

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of Proposed Change to the
Horowhenua District Plan (Plan
Change No.22) by the Horowhenua
District Council

Statement of Evidence of Ben Farrell
For and on behalf of the New Zealand Wind Energy Association



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1 Introduction

- 1.1 My name is Ben Farrell. I am a senior environmental planner and have practiced in this field for the past 8 years. I hold a Bachelor of Resource Management (2002) and a Master of Environmental Policy and Planning *Hons* (2004) from Lincoln University, Canterbury. I am a member of the New Zealand Planning Institute and a former chairman of the Institutes Wellington Branch. I am also a member of the New Zealand Resource Management Law Association.
- 1.2 I am employed (part time) by the New Zealand Wind Energy Association ('NZWEA' or 'Association') as its Senior Environmental Planner and Project Manager Guidelines. I am concurrently a self employed independent planning consultant. I have held these positions since August 2010.
- 1.3 At NZWEA I am responsible for preparing Best Practice Wind Farm Development Guidelines for New Zealand. My role at NZWEA entails promoting, encouraging and enabling the uptake of wind energy in New Zealand both within the wind industry and to a wide range of stakeholders including Government, regulators and the public. My role exposes me to a wide range of wind industry interests and activities and policy development under the Resource Management Act 1991 ('RMA'). Since August 2011 I have participated in stakeholder discussions associated with the development of the National Policy Statement for Renewable Electricity Generation (NPSREG), its implementation guidance, and its monitoring and evaluation programme (being led by MfE).
- 1.4 In this matter I am representing NZWEA¹. I have the authority of the Association to provide this evidence on its behalf. While the opinions expressed in my evidence can be considered representative of NZWEA members my opinion may not necessarily reflect the opinions of each individual member.

¹Refer the NZWEA submission for a background about NZWEA.

2 Scope of Evidence

- 2.1 My evidence focuses on two aspects of NZWEA's primary submission and matters arising from the s42A Hearing Report in relation to the NPSREG:
- (a) That NZWEA supports the identification of the revised outstanding natural features and landscapes ('ONFLs') in the District Plan because it provides certainty to renewable electricity generation developers about the significant values associated with those areas.
 - (b) That the District Plan needs to provide for potential renewable electricity generation development (namely wind farms) in ONFL's and High Amenity (Hill Country) Areas to accord with the NPSREG. This can be achieved by giving appropriate recognition to the renewable energy resources located within the Horowhenua District and, consequently listing the development, maintenance, operating, and upgrading of renewable electricity generation activities as a Discretionary Activity under the District Plan.
- 2.2 Both of these issues are examined in further detail below. My evidence also includes a brief summary overview of the value of electricity and the Renewable Electricity Generation Policy Context.
- 2.3 My evidence does not address all of the matters raised in NZWEA's primary submission. Rather, this evidence focuses on two of the major concerns for NZWEA which have arisen from the Council's s42A Report and the NPSREG. For completeness, NZWEA requests that all matters sought in its primary submission be accepted for the reasons provided.
- 2.4 In writing this evidence I have read and refer to the NZWEA submission, Council's s42A report and attachments, the RMA, and the NPSREG.

3 The value of electricity

- 3.1 Electricity is used in every aspect of life in New Zealand. It is essential for the functioning of urban and rural communities, supporting business, industry and agriculture. Our houses and lifestyles are dependent upon electricity to maintain a healthy and secure environment, providing such essential amenities as hot water, home lighting and heating. There are alternative methods to supply energy to homes and businesses but electricity remains, and will remain, the primary energy source for these purposes.

- 3.2 Electricity and its generation from renewable energy resources (including wind), is essential to enable people and communities to provide for the social and economic well being and for their health and safety: a central premise of sustainable management as defined in section 5 of the RMA. The importance of renewable electricity generation warrants consideration when District Plan changes are developed to ensure that provisions seeking to protect environmental values, such as those values associated with landscape, do not inappropriately prevent people and communities from accessing the benefits to well being, and health and safety.

4 The Renewable Electricity Generation Policy Context

- 4.1 There is a significant policy framework which identifies the value of electricity, and its generation from renewable energy to people and communities.

New Zealand Energy Strategy

- 4.2 In October 2007, the government adopted the first New Zealand Energy Strategy (NZES) in response to the fact that New Zealand's energy demand has been growing steadily for many years and this trend is forecast to continue. The first NZES stated that New Zealand must confront two major energy challenges as it meets growing energy demand over the period to 2050. The first is to respond to the risks of climate change by reducing greenhouse gas emissions caused by the production and use of energy. The second is to deliver clean, secure, affordable energy while treating the environment responsibly.
- 4.3 A second (and current) NZES was adopted by the government in August 2011 and identified two energy challenges being energy security and responding to climate change. The NZES recognises that energy is an essential input into all sectors and states that New Zealand has extensive renewable opportunities with renewable energy a key focus for the Strategy.
- 4.4 One of the four priority areas for the NZES is diverse resource development which sets the renewable electricity target as follows:

“The Government retains the target that 90 percent of electricity generation be from renewable sources by 2025 (in an average hydrological year) providing this does not affect security of supply...”

- 4.5 This target is re-emphasised in the New Zealand Energy Efficiency and Conservation Strategy 2011-2016² and this target underpins the NPSREG.

National Policy Statement for Renewable Electricity Generation

- 4.6 The NPSREG preamble confirms the importance of renewable electricity generation and states, among other things, *“the contribution of renewable electricity generation, regardless of scale, towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment. In considering the risks and opportunities associated with various electricity futures, central government has reaffirmed the strategic target that 90 per cent of electricity generated in New Zealand should be derived from renewable energy sources by 2025 (based on delivered electricity in an average hydrological year) providing this does not affect security of supply.”*
- 4.7 The NPSREG states that *“the need to develop, upgrade, maintain and operate renewable electricity generation activities throughout New Zealand”* is a matter of national significance.
- 4.8 The NPSREG contains six main policies under the following headings:
- (a) Recognising the benefits of renewable electricity generation activities.
 - (b) Acknowledging the practical implications of achieving New Zealand’s target for electricity generation from renewable resources.
 - (c) Acknowledging the practical constraints associated with the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities.
 - (d) Managing reverse sensitivity effects on renewable electricity generation activities.
 - (e) Incorporating provisions for renewable electricity generation activities into regional policy statements and regional and district plans.
 - (f) Incorporating provisions for small and community-scale renewable electricity generation activities into regional policy statements and regional and district plans.
 - (g) Enabling identification of renewable electricity generation possibilities.

2 Refer to New Zealand Energy Efficiency and Conservation Strategy 2011-2016 at p18.

RMA Section 7(j)

- 4.9 In addition to the NPSREG, section 7(j) states “*all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to... the benefits to be derived from the use and development of renewable energy*”.

5 Identifying ONFL’s in the District Plan

- 5.1 NZWEA commends the Council for identifying the District’s ONFL’s in the District Plan following a robust and transparent assessment process.
- 5.2 Identifying ONFL environments (i.e. those that are to be protected from inappropriate development by s6(b) of the RMA) helps wind farm applicants by increasing certainty about the particular values that might be associated with the development of a particular resource, such as the Tararua Ranges and its foot hills (in this case). The fact that the identified ONFLs have been revised to reflect the best practice in identifying these features provides greater transparency and certainty about how these areas have been defined.

6 Provide for Renewable Electricity Generation Activities in ONFL’s to accord with the NPSREG

- 6.1 In my view neither the proposed provisions in Plan Change 22 nor the recommendations in the s42A report provide for renewable electricity generation activities as required by the NPSREG (namely policies C1 clause (a) and E3). These policies read as follows:

“Policy C1: Decision-makers shall have particular regard to the following matters ... a) the need to locate the renewable electricity generation activity where the renewable energy resource is available;³

Policy E3: Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of new and existing wind energy generation activities to the extent applicable to the region or district”.

3. Refer to p5 of the National Policy Statement for Renewable Electricity Generation.

- 6.2 I believe that policy C1 and E3 are particularly relevant to the ONFL provisions in the Horowhenua District Plan because of the wind resource which exists in these locations. The Plan Change and ultimately the District Plan itself, is required by the NPSREG to provide for the development and ongoing operation, upgrade and maintenance of wind energy activities in the district. The Motorimu wind farm consent demonstrates that there is a viable wind resource within the district that can be used for renewable electricity generation.
- 6.3 Under the proposed provisions, wind farms would be Non-Complying Activities in an ONFL and High Amenity (Hill Country) Area.
- 6.4 The policy framework under Plan Change 22 does not contemplate renewable electricity generation Activities in ONFL's. I acknowledge that the objectives and policies seek to avoid 'inappropriate' development. However, there is no suggestion or guidance as to what development, such as renewable electricity generation activities, may potentially be appropriate. I am of the view that this is contrary to the overall intent of the NPSREG, and specifically policies C1 and E3.
- 6.5 I understand the Council's intention is to give effect to the NPSREG via a full review of the district plan.⁴ While I agree that a review of the District Plan should be carried out in order to give effect to the NPSREG, I do not agree that the Council should wait for a full review before giving effect to the NPSREG in terms of the ONFL provisions. In this regard:
- Plan Change 22 proposes very restrictive rules for development in ONFL's and High Amenity (Hill Country) Areas, which in my view, will need to be amended in the future in order to provide for renewable electricity generation activities.
 - The Council has an opportunity to provide for renewable electricity generation activities in ONFL's and High Amenity (Hill Country) Areas, as part of this Plan Change process, and the Council can avoid the need to repeat this process in the next few years.

4 Refer to p8 of the Section 42A Hearing Report.

6.6 In my opinion, renewable electricity generation activities (which by definition under the NPSREG include wind farms and all ancillary activities, including earthworks) should be contemplated in ONFL's. An effective and efficient method for doing this is to provide for renewable electricity generation activities as a Discretionary Activity classification, inclusive of all ancillary activities such as buildings and earthworks.

6.7 An appropriate definition for *Renewable electricity generation activities* has been included in the NPSREG and reads:

*“Renewable electricity generation activities means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity and electricity storage technologies associated with renewable energy”.*⁵

6.8 Providing for renewable electricity generation activities as discretionary activities would mean that they could be excluded from the definition of Network Utility and the rules applying to Network Utilities (and any other rules) applying to development in an ONFL. This approach provides a simple and effective rule framework for renewable electricity generation activities in ONFL's and High Amenity Areas.

7 Conclusion

7.1 In summary, in my opinion, the Horowhenua District Council must, as a matter of national significance, provide for wind energy development in ONFL and High Amenity (Hill Country) Areas because the wind resource exists in these locations. In the absence of a robust policy review to give effect to the NPSREG, I believe the Council has an opportunity to provide for renewable electricity generation activities, to some extent, by making renewable electricity generation activities a discretionary activity in ONFL's and High Amenity (Hill Country) Areas.



Ben Farrell
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5. National Policy Statement for Renewable Electricity Generation, p4.