



**RANGITIKEI**  
DISTRICT COUNCIL

1 June 2023

Ministry of Business Innovation and Employment  
MBIE Energy & Resource Markets  
25 The Terrace  
Wellington 6011

*Submitted via: [electricityRMA@mbie.govt.nz](mailto:electricityRMA@mbie.govt.nz)*

Tēnā Koutou,

### **Rangitikei District Council Submission**

Rangitikei District Council (Council) thanks the Ministry of Business, Innovation and Employment (the Ministry) for the opportunity to comment on proposed changes to the regulatory system for electricity transmission and renewable energy.

We note the government is proposing changes to strengthen national direction on renewable electricity generation and electricity transmission through amending the National Policy Statement for Renewable Electricity Generation (NPS-REG), the National Policy Statement on Electricity Transmission (NPS-ET), the National Environmental Standards for Electricity Transmission Activities (NES-ETA), and the implementation of a new National Environmental Standard for Renewable Electricity Generation (NES-REG).

Our submission focuses on the proposals related to renewable electricity generation.

Council recognises the important role renewable energy will have in meeting the country's emission reduction targets. While Council is supportive of the need for more investment in renewable energy and greater efficiency in consenting processes, we are disappointed that the proposed changes have taken a siloed approach to addressing the identified issue, rather than a more holistic and comprehensive approach.

Climate change and global warming is a significant challenge. The government has a responsibility to ensure that we are meeting our international obligations, but it is also important to ensure that New Zealand's resources are managed in a sustainable way and that the needs and well-being of New Zealanders are provided for.

Council considers the proposed national resource management framework should better balance the need to increase renewable energy generation with the need to ensure that our most highly productive and versatile land can continue to be used for a range of primary productive purposes. It should also recognise and provide for the protection of our most significant landscapes. For clarity, Council does not consider all landscapes should be protected, but rather those of the highest cultural significance and/or those that form part of

*Making this place home.*

our national identity. The proposed changes to the NPS-REG and the new NES-REG take a step too far to prioritise and enable renewable energy generation over almost everything else.

### **National Policy Statement for Renewable Electricity Generation**

The amendments to the NPS-REG seek to enable ‘*renewable electricity generation in activities in areas with significant environmental values*’ by providing new consenting pathways and enable renewable electricity generation activities in other areas.

Council considers that the wording of policy statement 3 should be strengthened to ensure that sites of cultural significance are protected.

*Policy 3: Māori interests in relation to REG activities are recognised and provided for, including through early engagement, protection of sites of significance, and through enabling small and community-scale REG activities.*

Council agrees with the principle of this policy. However, the wording should be more directive to ensure that sites that are of cultural significance to mana whenua are protected by avoiding REG activities in these areas.

Council supports enabling small and community-scale REG activities.

**Recommendation: That Policy 3 is reworded to provide greater protection to sites of cultural significance.**

Council opposes the incorporation of Policy 4 into the NPS:

*Policy 4 It is recognised that REG activities may need to take place in areas with significant environment values and, where adverse effects remain after applying the effects management hierarchy, REG activities are enabled if the national significance and benefits of the REG activities outweigh those remaining adverse effects.*

Council considers that areas protected as ‘Outstanding Natural Features and Landscapes’ are important to our local, regional, and national identity. Our Outstanding Natural Features and Landscapes provide benefits across all areas of wellbeing – supporting ecological health, cultural wellbeing, economic activity (e.g. tourism), and a community’s sense of place and identity. While we recognise that not every beautiful landscape or area of environmental significance warrants protection, our most significant cultural and natural features and landscapes should be preserved for future generations. The proposed changes to the NPS-REG do not adequately provide for this.

The consultation document indicates that the changes to the NPS-REG aim for this to be a more balanced but directive national policy statement. However, to achieve a more balanced approach, government should be establishing bottom lines and taking a more consistent approach with the proposed resource management framework. Council suggests this could be done by “freeing up” more areas of environmental significance but balancing this by providing greater protection of the most significant Outstanding Natural Features and Landscapes.

Although Council does not necessarily agree with any of the options identified in relation to Policy 4, Option 1 is the Council's preference at this time as it will provide the best protection of the most significant Outstanding Natural Features and Landscapes.

Clause 3.6 of the NPS-REG references a hierarchy framework for management for areas with significant environmental values which moves from avoiding, minimising, remedying, offsetting, through to compensation. It is unclear who or how compensation would be calculated or applied.

<p><b>Recommendation: That Policy 4 in the NPS-REG is deleted and replaced with a more balanced policy. A policy that enables REG activities to establish more easily in some areas with significant environmental values but also provides greater protection to our most significant Outstanding Natural Features and Landscapes.</b></p>
---

Council opposes the incorporation of Policy 5 into the NPS-REG:

*Policy 5: In areas that are not areas with significant environment values, REG activities are enabled provided any adverse effects on the values of those areas, including on local amenity values, are avoided, remedied, or mitigated to the extent practicable.*

While Council agrees that renewable electricity generation should be better enabled. Council considers this needs to occur within a holistic decision-making framework which ensures positive outcomes for our communities now and in the future.

We are particularly concerned that there may be intent to override the recently enacted National Policy Statement Highly Productive Land (NPS-HPL) and the requirement for consideration and management of potential adverse effects on our most versatile productive land. Highly productive land is not generally within areas of 'significant environmental values'. However, highly productive land is a finite and extremely important resource.

Our district, like many across New Zealand, is seeing solar farms establishing and we recognise this is necessary to meet the government's stated targets. However, locally these will largely be constructed on highly productive land as much of the flatter, rolling farmland within the Rangitikei District is LUC Class 1, 2 or 3 land. Solar farms severely constrain the type of primary production activities that can occur on the land in conjunction with them. As such the versatility of the land is lost where a solar farm establishes on highly productive land.

The agricultural and horticultural industries are coming under increased strain from many factors (e.g. urban sprawl, stricter controls on the use of nutrients, availability of water, and global warming). While there is a need for these industries to operate in a more environmentally friendly and sustainable way, providing for fresh produce to continue to be grown on our shores now and in the future is important. Fresh produce is a basic need and greater reliance on imported produce would have negative implications for global carbon emissions as well.

The NPS-HPL provides a pathway for renewable energy generation (specified infrastructure) to establish on highly productive land with very few limitations. It requires some consideration of cumulative effects and reverse sensitivity which is appropriate. We recommend that the NPS-REG is consistent with the NPS-HPL and only facilitates the provision

of REG on highly productively land where there is a functional and operational need for it to be there, and where the cumulative and reverse sensitivity effects can be addressed.

More generally in relation to the wording of policy 5 Council requests the removal of the words “to the extent practicable”. Adverse effects should be avoided, remedied, or mitigated. This provides substantial scope for applicants to address effects and ensures that where effects are not able to be avoided or remedied then they are at least mitigated.

**Recommendation: That the NPS REG clarifies its intended relationship with the NPS-HPL, particularly in relation to ‘specified infrastructure’ and Clause 3.9.**

**Recommendation: That Policy 5 in the NPS-REG is revised to remove the words “to the extent practicable”.**

Council opposes the inclusion of “where practicable” in Policy 7.

*Policy 7: Reverse sensitivity effects on REG activities are avoided or mitigated where practicable.*

Adverse reverse sensitivity effects should either be avoided or mitigated. Providing for mitigation gives substantial scope to an applicant.

**Recommendation: That the wording ‘where practicable’ is removed from Policy 7.**

### **NES Renewable Electricity Generation**

Council notes the proposal to create an NES-REG. We do not oppose the creation of an NES, however, request amendment to the draft provisions.

Council is opposed to the draft provisions outlined in Table 12 on page 52 of the consultation document.

While Council is not opposed to a more lenient approach being taken to providing for the minor upgrade of existing renewable energy infrastructure the provisions proposed go beyond what we would consider “minor upgrades” and fail to provide timeframe limitations to ensure this could not be used by renewable energy companies/providers to undertake incremental but major upgrades without needing consent. The proposed provisions also fail to require the ‘minor upgraded areas’ to adhere to the conditions of consent that will be in place for the existing operation.

If the government is going to introduce such a lenient pathway where existing renewable energy generators can expand an operation by 10% as a permitted activity, then this should at a minimum come with a timeframe to prevent a series of 10% “minor upgrades” occurring in rapid succession to avoid the need to go through a consent process.

Council also considers the consent pathway proposed should be consistent with that proposed by the new resource management system (i.e. permitted, controlled and discretionary) to reduce the need to revise the framework as we move to the new system.

The list of matters of discretion for the proposed “restricted discretionary” consent pathway is lacking and should be extended to include matters such as adverse effects on cultural and historic sites of significance, and effects on ecology and biodiversity.

Council also requests the ability to include more stringent rules for Outstanding Natural Features and Landscapes and that the NES is aligned with the NPS-HPL.

**Recommendation: That the draft provisions outlined in Table 12 of the consultation document should be reconsidered. As a minimum a timeframe should be added to avoid multiple 10% upgrades occurring in quick succession.**

**Recommendation: That the activity statuses used should be consistent with the Natural and Built Environment statuses.**

**Recommendation: That the matters of discretion are revised and extended.**

**Recommendation: That Councils are enabled to implement more stringent rules for the nation’s most Outstanding Natural Features and Landscape.**

**Recommendation: That the NES reflects the intent of existing national direction, particularly the NPS-HPL, to protect highly productive land (particularly for Class 1 and 2 soils) recognising these as a finite resource that should be protected for production purposes for the social, economic, and environmental benefit of New Zealand.**

Ngā mihi



Andy Watson  
**Mayor of the Rangitīkei District**