to renewable energy.
		Set out the statutory basis for having renewable energy provisions in the District Plan.
		Outlined feedback on issues raised about the Operative District Plan renewable energy provisions identified from the Rural Discussion Document (2012), Draft 'Plan Effectiveness Report', Project Thrive feedback, and interviews with Council staff.
		Outlined the findings of the Sage Planning 'Initial Section 32 Scoping Report' (August 2017).
		Outlined the proposed approach for the District Plan review.
		Presented a new Part 3.1G Renewable Energy chapter for the Council's Working Party Sub-Committee's consideration, as well as new assessment matters in Part 14.13, and new definitions in Part 2: Definitions to support the new renewable energy provisions.
24 April 2018	PowerPoint Presentation and Discussion Document	Presented re-drafted introduction, issue, objectives, policies, reasons, and methods for the Subdivision chapter for the Committee's consideration, including provisions relating to network utilities.
20 May 2018	PowerPoint Presentation and Discussion Document	Presented re-drafted rules and standards for the Subdivision chapter for the Committee's consideration.

18 February 2020	Hearing of informal	Hearing of submissions specifically relating to subdivision.
1010510019 2020	submissions on the Draft District Plan	
	Report No.1 Subdivision	
6 April 2020	Hearing of informal submissions on the Draft District Plan Report No.8 Network Utilities, Renewable Energy & Designations	Responded to submission points on Chapter 15: Network Utilities and Chapter 16: Renewable Energy of the Draft Plan and provided recommendations to the Committee on amendments to provide greater clarity and certainty, and to address submitter requests. Also recommended minor amendments to Chapter 29 Assessment Matters. A recommended tracked changes version of Chapter 15 was provided with the report.
		No changes were recommended to be made to Chapter 16: Renewable Energy as an outcome of the review of submissions.
9 April 2019	PowerPoint presentation Draft District Plan	Submitted Chapter 15 Network Utilities as part of the entire Draft District Plan for adoption by the Council's Sub- Committee. Chapter 15 which included an amendment to the permitted activities provisions (submitted on 26 September 2018), to provide for utilities within an Outstanding Natural Feature/Outstanding Natural Landscape (Rule 15.8.1(b)(iii)).
10 April 2019		Decision made on 10 April for Draft Plan to be publicly notified.
3 June 2019		Public notification of Draft District Plan occurred on 3 June 2019.
11 November 2020	Hearing of informal submissions on the Draft District Plan Report on Simon Osborne's informal submission on Amateur Radio Configuration provisions	The report responded to submission points made by Mr Osborne on Rule 15.9.10 Amateur Radio Configuration. The report considered that many of the changes requested by Mr Osborne were problematic, insofar as the amended wording requested was very subjective and would not provide any certainty as to the actual or potential adverse environmental effects that could arise if it was adopted (e.g. the use of the words "erected to proper height and dimensions and in sufficient number for communications effectiveness and experimentation"). There were also references in the amendments to 'power' and 'utility' poles and masts which fell outside amateur radio configuration, and the requested new clause (h)(viii) would be unlawful (ultra vires) as it would allow any non-complying amateur radio configurations that do not comply with the performance standards to be considered a permitted activity (by way of existing use rights) if the Council received no complaints and/or did not take any enforcement action over a period of two years or more. The report also considered that no significant amendments to the amateur radio configuration provisions should be made without the benefit of receiving independent technical expert advice on what potential environmental effects and unintended consequences could arise if the requested changes were made.

		The report therefore recommended that the amateur radio configuration provisions in the Draft District Plan be retained, without amendment.
15 December 2020	National Planning Standards version of District Plan	<ul> <li>Presented draft Proposed District Plan in National Planning</li> <li>Standards format, including: <ul> <li>Part 2 District-Wide Matters, NU – Network Utilities chapter</li> <li>Part 2 District-Wide Matters, RE – Renewable Energy chapter</li> </ul> </li> </ul>
28 April 2021	Proposed District Plan	Proposed District Plan presented to District Plan Committee for final adoption by the Committee. Recommendation to Council to adopt Proposed District Plan for public notification.
27 May 2021	Proposed District Plan	Proposed District Plan adopted by Council for public notification.

#### 3.6.1 Reference to Other Relevant Evaluations

This section 32 topic report should be read in conjunction with the following other section 32 reports:

- Section 32 Overview Evaluation Report
- Section 32 Coastal Environment Report
- Section 32 Natural Environment Report
- Section 32 Heritage Report
- Section 32 Tangata Whenua Report
- Section 32 Remaining District-Wide Chapters and Provisions Report

## 3.7 Resource Management Issues

The table below details the key issues for Network Utilities in the Operative District Plan and the Proposed District Plan.

#### Operative District Plan - Utilities Issues

#### 10.1 ISSUE – Visual and Amenity Effects

Utilities can have an adverse visual impact on the character of an area; and the construction, operation and/or maintenance of utilities can adversely affect the amenities of an area.

10.2 ISSUE – Value to the Community

The effective establishment, use and maintenance of the District's utility infrastructure can be adversely affected by the inappropriate location and nature of land use activities, and by a failure to recognise their importance in meeting community needs.

**Operative District Plan – Renewable Energy Issues** 

There are no issues relating to renewable energy.

Proposed District Plan – Network Utilities Issues

NU-I1 Essential Role of Network Utilities

Network utilities have important functions and enable people and communities to provide for their health and safety and social, economic and cultural wellbeing, but can have adverse effects on the environment, often due to their technical, operational and location-specific requirements.

NU-I2 Adverse Effects of Network Utilities and Amateur Radio Configuration Some network utilities and amateur radio facilities can have adverse effects on the environment.

#### NU-I3 Effects of Other Activities on Network Utilities

New subdivision, land use and development may impact on the safe and efficient functioning of network utilities.

#### Proposed District Plan – Renewable Energy Issues

There are no Issues for renewable energy in the RE – Renewable Energy chapter.

Following identification of the issues for Network Utilities, the evaluation involved a review of the existing objectives, policies and methods to determine whether they effectively addressed the issues.

# 4 Evaluation of Objectives to Achieve the Purpose of the RMA

Section 32(1)(a) requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA.

There are seven (7) objectives proposed for the District Plan relating to the remaining District-wide chapters and provisions.

The following evaluates the extent to which those 7 proposed objectives are the most appropriate way to achieve the purpose of the RMA with respect to the sustainable management of network utilities and renewable energy, and the issues identified in the previous section:

Proposed Ob	jective	s	
Energy, Infra	structu	re and Transport – NU – Network Utilities:	
NU-01	that	gnise and provide for safe, efficient and resilient network utilities throughout the District provide essential and secure services, including in emergencies, that enable people and nunities to provide for their health, safety and wellbeing.	
NU-02	while	dverse effects of network utilities on the environment are avoided, remedied or mitigated, recognising the functional and operational needs of network utilities (including those iated with their scale, design and locational requirements).	
NU-03	incon	The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.	
NU-04	Provide for amateur radio configurations, cycleways and walkways within road reserve, electrical vehicle charging facilities outside road reserve, navigational aids, and sensing and environmental monitoring equipment (including air quality and meteorological monitoring structures and devices) where adverse effects on the environment are avoided, remedied or mitigated.		
Energy, Infra	structu	re and Transport – RE – Renewable Energy:	
RE-01		e and encourage the sustainable use and development of renewable energy resources n the Central Hawke's Bay District.	
RE-O2	RE-O2 Enable renewable electricity generation activities while avoiding, mitigating or offsetting adverse effects that are more than minor.		
Comment		These objectives respond directly to the resource management issues of relevance to the Proposed District Plan set out in Section 3.7 of this report.	
Appropriater	ness	Energy, Infrastructure and Transport – Network Utilities	
(relevance, usefulness, achievability, reasonableness		The proposed objectives respond to Energy, Infrastructure and Transport Issues NU-I1, NU-I2 and NU-I3.	
		Objectives NU-O1 and NU-O2 recognise the importance of network utilities throughout the District in providing essential and secure services for the health, safety and wellbeing of the District's people and communities, while avoiding, remedying or mitigating adverse effects on the environment.	

1	
	Objective NU-O3 recognises that new subdivision and use or development located in close proximity to network utilities may have the potential to constrain or compromise the efficient or effective operation, maintenance and development of the network utilities.
	Objective NU-O4 recognises the need to provide for amateur radio configuration, cycleways and walkways within road reserve, electrical vehicle charging facilities, navigational aids, and sensing and environmental monitoring equipment, where adverse effects on the environment are avoided, remedied or mitigated.
	The proposed objectives are consistent with POL UD4.2, POL UD12, OBJ9, OBJ32, OBJ33, OBJ33A and OBJ33B of the RPS.
	They are appropriate to achieve sections 5(2), 6(a), 6(b), 6(c), 6(e), 6(f), 6)h) and sections 7(b), 7(c) and 7(f) of the RMA.
	Energy, Infrastructure and Transport – Renewable Energy
	Proposed Objectives RE-O1 and RE-O2 are considered to be the most appropriate and reasonable way to achieve the purpose of the RMA and the objectives and policies of the NPS REG (set out in Section 2.2.2 of this report), and they recognise the benefits and importance of the sustainable use and development of renewable energy resources throughout the District in meeting the Government's target for renewable energy generation. They also recognise that, while adverse effects of renewable energy on the environment are to be avoided, remedied or mitigated, this needs to be balanced alongside enabling renewable energy generation activities to occur.
	The proposed objectives are appropriate to achieve the NPS REG and sections 5(2), 6(a), 6(b), 6(c), 6(e), 6(f), 6(h), 7(aa), 7(b), 7(c), 7(f), 7(i) and 7(j) of the RMA. Summary
	Given the above, the proposed suite of objectives is deemed appropriate in terms of achieving the purpose of the RMA being the sustainable management of the District's natural and physical resources.
	These objectives are in line with Council's functions under section 31 of the RMA, including establishment of objectives to achieve integrated management of the effects of the use, development, and protection of land and associated natural and physical resources of the District, and give effect to relevant Part 2 matters and relevant matters in the RPS, and is not inconsistent with the RPS/RMMP.
Other Alternatives Considered	Maintaining the status quo – being retention of the following existing objectives in the Operative District Plan and including no new provisions for renewable electricity generation:
	Part 10 Utilities
	10.1.1 Objective
	The construction, installation, operation and maintenance of utilities are carried out in a way that ensures adverse effects on the amenity and the surrounding environment are avoided, remedied or mitigated.
	10.2.1 Objective The establishment, use and maintenance of utilities, necessary for the well-being of the community.
Preferred Option	The proposed suite of objectives is the preferred option.
& Reasons	While the Operative District Plan objectives are generally considered appropriate, they do not refer to the upgrading of network utilities (in addition to construction, installation, operation and maintenance), they do not refer to the wider section 5 RMA aspects of network utilities enabling people and communities to provide for their health, safety and wellbeing, do not refer specifically to the functional and operational needs of network utilities, and do not refer to potential reverse sensitivity effects associated with incompatible subdivision, land use or development establishing near them.
	The objectives do not include any reference to other activities (i.e. amateur radio configuration, cycleways and walkways within road reserve, electrical vehicle charging

facilities, navigational aids, and sensing and environmental monitoring equipment). While these activities do not fall within the RMA definition of 'network utilities', they have similar attributes to network utilities and it is considered appropriate that provisions for them be included within the Network Utilities chapter.
Therefore, the current objectives are not considered to be the most appropriate in addressing the Network Utilities issues identified and achieving the purpose of the RMA. New objectives are proposed as detailed below.
With respect to Renewable Energy, as the Operative District Plan does not include any relevant issues or objectives, the objectives in the RE – Renewable Energy chapter of the Proposed District Plan are the most appropriate to achieve the requirements of the NPS REG and the purpose of the RMA.
The proposed objectives have been through a thorough review process, including scrutiny by Council's District Plan Committee, and were subject to a publicly notified Draft District Plan process involving presentation and consideration of informal submissions which resulted in amendments.
The proposed objectives address the identified resource management issues more comprehensively than the corresponding objectives in the Operative District Plan, and also respond to higher order statutory documents adopted after the current District Plan was made operative in 2003 (including the NPS REG, RPS / RRMP (2006)).
Therefore, this suite of objectives is deemed the most appropriate way to achieve sustainable management of the natural and physical resources (the purpose of the RMA).

# 5 Evaluation of Proposed Provisions (Policies & Methods)

Section 32(1)(b) requires an evaluation of whether the proposed provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

# 5.1 Identification of Other Reasonably Practicable Options

The other options considered reasonably practicable for achieving the above objectives of the Proposed Plan in relation to network utilities, are:

- Retaining the Status Quo rely on the policies and methods currently contained in the Operative District Plan with respect to Network Utilities and Renewable Energy.
- Adopting the Draft National Planning Standard for Network Utilities (21 February 2019) (draft NPSNU) with respect to Network Utilities see Appendix A of this report.

# 5.1.1 Evaluation of Option 1 - Status Quo

The status quo in the Operative District Plan involves policies and methods as contained in the Operative District Plan.

With respect to Utilities, these provisions include:

• four policies around the separation of incompatible activities from network utilities and maintenance of visual amenities, safety and quality of the environment, encouraging undergrounding of more services in new areas of development within the Residential and Township Zones, encouraging co-siting of utilities where possible, and taking account of

economic and operational needs in assessment the location, design and appearance of utilities (Policies 10.1.2(1) - 10.1.2(4)).

- Seven policies around enabling maintenance or upgrading of utilities, having regard to the strategic needs of utilities, their importance and costs of them to the community when considering alternative sites and locations for utilities, ensuring costs of servicing development are met by the developer, and ensuring buildings, structures and earthworks are not established or carried out near electrical lines or their support structures (Policies 10.2.2(1) 10.2.2(7).
- Rules that specify the types and nature of utilities provided for as Permitted Activities (Utilities Rule 10.4.1) and performance standards relating to maximum height, avoiding obstruction of vehicle sight lines, limits on diameter of antennas, outdoor storage, and noise standards.
- Resource consent assessment matters in Part 14.7.

With respect to Renewable Energy, there are currently no provisions in the Operative District Plan.

Retaining the status quo would be efficient in terms of administrative simplicity, but it would:

- not achieve the requirements of section 75(3) of the RMA which directs district plans to give effect to any relevant NPSs, NESs and the RPS, including the NPS REG (as outlined in Sections 2.2 and 2.3 above).
- not be consistent with the New Zealand Energy Strategy 2011-2021 or the New Zealand Energy Efficiency and Conservation Strategy (2017-2022).
- not achieve consistency with the provisions of other district plans, where appropriate, particularly neighbouring ones (Hastings District and City of Napier).
- not reflect the provisions of the draft NPSNU, where appropriate.
- not include any provisions for amateur radio configuration.

For the above reasons, this option is <u>not</u> considered the most appropriate way to achieve the proposed objectives.

# 5.1.2 Evaluation of Option 2 Draft NPSNU Approach

The draft NPSNU was developed by a national level working group comprising NZTA, KiwiRail, the Telecommunication Carrier Forum, First Gas, Local Government New Zealand, Electricity Networks Association, and the Ministry for the Environment. The draft NPSNU is still being developed and has no legal status. Therefore, no weight is required to be given to it. However, in responding to submissions, the draft NPSNU was used for guidance wherever possible for the Proposed District Plan provisions and as many elements of it as reasonably practicable are included in the NU – Network Utilities chapter. However, the NPSNU is extremely detailed, complex and repetitive, and it includes many standards from the draft NESTF and the Resource Management (National Environmental Standards for Electricity Transmission Activities (NESETA)) Regulations 2009 NES which do not need to be included in the District Plan.

For the above reasons, this option is <u>not</u> considered the most appropriate way to achieve the proposed objectives.

# 5.1.3 Summary

The evaluation above concludes that the current approach in the Operative District Plan is not the most effective way to achieve the Proposed District Plan objectives. Therefore, the preferred approach is the proposed one.

# 5.2 Evaluation of Proposed Policies and Methods

Building on the approach to evaluation in Section 3 of this report, including background research, analysis and technical assessments, and iterative process including public feedback on informal submissions to the Draft District Plan, this section of the report provides a summary evaluation of the provisions in terms of assessing their efficiency and effectiveness in achieving the objectives.

In undertaking this assessment, the emphasis is on the issues, and the policies and methods proposed to achieve the objectives surrounding the issue.

As per section 32(1)(c), the evaluation below contains a level of detail that corresponds to the scale and significance of the effects that are anticipated from the implementation of the provisions.

## 5.2.1 Network Utilities

Issue(s)	NU-I1 Essential Role of Network Utilities
	Network utilities have important functions and enable people and communities to provide for their health and safety and social, economic and cultural wellbeing, but can have adverse effects on the environment, often due to their technical, operational and location-specific requirements.
	Explanation
	Network utilities are physical resources which are an essential part of the District's infrastructure in providing for the efficient and ongoing functioning of the District and the social, economic and cultural well-being of people and communities, and for their health and safety. By their nature, network utilities vary in scale and significance, are located above and below ground, are dispersed throughout the District, and often have functional and/or operational needs in order to ensure a safe, efficient, secure and resilient service. This can generate specific locational requirements. The contribution to everyday life, to the economy and to connecting people and communities, including in emergencies, means that provision for the operation and development of network utilities is significant.
	NU-12 Adverse Effects of Network Utilities and Amateur Radio Configuration
	Some network utilities and amateur radio facilities can have adverse effects on the environment.
	Explanation
	Network utilities, particularly where small-scale and/or located underground, can have only a minor impact on the environment. Some network utilities and amateur radio facilities can, however, have adverse effects on the environment. These effects may result from land disturbance in establishing them, be generated by the operation itself, or be associated with their ongoing maintenance, upgrading or development. Such effects can include visual amenity and landscape character impacts, particularly where siting in prominent areas is required for transmission or service, risks to public health and safety, and generating nuisance such as noise, vibration, lighting and traffic effects.
	The effects of network utilities and amateur radio configuration can also have greater impact on residential environments than other areas, and on sites of significance throughout the District, such as significant natural areas, outstanding landscape features, historical heritage sites and sites of significance to Māori. The siting of network utilities and amateur radio facilities can also potentially worsen risk in areas subject to natural hazards. Sometimes these adverse effects have to be balanced alongside recognising any special technical requirements or constraints which may limit where a network utility can be sited.
Associated Objectives	NU-O1, NU-O2, NU-O4, LLRZ-O2, CE-O3, SUB-O1 and SUB-O2

Proposed Suite of Provisions		Effectiveness and Efficiency	
		Benefits	Costs
Policies: NU-P1 NU-P2	<ul> <li>Recognise the national, regional and local importance and benefits of network utilities, including as lifeline utitilies during an emergency, by:</li> <li>enabling the operation, maintenance, repair, minor upgrade or removal of network utilities throughout the District;</li> <li>providing for upgrades to, and the development of new, network utilities;</li> <li>providing flexibility for network utilities to adopt new technologies that improve access to and efficient use of networks and services, allow for re-use of redundant services or structures, increase resilience, safety or reliability, or result in environmental benefits and enhancements; and</li> <li>recognising the functional and operational needs of network utilities</li> </ul>	<b>Environmental:</b> The proposed provisions provide a consistent approach to managing potential adverse effects of network utilities and amateur radio configuration on the environment, including potential adverse effects on High Natural Character Areas, Outstanding Natural Features and Landscapes, ecosystems and indigenous biodiversity, Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Maori.	<b>Environmental:</b> Relatively permissive approach provides less control over potential adverse effects on the environment, and greater potential for a reduction in amenity values.
NU-P3 NU-P4	<ul> <li>utilities on the values and attributes of areas identified in the District Plan as:</li> <li>1. Historical Heritage Items (in HH-SCHED2) and Notable Trees (in TREE-SCHED4);</li> <li>2. Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Māori (in SASM-SCHED3);</li> <li>3. Significant Natural Areas (in ECO-SCHED5); and</li> <li>4. Outstanding Natural Features and Landscapes (in NFL-SCHED6); while recognising the extent to which adverse effects can be avoided, may be constrained by a network utility's functional or operational needs.</li> <li>Avoid significant adverse effects and remedy or mitigate other adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</li> <li>1. High Natural Character Areas (in CE-SCHED7); and</li> <li>2. Significant Amenity Features (in NFL-SCHED6).</li> <li>Manage the effects of network utilities on the environment by:</li> <li>1. avoiding, remedying or mitigating adverse effects on:</li> </ul>	Economic: More flexibility for network utility providers to locate and co-locate their activities and maintain/upgrade/replace as appropriate and provide safe and efficient services through the provision of network utilities that support a range of activities contributing to the economy. Less costs to network utility providers and amateur radio configuration operators, council and ratepayers for resource consent applications and associated compliance which could have a potential economic benefit.	Economic: No obvious economic costs associated with the proposed provisions.
	<ul> <li>a. natural and physical resources;</li> <li>b. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance;</li> <li>c. the safe and efficient operation of other network utilities, including effects on electricitiy transmission and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks;</li> <li>d. the health, well-being and safety of people and communities, including from exposure to radio-frequency fields and electric and magnetic fields, and by posing a significant risk or exacerbating an existing risk of natural hazards;</li> </ul>	Social: Activity-based provisions provide certainty to operators and the community about the expectations and associated activity status for network utilities and amateur radio configuration in certain areas and standards to manage adverse effects (consistent outcomes). The provisions are generally consistent with approach taken to network utilities and amateur radio in other district	Social: Potential for less community involvement in decision-making through a more permissive approach to the provision of network utilities and amateur radio configuration.

	<ol> <li>requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields and electric regions of the standards.</li> </ol>	plans, including the neighbouring Hastings and City of Napier District Plans.	
	<ul> <li>electric and magnetic fields;</li> <li>encouraging the progressive undergrounding of appropriate network utilitiesin new areas of development within the General Residential, Rural Lifestyle, Large Lot Residential and Settlement Zones and the</li> </ul>	Provides a clear decision-making framework for plan users.	
	systematic replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services within these areas, where this is technically and commercially viable;	More flexibility for network utility providers to locate and co-locate their activities and	
	4. encouraging the co-siting and sharing of masts, facilities, utility corridors and other innovative solutions within residential environments and roads, where technically feasible and practicable; and	maintain/upgrade/replace as appropriate and provide safe and efficient services and strong networks contributing to and supporting	
	<ol> <li>encouraging the removal of redundant and superseded network utility facilities.</li> </ol>	community wellbeing.	
NU-P6	To manage the effects of amateur radio configuration by designing, constructing and locating associated masts, poles and antennas and their support structures so as to avoid, remedy or mitigate adverse effects on:	Provision for amateur radio configuration may provide increased resilience in an emergency.	
	<ol> <li>residential character and amenity;</li> <li>Historical Heritage Items (in HH-SCHED2) and Notable Trees (in TREE-</li></ol>	Cultural:	Cultural:
	<ul> <li>SCHED4);</li> <li>Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Māori (in SASM-SCHED3);</li> </ul>	The proposed provisions within the NU – Network Utilities chapter, while stand-alone, defer to the	No obvious cultural costs associated with the provisions.
	<ol> <li>Significant Natural Areas (in ECO-SCHED5); and</li> <li>Outstanding Natural Features and Landscapes (in NFL-SCHED6).</li> </ol>	provisions and rules of the HH – Historic Heritage, TREE – Notable Trees, NFL - Natural Features and	
LLRZ-O2	To enable certain small-scale community and recreation facilities, and physical infrastructure, including educational facilities, and network utilities, to be located in the coastal settlements in a way which maintains and enhances the character and amenity of these settlements while providing for the social, and cultural wellbeing of people in the community, as well as their health and safety.	Landscapes, and SASM – Sites and Areas of Significance to Maori chapter in protecting Heritage Items, Notables Trees, Outstanding Natural Features and Landscapes, and Wāhi Tapu, Wāhi Taonga, Sites or Areas of Significance to Maori,	
CE-P5	To recognise that there are activities which have a functional need to locate and operate within the coastal environment, and provide for those activities in appropriate places.	which has a cultural benefit.	
SUB-P3	To allow the creation of lots of various sizes and dimensions for public works, network utility operations, renewable electricity generation, reserves and access.		
Methods:			
	Other Provisions in the District Plan		
	ions of the District Plan contain additional rules and standards applying to		
-	nd structures: HAZS – Hazardous Substances – controls the establishment of Major		
1.	Hazardous Facilities in the District.		
2.	HH – Historical Heritage and HH-SCHED2 – Schedule of Historical Heritage		
	Items – in areas containing these historical heritage sites.		

- SASM Sites and Areas of Significance to Maori and SASM-SCHED3 Schedule of Sites and Areas of Significance to Maori – in areas containing these sites of significance to tangata whenua.
- 4. TREE Notable Trees and TREE-SCHED4 Schedule of Notable Trees in areas containing these notable trees.
- ECO Ecosystems and Indigenous Biodiversity and ECO-SCHED5 Schedule of Significant Natural Areas – in areas containing these areas of significant indigenous vegetation or significant habitats of indigenous fauna.
- NFL Natural Features and Landscapes and NFL-SCHED6 Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features – in areas containing these features.
- CE Coastal Environment and CE-SCHED7 Schedule of Areas of High Natural Character – in areas containing identified high natural character in the coastal environment.
- 8. RE Renewable Energy sets direction for activities that convert renewable energy into electricity.
- 9. SUB Subdivision manages the control of subdivision of sites for the purpose of accommodating network utilities throughout the District.
- EW Earthworks controls the effects of earthworks associated with activities on the environment.
- 11. TRAN Transport relevant to activities requiring vehicular access, parking and loading.
- CL Contaminated Land contains planning controls that direct the requirement for consent or otherwise for activities on contaminated or potentially contaminated land.
- OSR Open Space and Recreation includes provisions relevant to establishment of cycleways and walkways located outside road reserve (being recreational activities that fall within the definition of 'community facilities').
- 14. LIGHT Light controls light emissions associated with activities.
- 15. NOISE Noise controls noise associated with activities.
- Designations allow land to be secured for public works or other projects and facilitate the establishment of what are often necessary or essential services. Legal roads within the District, including State Highways, are designated.

NU-M2 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

These Regulations set out a national framework of permissions and consent requirements for activities on the existing high voltage electricity transmission network (the National Grid) that existed as of 14 January 2010. The regulations categorise activities that relate to the operation, maintenance, upgrading, relocation, or removal of existing transmission lines. The NES does not apply to electricity distribution lines - the lines that carry electricity from regional substations to electricity users, as these activities are covered under the District Plan provisions.

NU-M3 Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

These Regulations apply to telecommunications infrastructure, such as cabinets,	
antennas, poles, small-cell units and telecommunications lines. In the case of conflict or	
perceived conflict with any provision of this plan, the NESTF provisions must prevail.	
NU-M4 Resource Management (National Policy Statement on Electricity	
Transmission) 2008	
This policy statement was promulgated in response to the need to operate, maintain,	
develop and upgrade the high voltage transmission network as a matter of national	
significance.	
NU-M5 Resource Management (National Policy Statement on Renewable Energy	
Generation) 2011	
The policy statement is intended to drive a consistent approach to planning for	
renewable electricity generation in New Zealand by giving clear government direction	
on the benefits of renewable electricity generation and requiring all councils to provide	
for it in their plans. The production of electricity will have a close relationship with the	
transmission of electricity from generators to substations.	
NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001	
(NZECP 34:2001)	
The Code of Practice sets minimum safe electrical distance requirements for overhead	
electric line installations and other works associated with the supply of electricity from	
generating stations to end users. The minimum safe distances have been set primarily	
to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.	
NU-M7 Electricity (Hazards from Trees) Regulations 2003	
The purpose of the Regulations is to protect the security of the supply of electricity, and	
the safety of the public, by prescribing distances from electrical conductors within which trees must not encroach and sets rules about who has responsibility for cutting or	
trimming trees that encroach on electrical conductors.	
•	
NU-M8 National Code of Practice for Utility Operators' Access to Transport Corridors	
The National Code of Practice for Utility Operators' Access to Transport Corridors. The Code of Practice will apply to the placement, maintenance, upgrading and removal of	
network utility structures in the road.	
NU-M9 Operating Code Standard for Pipelines – Gas and Liquid Petroleum (NZS/AS 2885)	
2885) This Standard ensures safe separation distances are maintained when establishing rules	
and considering applications for buildings, structures and other activities near the Gas	
Transmission Network.	
NU-M10 Engineering Code of Practice	
The Engineering Code of Practice (Central Hawke's Bay District Council utilises the	
Hastings District Council's Code of Practice (2011) – establishes guidelines for the design	
and construction of transport and service infrastructure which can be used as a means	
of compliance with the objectives, policies and rules of the District Plan.	
NU-M11 Liaison	
Consultation and communication with network utility operators.	
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#### NU – Network Utilities

Rules NU-R1, NU-R2 – provides for the operation, maintenance, replacement, removal, and minor upgrading of existing network utilities (that are not regulated by an NES) as a Permitted Activity, subject to compliance with standards. Where compliance is not achieved, a Restricted Discretionary Activity is required.

Rules NU-R3 and NU-R4 provides for the construction of new network utilities and upgrading of existing network utilities (not regulated by an NES) within the National Grid Yard (other than the reticulation and storage of water of irrigation purposes carried out by a network utility operator) and outside the National Grid Yard and as a Permitted Activity, subject to compliance with standards and conditions. Where compliance with standards NU-S1 to NU-S6 is not achieved, a Restricted Discretionary is required. Where compliance with standards NU-S7 (Radio Frequency Fields) and/or NU-S8 (Electric and Magnetic Fields) is not achieved, and/or the activity is within the National Grid Yard, a Non-Complying Activity resource consent is required.

Rule NU-R5 provides for cycleways and walkways within road reserve as a Permitted Activity, provided that the activity is not within the National Grid Yard. Where compliance is not achieved, a Non-Complying Activity resource consent is required.

Rule NU-R6 provides for amateur radio configuration as a Permitted Activity, subject to compliance with standards and conditions. Where compliance with standard NU-S9 is not achieved, a Restricted Discretionary Activity resource consent is required. Where the activity is within an Outstanding Natural Landscape or Outstanding Natural Feature identified in NFL-SCHED6, a Discretionary Activity resource consent is required. Where the activity does not comply with standard NU-S7 (Radio Frequency Fields) and/or it is located within the National Grid Yard, a Non-Complying Activity resource consent application is required.

Rule NU-R7 provides for electrical vehicle charging facilities located outside road reserve, subject to compliance with standards and conditions. Where compliance with standards NU-S1 to NU-S6 is not achieved, a Restricted Discretionary Activity resource consent is required. Where the activity is not installed in association with an existing permitted or consented vehicle park, vehicle depot or garage structure a Discretionary Activity resource consent is required. Where the activity does not comply with standards NU-S7 (Radio Frequency Fields) and/or NU-S8 (Electric and Magnetic Fields) is not achieved, and/or the activity is within the National Grid Yard, a Non-Complying Activity resource consent is required.

Rule NU-R8 provides for navigational aids, sensing and environmental monitoring equipment (including air quality and meteorological monitoring structures and devices) as a Permitted Activity, subject to compliance with standards and conditions. Where any of these activities are within the National Grid Yard, a Non-complying Activity resource consent is required.

Rule NU-R9 provide for activities not otherwise provided for (that are not regulated by an NES) as a Discretionary Activity.

Standard NU-S1 specifies limits for gross floor area and dimensions for above ground buildings and structures, antenna, and telecommunications cabinets and kiosks in the zones.

Standards NU-S2, NU-S3 and NU-S4 specify minimum setback distances from boundaries, maximum heights, and height in relation to boundary standards for above ground buildings and structures in the zones.	
Standard NU-S5 requires activities on sites greater than 200m <sup>2</sup> in area to comply with the relevant provisions of the TRAN – Transport chapter for access, parking and loading in all zones.	
Standard NU-S6 requires landscaping and/or screening of outdoor areas and permanently formed parking areas in the zones.	
Standards NU-S7 and NU-S8 specify standards for radiofrequency radiation and electric and magnetic fields.	
Assessment Matters NU-AM1 to NU-AM6 apply to discretionary activities that may be considered (among other factors), recognising that the Council's discretion is not restricted.	
<u>SUB-Subdivision</u>	
Rule SUB-R3 provides for creation of lots of any size for network utilities as a Controlled Activity, subject to compliance with standards SUB-S4 to SUB-S9.	
Opportunities for economic growth and employment	

Increased flexibility for the provision of network utilities could lead to improved services in the district, creating better economic and employment opportunities.

#### Summary of efficiency and effectiveness of the provisions in achieving the objectives

Provisions are effective as they provide for the efficient development, operation, maintenance and upgrade of network utilities. This approach will strike an appropriate balance between the need for affordable, effective, resilient and efficient network utilities and the need to avoid, remedy or mitigate the effects of such network utilities. This includes clearer policy direction, and explicit requirements for certain activities likely to generate adverse effects. The rules and standards reflect best practice and give effect to national policy direction (NPS-ET).

#### Network Utilities and Renewable Energy – Section 32 Topic Report – CHB District Plan Review

Issue(s) Associated Objectives	NU-I3       Effects of Other Activities on Network Utilities         New subdivision, land use and development may impact on the safe and efficient functioning of network utilities.         Explanation         New subdivision, land use and development in close proximity to existing network utilities can have the potential to constrain or compromise the efficient or effective operation, maintenance and development of those network utilities. In some instances, this can compromise health and safety through the location of sensitive activities close to network utilities, and through activities not adhering to safe clearances or safe distances from network utilities e.g. from electricity transmission networks (including the National Grid), high pressure gas network, overhead lines and cables, navigational aids, road and railway corridors etc.         NU-O3 and SUB-O4	
Proposed Suite of Provisions	Effectiveness	and Efficiency
	Benefits	Costs
<ul> <li>Policies:</li> <li>NU-P5 To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by: <ol> <li>managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility;</li> <li>managing new activities that are sensitive to noise adjoining the railway corridor, the national and regional road network, and within any defined noise contour to avoid reverse sensitivity effects;</li> <li>managing light spill and glare from activities in the vicinity of gas transmission pipelines;</li> <li>managing land use development (including sensitive activities).</li> </ol> </li> </ul>	<ul> <li>Certainty to the network utility providers that potential reverse sensitivity effects on physical resources of local, regional and/or national importance will be avoided or mitigated.</li> <li>Economic:</li> <li>Economic benefits from the protection of network utilities (the National Grid, Gas Transmission Network, State Highways, roads and the Rail Network) from activities which have the potential to compromise the efficient operation and</li> </ul>	Environmental:         No obvious environmental costs associated with the proposed provisions.         Economic:         Increased costs for landowners applying for resource consents for activities close to network utilities.         Reduced development potential for landowners, with a potential loss of land value.
<ul> <li>buildings, structures and subdivision near the National Grid, within the National Grid Yard, or around a designated National Grid substation;</li> <li>7. managing land disturbance, land use development and buildings to maintain safe electrical clearance distances under electricity distributions lines and support structures; and</li> <li>8. ensuring subdivision of sites containing a network activity retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility.</li> <li>SUB-P17 To ensure, to the extent practicable, subdivision design that takes into account the location of regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established</li> </ul>	Social: Protection of network utilities from other activities can reduce the potential exposure to health and safety risks. Cultural: No obvious cultural benefits associated with the	Social:         Reduced flexibility for landowners to develop their land unhindered.         Cultural:         No obvious cultural costs associated with the proposed provisions.

SUB-P18	To ensure, to the extent practicable, subdivision design that ensures that resulting land use activities (including building platforms) will not affect the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities.	
Methods:		
	Other Provisions in the District Plan tions of the District Plan contain additional rules and standards applying to and structures:	
	GRUZ – General Rural Zone, RPROZ – Rural Production Zone, RLZ – Rural Lifestyle Zone, GRZ - General Residential Zone, SETZ – Settlement Zone, COMZ – Commercial Zone, and GIZ – General Industrial Zone: Standards setting minimum setbacks for buildings from road boundaries and the Rail Network Boundary, and Assessment Matters for Discretionary Activities in relation to setback from roads and Rail Network. LLRZ – Large Lot Residential Zone: standard (LLRZ-S4) requiring a minimum setback distance for buildings from roads. GRUZ – Rural Zone and RPROZ – Rural Production Zone: standards requiring activities to be setback minimum distances from the gas transmission network and from the National Grid. TRAN – Transport: relevant to activities requiring vehicular access, parking and loading. Designations: allow land to be secured for public works or other projects and facilitate the establishment of what are often necessary or essential services. Legal roads within the District, including State Highways, are designated.	
The Engir Hastings [ and const	Engineering Code of Practice leering Code of Practice (Central Hawke's Bay District Council utilises the District Council's Code of Practice 2011) – establishes guidelines for the design ruction of transport and service infrastructure which can be used as a means ance with the objectives, policies and rules of the District Plan.	
NU-M11 Consultat	Liaison on and communication with network utility operators.	
<u>SUB – Sub</u>	<u>division</u>	
	SUB-S4(2) - (5) relate to subdivision of land within the National Gid Subdivision nd/or containing the Gas Transmission Network.	
	wing assessment matters apply to discretionary activities that may be d (among other factors), recognising that the Council's discretion is not	
for discret	applies to the potential for reverse sensitivity issues where building platforms ionary activities are proposed to be located within close proximity to existing ted network utility activities.	
	applies to discretionary subdivision activities resulting in the creation of new n 100m of the State Highway Network.	
	includes a general assessment matter for discretionary subdivision activities, er the potential effects on the safe and efficient operation of network utilities.	

SUB-AM10 is to consider whether there is a need for easement to meet network utility operator requirements. SUB-AM17 and SUB-AM18 relate to subdivisions with building platforms and/or vehicle access within the National Grid Subdivision Corridor and/or within proximity of the Gas Transmission Network.	
Opportunities for economic growth and employment	

Protection of network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities could lead to improved services in the district, creating better economic and employment opportunities.

#### Summary of efficiency and effectiveness of the provisions in achieving the objectives

This approach is considered to be efficient and effective as it provides clear direction and tailored provisions to manage potential reverse sensitivity effects on network utilities to address Issue NU-I3. Only those activities which have potential to compromise the network utility are managed. It will ensure the ongoing efficient use, operation, maintenance of network utilities and manage potential health and safety effects on the community.

# 5.2.2 Renewable Energy

lssue(	s)	There are no issues.	
Associated Objectives Proposed Suite of Provisions		RE-O1, RE-O2, CE-O3, and SSB-O1 Effectiveness and Efficiency	
Policies RE-P1 RE-P2	<ul> <li>To provide for the use and development of renewable energy resources of the District for electricity generation in recognition of the particular local, regional and national benefits in relation to climate change, national energy production and social and economic wellbeing.</li> <li>To provide for the identification, investigation, establishment, development, upgrading, operation and maintenance of new and existing renewable electricity generation activities in a manner that supports the protection of the District's:</li> <li>1. High Natural Character Areas (in CE-SCHED7); and</li> <li>2. Outstanding Natural Features and Landscapes (in NFL-SCHED6).</li> </ul>	Environmental: Contributes to achieving the national renewable electricity generation targets in relation to reducing greenhouse gas emissions from electricity generation activities involving fossil fuels, as a result of generating the electricity from renewable resources instead. These benefits will be realised at global and national scales. Direct environmental benefits may also be derived from the provisions which allow for small and community scale renewable electricity generation	Environmental: There are some potential adverse environmental effects associated with permitting renewable electricity generation activities.

	To recognise the environmental, functional, operational and technical constraints of managing new and existing renewable electricity generation activities.	activities. These will primarily be smaller scale wind turbines and solar panels. These smaller scale	
RE-P4	To provide for small-scale renewable electricity generation activities.	activities will often be able to be developed	
	To protect renewable electricity generation activities from reverse sensitivity effects.	attached to existing structures, or within more developed areas, where the sensitivity to such	
	To recognise that in some circumstances not all significant environmental effects of renewable electricity generation activities can be avoided or remedied. In determining if a proposal is consistent with sustainable management, regard will be had to any environmental compensation or mitigation measures offered by the applicant as part of the proposal.	structures is relatively low. The overall environmental effects of many distributed renewable electricity generation activities can be lower than the effects of larger centralised activities.	
	To recognise that there are activities which have a functional need to locate and operate within the coastal environment, and provide for those activities in appropriate places.	The proposed provisions provide a consistent approach to managing potential effects of	
	To promote the installation of solar panels on buildings.	renewable energy activities on the environment,	
Methods		including potential adverse effects on High Natural	
panels or to bound	s included in the provisions for each zone that (e.g. GRZ-S3) that exempt solar solar hot water systems (and associated hardware) from the height in relation ary standards, provided that the panels do not protrude more than 500 mm surface of a roof.	Character Areas, Outstanding Natural Features and Landscapes, ecosystems and indigenous biodiversity, Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Maori.	
RE – Rene	ewable Energy	Economic:	Economic:
RE-M1 Sets out	National Policy Statement on Electricity Transmission	Feenemie herefite of the proposed provisions	No additional economic costs associated with the
to guide of of resour considerin RE-M2	an objective and policies to enable the management of the effects of the transmission network under the RMA. The objective and policies are intended decision-makers in drafting plan rules, in making decisions on the notification rec consents, in the determination of resource consent applications, and in ng notices of requirement for designations for transmission activities. National Environmental Standard for Electricity Transmission polyces for the National Constitution for the National environmental Standard for electricity Transmission polyces for the National design the National design of the National design	Economic benefits of the proposed provisions relate to the provision of a range of renewable electricity generation activities and the associated increase in certainty provided. The provisions enable the on-going operation,	proposed provisions. Under the current Operative District Plan, there are no provisions relating specifically to the use and development of renewable energy resources
to guide of of resour considerin RE-M2 Provides Grid. The	r transmission network under the RMA. The objective and policies are intended decision-makers in drafting plan rules, in making decisions on the notification ce consents, in the determination of resource consent applications, and in ng notices of requirement for designations for transmission activities.	relate to the provision of a range of renewable electricity generation activities and the associated increase in certainty provided. The provisions enable the on-going operation, maintenance and upgrading of existing, lawfully established Renewable Electricity Generation	proposed provisions. Under the current Operative District Plan, there are no provisions relating specifically to the use and development of renewable energy resources in the District, and a Discretionary Activity resource consent would be required for a wind
to guide of of resour considerin RE-M2 Provides Grid. The upgrading RE-M3 (NZECP 3- Sets min installatio stations t	y transmission network under the RMA. The objective and policies are intended decision-makers in drafting plan rules, in making decisions on the notification ce consents, in the determination of resource consent applications, and in ng notices of requirement for designations for transmission activities. National Environmental Standard for Electricity Transmission national environmental standards for electricity transmission for the National Regulations categorize activities that relate to the operation, maintenance, g, relocation or removal of existing transmission lines. New Zealand Electricity Code of Practice for Electricity Safety Distances 2001	relate to the provision of a range of renewable electricity generation activities and the associated increase in certainty provided. The provisions enable the on-going operation, maintenance and upgrading of existing, lawfully	proposed provisions. Under the current Operative District Plan, there are no provisions relating specifically to the use and development of renewable energy resources in the District, and a Discretionary Activity

These Regulations apply to telecommunications infrastructure, such as cabinets, antennas, poles, small-cell units and telecommunications lines. In the case of conflict or perceived conflict with any provision of this plan, the NESTF provisions must prevail. NU-M4 Resource Management (National Policy Statement on Electricity Transmission) 2008 This policy statement was promulgated in response to the need to operate, maintain, develop and upgrade the high voltage transmission network as a matter of national significance. NU-M5 Resource Management (National Policy Statement on Renewable Energy Generation) 2011 The policy statement is intended to drive a consistent approach to planning for renewable electricity generation in New Zealand by giving clear government direction on the benefits of renewable electricity generation and requiring all councils to provide for it in their plans. The production of electricity will have a close relationship with the transmission of electricity from generators to substations. NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001) The Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from	subject to standards. This may also reduce costs for electricity use at a domestic level. The economic benefits may flow on to indirect positive effects at a regional and national level through reduced reliance on imported fuels. <b>Social:</b> Social benefits associated with the increased health and wellbeing of people and communities through potential increased renewable electricity generation activities and the reduced adverse effects on the environment (e.g. air quality) associated with the reduced use of fossil fuels. There will be social benefits from people having the choice to generate more affordable electricity through domestic scale electricity generation for their homes.	Social: No obvious social costs associated with the proposed provisions.
<ul> <li>NU-M7 Electricity (Hazards from Trees) Regulations 2003</li> <li>The purpose of the Regulations is to protect the security of the supply of electricity, and the safety of the public, by prescribing distances from electrical conductors within which trees must not encroach and sets rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors.</li> <li>NU-M8 National Code of Practice for Utility Operators' Access to Transport Corridors.</li> <li>The National Code of Practice for Utility Operators' Access to Transport Corridors.</li> <li>Code of Practice will apply to the placement, maintenance, upgrading and removal of network utility structures in the road.</li> <li>NU-M9 Operating Code Standard for Pipelines – Gas and Liquid Petroleum (NZS/AS</li> </ul>	<b>Cultural:</b> The proposed provisions within the RE – Renewable Energy chapter, while stand-alone, defer to the provisions and rules of the HH – Historic Heritage, TREE – Notable Trees, NFL - Natural Features and Landscapes, and SASM – Sites and Areas of Significance to Maori chapter in protecting Heritage Items, Notables Trees, Outstanding Natural	Cultural: No obvious cultural costs associated with the proposed provisions.
<ul> <li>2885)</li> <li>This Standard ensures safe separation distances are maintained when establishing rules and considering applications for buildings, structures and other activities near the Gas Transmission Network.</li> <li>NU-M10 Engineering Code of Practice</li> <li>The Engineering Code of Practice (Central Hawke's Bay District Council utilises the Hastings District Council's Code of Practice 2011) – establishes guidelines for the design and construction of transport and service infrastructure which can be used as a means of compliance with the objectives, policies and rules of the District Plan.</li> <li>NU-M11 Liaison</li> <li>Consultation and communication with network utility operators.</li> </ul>	Features and Landscapes, and Wāhi Tapu, Wāhi Taonga, Sites or Areas of Significance to Maori, which has a cultural benefit.	

Rule RE-R1 provides for small-scale Renewable Energy Generation Activities as a Permitted Activity, subject to compliance with standards. Where compliance with the standards is not achieved, a Restricted Discretionary resource consent is required.	
Rule RE-R2 provides for works or activities associated with the on-going operation, maintenance or upgrading of existing, lawfully established Renewable Electricity Generation Activities as a Permitted Activity, where the works or activities are fully contained within the originally consented or authorised footprint of the existing renewable electricity generation activity they are ancillary to. Where compliance with the standards is not achieved, a Discretionary Activity resource consent is required.	
Rule RE-R3 provides for wind monitoring masts as a Permitted Activity where their height is limited to 80m, they are set back at least 500m from the boundaries of the site, they are not located within a High Natural Character Area, or Outstanding Natural Feature or Landscape, identified on the Planning Maps and in NFL-SCHED6 and CE-SCHED7, are not located within the National Grid Yard, a notice of commencement is submitted to Council prior to construction of the masts, and the mast and all associated equipment is removed within 5 years of the date of the notice of commencement. Where compliance with the standards is not achieved, a Restricted Discretionary Resource Consent is required.	
Rule RE-R4 provides for the construction and commissioning of new Renewable Electricity Generation Activities as a Discretionary Activity.	
Standards RE-S1 to RE-S5 apply to small scale energy generation activities, that relate to height of buildings and structures, height in relation to boundary, setbacks from roads and neighbours, light and noise.	
Assessment matters RE-AM1 to RE-AM5, that the Council may consider for Discretionary Activities (among other factors), although Council's assessment is not restricted to these matters.	
SSB – Sustainable Subdivision and Building	
SSB-M1 exempting domestic solar panels from having to comply with the height in relation to boundary performance standard in any zone.	
ECO – Ecosystems and Indigenous Biodiversity	
<ul> <li>Rule ECO-R3 provides for the trimming or clearance of indigenous vegetation inside any area of significant indigenous vegetation and/or significant habitat of indigenous fauna (excluding natural wetlands) as a Permitted Activity, subject to compliance with conditions, including being: <ul> <li>a. Limited to (whichever is the lesser):</li> </ul> </li> </ul>	
<ul> <li>clearance of no more than 500m<sup>2</sup> of indigenous vegetation per site per calendar year; or</li> <li>clearance of no more than 1% of the area of a Significant Natural Area</li> </ul>	
identified in ECO-SCHED5 per calendar year; OR	
<ul> <li>b. Limited to trimming or clearance that is:</li> <li>i. required to achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003; or</li> </ul>	
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<ul> <li>vi. necessary to provide for the ongoing safe and efficient operation, maintenance and upgrading of telecommunication, radio communication and other network utilities, but excluding their expansion, where carried out by the respective network utility operator;</li> <li>Where compliance is not achieved, a Discretionary Activity resource consent is required.</li> </ul>	
SASM – Sites and Areas of Significance to Maori	
Rule SASM-R3 provides for any maintenance, replacement, or repair of existing network utilities within a site identified in SASM-SCHED3 as a Permitted Activity where no activity is to destroy, damage or modify a wāhi tapu, wāhi taonga or site of significance, including any excavation, modification or disturbance of the ground containing the wāhi tapu, wāhi taonga or site of significance. Where compliance is not achieved, a Restricted Discretionary Activity resource consent is required.	

#### Opportunities for economic growth and employment

Enabling small scale renewable electricity generation activities as a Permitted Activity may enable people to provide services designing, engineering, producing, installing and servicing structures and components for those activities, increasing employment opportunities.

The anticipated flow-on effect is that more people, communities or organisations may decide to develop renewable electricity generation activities, which would result in employment and market growth in renewable electricity generation technology.

#### Summary of efficiency and effectiveness of the provisions in achieving the objectives

The proposed provisions are considered likely to be highly effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objectives. The provisions give effect to the RPS and the NPS-REG, and recognise and provide for the environmental, social, economic and cultural benefits of renewable electricity generation activities, while ensuring their appropriate management, including minimising their adverse effects.

# 5.3 Adequacy of Information and Risks of Acting or Not Acting

Section 32(2)(c) states that an evaluation report must assess the risk of acting of not acting if there is uncertain or insufficient information about the subject matter of the provisions.

For most matters relating to the rural environment, the Council has sufficient information to determine the provisions. Therefore, there is no assessment of risk associated with acting or not acting in respect of these associated provisions in the Proposed District Plan.

# 5.4 Quantification

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Exact quantification of the costs and benefits was not considered practicable, given the application of the provisions across the District and the differing circumstances that will apply through the life of the Plan. Any attempt at quantifying the costs and benefits would therefore be speculative and would not provide any real assistance in assessing the proposed provisions.

# 6 Summary and Conclusion

This evaluation has been undertaken in accordance with Section 32 of the Act to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objectives and policies provide direction and certainty to plan users on the outcomes expected for network utilities, amateur radio configuration and renewable electricity generation activities, including recognition of the functional, locational and operational needs of network utilities and renewable energy generation activities and the management of adverse effects. The clear decision-making framework will lead to consistent outcomes.
- The provisions provide for the effective operation, maintenance, replacement, removal, and minor upgrading of existing network utilities, while managing adverse effects, and protects network utilities (the National Grid, Gas Transmission Network, State Highways, roads and the Rail Network) from adverse reverse sensitivity effects of incompatible activities.
- Rules provide certainty to network utility operators, amateur radio configuration operators and the community about the type and scale of activities that can occur as Permitted Activities and provide increased flexibility to operators to reflect emerging technologies.
- There will be environmental, economic and social benefits from rules that give people the choice of generating more affordable electricity through domestic-scale electricity generation for their homes.
- Activities requiring resource consent are limited to those that have potential for adverse effects on the environment, which enables a case-by-case assessment.
- The objectives and policies give effect to the NPS-REG, NPSET and RPS, are consistent with NESET and NESTF, and are aligned with best practice in other second generation plans throughout New Zealand, including the neighbouring Hastings District Plan and City of Napier District Plan.
- The provisions for renewable energy will contribute to achieving the national renewable electricity generation targets in relation to reducing greenhouse gas emissions from electricity generation activities involving fossil fuels, by generating the electricity from renewable resources instead. These benefits will be realised at global and national scales.

Overall, it is considered that the proposed provisions are appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting them. The risks of acting are also clearly identifiable and limited in their extent.