

## SECTION 32AA EVALUATION

### Introduction

This section 32AA evaluation relates to recommended amendments to the Renewable Electricity Generation chapter which are outlined in my Evidence in Chief.

Importantly, a section 32AA evaluation is only required for changes recommended since notification of the PDP. Section 32AA requires the level of detail in this evaluation to correspond to the scale and significance of the changes I've recommended.

Since my recommended amendments provide changes to an objective, policy and various rules, I have addressed them individually below.

### Proposal for Amendments to Objectives and Policies:

I consider it appropriate to amend objective REG-O3 to give effect to the NPS-REG. Subsequently, the amendments made to objective REG-O3 will provide clear direction for the implementation of Policy REG-P4 which outlines implementation methods for how many effects will be managed. I propose the following amendments (green text):

<b>REG-O3</b>	<b>Managing Adverse effects of renewable electricity generation</b>
Renewable electricity generation activities are developed in a <u>safe, efficient and effective</u> way <del>that while ensuring that the adverse effects on the environment are avoided, remedied or mitigated appropriately manages adverse effects on the environment.</del> <sup>6</sup>	

<b>REG-P4</b>	<b>Managing adverse effects of renewable electricity generation activities</b>
<p>Manage the adverse effects of renewable electricity generation activities by:</p> <ol style="list-style-type: none"> <li>1. Recognising <del>the need to enable that there will be unavoidable adverse effects on the environment from</del> renewable electricity generation activities <u>in all locations and environments;</u></li> <li>2. <u>Where renewable electricity generation activities are proposed in or a likely to have adverse effects on environments and values provided for in section 6 of the Act, the provisions of this policy must be read alongside other relevant provisions;</u></li> <li>3. <del>Ensuring that the adverse effects are avoided, remedied or mitigated where practicable;</del></li> <li>4. Implementing effective <del>mitigation</del> measures <u>to avoid, remedy or mitigate adverse effects,</u> which may include:             <ol style="list-style-type: none"> <li>a. Appropriate location and design;</li> <li>b. Screening and setbacks from sensitive activities;</li> <li>c. Adaptive management measures;</li> <li>d. Rehabilitation of the site at the end of its operational life; and</li> </ol> </li> </ol> <p>Having regard to any proposed offsetting or compensation measures for <u>any residual</u><sup>18</sup> adverse effects that cannot practicably be avoided, remedied or mitigated, <u>including measures or compensation that benefit the local environment and community affected.</u></p>	

## Analysis of the recommended amendments against the purpose of the Resource Management Act

Part 2 RMA	How does the objective align with each of these sections?
Section 5 Purpose	<p>The amendment I provide to objective REG-O3 supports section 5(b) of the RMA, particularly safeguarding the life supporting capacity of ecosystems, by setting a clear direction for how effects are to be managed including to avoid, remedy or mitigate effects which is consistent with section 5(c).</p> <p>The changes to policy REG-P4 sets out the implementation methods to achieve the purpose of the section 5(b) and 5(c).</p>
Section 6 Matters of national importance	<p>I consider the alternative of giving effect to Policy F(2) of the NPS-REG within policy REG-P4 more directive and ensures other relevant provisions are assessed when REG activities locate within or likely to have adverse effects on section 6 environments or values. In my view this is the most appropriate way of recognising and providing for RMA section 6 matters.</p>
Section 7 Other matters	<p>The amendments to is objective and policy ensures clear direction is provided for plan users, to ensure that section 7 matters are considered.</p>
Section 8 Treaty of Waitangi	<p>I do not consider the amendments to these provisions will impact the ability of the plan to take into account section 8 of the RMA.</p>

## Identification of Options to Achieve the Objectives

Reasonably practicable options are:

**Option 1** – Amend the Objective REG-O3 and Policy REG-P4 to give effect to the NPS-REG and set clear direction to manage effects.

**Option 2** – Retain the drafting provided in the s42a Report<sup>1</sup>

**Option 3** – Retaining the objectives and policies as notified.

### Preferred Option

Amending the Objective REG-O3 and Policy REG-P4 to set a clear direction on managing the effects of REG activities on the environment is the most effective and efficient way of giving effect to the NPS-REG but also achieving the purpose of the RMA.

<sup>1</sup> S42A Report – Renewable Electricity Generation Activities

Option 2 would provide more clear direction in comparison to Option 3. However, I consider it more effective for a policy to direct the assessment pathway instead of relying on the overview which clarifies Part 2 – district wide matters of the plan apply.

## Evaluation of Preferred Option

<b>Evaluation of Preferred Option</b>		
	<b>What are the costs</b>	<b>What are the benefits</b>
<b>Environmental</b>	I do not consider there are any environmental costs associated with my recommended amendments.	More direct assessment pathway to ensure the effects associated with REG activities are managed appropriately and in accordance with higher-planning documents, as well as Part 2 of the RMA.
<b>Economic</b>	There is potential that the assessment pathway I propose provides the opportunity for certain REG activities that could be located within or have adverse effects on section 6 environments or values to reduce the opportunity of REG activities to be enabled. However, I consider this framework provides an appropriate balance to enabling and providing REG activities whilst also managing their effects on the environment.	More direct and straightforward objective and policies which ensure the effects are managed efficiently and effectively where required, which will lower the costs associated with REG activities which do not have adverse effects on the environment.
<b>Social</b>	I do not consider there to be any additional social costs related to my recommended amendments. The amendments purely set out a clearer and directive assessment pathway for managing effects.	I consider the social benefits will remain the same as outlined the s42A officers s32AA assessment.
<b>Cultural</b>	My amendments would not produce any additional cultural costs into the changes the s42a officer provided.	I consider the social benefits will remain the same as outlined the s42A officers s32AA assessment.
<b>Will there be any effect on</b>	No potential impact on economic growth identified	

<b>economic growth?</b>	
<b>Will there be any more or less employment opportunities?</b>	No potential employment opportunities identified.
<b>Is there enough information?</b>	The NPS-REG amendments were gazetted on 15 January 2026 as part of a broader package of changes to national direction that have been implemented while the proposed Planning Bill and Natural Environment Bill progress through the parliamentary process. Accordingly, I consider that there is sufficient national direction in place for the REG chapter to give effect to
<b>Risk of acting or not acting</b>	Not applicable.
<b>How effective is your preferred option?</b>	
<p>The proposed amendments I provide to above objective and policy will be more effective in providing the balance between enabling REG activities and managing effects on the environments in comparison to options 2 and 3. I consider the amended policy objective and policy drafting provides clearer and directive implementation. This will assist decision makers for the following reasons:</p> <ul style="list-style-type: none"> <li>• Provide more clear direction for Policy REG-P4 on how to manage effects on the environment, i.e to avoid, remedy or mitigate.</li> <li>• Provide for clear direction on implementation, Objective REG-O3 identifies how effects are to be managed, and Policy REG-P4 provides the implementation methods of how that will be achieved.</li> <li>• Amendments to REG-P4 gives effect in full to Policy F of the NPS-REG, while Option 2 only gives effect in part.</li> </ul>	
<b>How efficient is your preferred option?</b>	
<p>I consider option 1 strikes an appropriate and efficient balance between enabling REG activities within the district, while ensuring the effects are managed in accordance with higher-order planning documents, and Part 2 of the RMA. My recommendations provide efficient decision making for the following reasons:</p> <ul style="list-style-type: none"> <li>• Improved alignment between NPS-REG and the REG chapter in comparison to Option 2. Option 1 provides for certainty how effects should be managed and provides a legal weight for when section 6 values require assessment.</li> <li>• Gives effect the NPS-REG in full.</li> <li>• The recommended changes do not alter other amendments sought in Option 2 that give effect to the NPS-REG.</li> </ul>	
<b>Summary</b>	
<p>Overall, I consider that Option 1 is the most efficient and effective option for ensuring the REG chapter gives effect to the NPS-REG. On this basis, Option 1 is the most appropriate option for the REG chapter in accordance with section 32AA of the RMA.</p>	

## Proposal for Amendments to Rules:

This section provides s32AA RMA analysis on the proposed changes to Rules that I have outlined in my evidence in chief. I consider these changes appropriate and will ensure the effects associated with REG activities are appropriately managed, whilst also giving effect to the NPS-REG.

For completeness my proposed recommendations (green text) are as follows:

### Option 1 for REG-R8

REG-R8	Large Scale renewable energy generation activities	
All Zones	<p>1. <b>Activity status:</b> <b>Restricted</b> <u>Discretionary</u></p> <p><b>Where:</b></p> <p>a. Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p>	<p>2. <b>Activity status when compliance not achieved:</b> Non-Complying</p>

### Option 2 for REG-R8:

REG-R8	Large Scale renewable energy generation activities	
All Zones	<p>1. <b>Activity status:</b> <b>Restricted</b> Discretionary</p> <p><b>Where:</b></p> <p>a. Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p> <p><b>2. <u>Matters over which discretion is restricted:</u></b></p> <p>a. <u>The location, scale and intensity of the activity;</u></p> <p>b. <u>Shadow flicker and glare;</u></p> <p>c. <u>Visual and landscape effects;</u></p> <p>d. <u>Noise and vibration effects;</u></p> <p>e. <u>Any effects on indigenous fauna and ecosystems; ecosystems and indigenous biodiversity.</u></p> <p>f. <u>Functional need or operational need to be in the location;</u></p> <p>g. <u>The benefits associated with the activity;</u></p>	<p><b>2 3. Activity status when compliance not achieved:</b> Non-Complying</p>

	<p>h. <u>Proposed measures to mitigate adverse effects, including siting, design, colour, finish, or landscaping; and</u></p> <p>i. <u>Proposed rehabilitation of the site at the end of the operational life of the activity.</u></p>	
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REG-R9	Upgrading and repowering existing renewable electricity generation activities	
All Zones	<p><b>1. Activity status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. The upgrade or repowering is located within the same site as the existing renewable electricity activity;</p> <p>b. Any replacement structure or building does not, <u>within a 10-year period</u>, exceed:</p> <p>i. Height of existing structures and buildings by more than 10%;</p> <p>ii. Footprint of existing structures and buildings by more than 25%; and</p> <p>For wind farms, compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise.</p>	<p><b>2. Activity status when compliance not achieved:</b> Restricted Discretionary</p> <p><b>3. Matters over which discretion is restricted:</b></p> <p>a. Any adverse environmental effects from the upgrade or repowering that are in addition to the existing renewable electricity generation activity;</p> <p>b. Proposed measures to mitigate adverse effects, including siting, design, colour, finish, or landscaping; and</p> <p>The benefits of maintaining or increasing generation output from an existing renewable electricity generation site.</p>

#### Analysis of the recommended amendments against the Part 2 of the Resource Management Act:

Part 2 RMA	How does the objective align with each of these sections?
Section 5 Purpose	The amendments I propose seek to ensure that large-scale REG activities, as well as existing activities that intend to upgrade or repower, are provided with appropriate consent pathways that are consistent with sections 5(b) and 5(c) of the RMA.
Section 6 Matters of national importance	<p>As outlined in my evidence, a discretionary activity status for Rule REG-R8 will ensure that any effects associated with the activity are assessed against section 6 values where relevant. Alternatively, the amendments I have proposed under Option 2 for REG-R8, will ensure that any effects on indigenous biodiversity will be considered, which recognises and provides for section 6(c) of the RMA. Therefore, I consider Option 1 for REG-R8 the superior of the two and most consistent with s6 of the RMA.</p> <p>The amendments I propose to REG-R9 will ensure that the expansion of existing buildings or structures on a site does not occur incrementally in a manner that could give rise to adverse</p>

<b>Part 2 RMA</b>	<b>How does the objective align with each of these sections?</b>
	cumulative effects on section 6 values, noting REG-R9 is a permitted activity. Accordingly, my proposed changes provide for the recognition and protection of section 6 matters under the RMA while enabling the activity to remain permitted when compliance is achieved.
Section 7 Other matters	The amendments to these rules will ensure that consent pathways for these activities enter an appropriate assessment process, with particular regard to 7(d) and 7(f) of the RMA.
Section 8 Treaty of Waitangi	I do not consider the amendments to these provisions will impact the ability of the plan to take into account section 8 of the RMA.

## Identification of Options to Achieve the Objectives

Reasonably practicable options are:

**Option 1** – Amend Rules REG-R8 & REG-R9

**Option 2** – Retain the drafting provided in the s42a Report<sup>2</sup>

**Option 3** – Retaining the rules as notified.

### Preferred Option

Option 1 is my referred option because amending Rules REG-R8 & R9 will ensure that REG activities can be enabled, while ensuring they are implemented through appropriate rule frameworks to ensure that effects can be appropriately considered, assessed, and managed.

<b>Evaluation of Preferred Option</b>		
	<b>What are the costs</b>	<b>What are the benefits</b>
<b>Environmental</b>	I do not consider there are any environmental costs associated with my recommended amendments.	Providing large-scale REG activities and existing activities that are upgrading or repowering with an appropriate activity status, as well as threshold which ensure their potential cumulative adverse effects are managed.
<b>Economic</b>	A Discretionary Activity could potentially increase the time for an activity to get consent. However, I consider this would be in the cases where activities have adverse	REG activities would still be enabled within the district, enabling the reduction in green-house gas emissions, and an increase in renewable electricity generation supply.

<sup>2</sup> S42A Report – Renewable Electricity Generation Activities

	<p>effect that require robust assessment.</p> <p>Limiting expansion of existing buildings or structures could reduce the amount of energy generation within a site.</p>	
<b>Social</b>	<p>I consider there may be a potential cost associated with limiting the expansion of an existing activity within a site, as this could modestly reduce renewable electricity generation supply and, in turn, influence overall power availability.</p>	<p>However, I consider that these amendments still enable the social benefits associated with REG activities within the district to be achieved and provided for. Ultimately, I think these benefits outweigh the potential costs.</p>
<b>Cultural</b>	<p>I do not consider there to be cultural costs associated with my recommended amendments.</p>	<p>I do not consider there to be cultural costs associated with my recommended amendments.</p>
<b>Will there be any effect on economic growth?</b>	<p>Limiting expansion of existing buildings or structures could reduce the amount of energy generation within a site.</p>	
<b>Will there be any more or less employment opportunities?</b>	<p>No potential employment opportunities identified.</p>	
<b>Is there enough information?</b>	<p>The NPS-REG amendments were gazetted on 15 January 2026 as part of a broader package of changes to national direction that have been implemented while the proposed Planning Bill and Natural Environment Bill progress through the parliamentary process. Accordingly, I consider that there is sufficient national direction in place for the REG chapter to give effect to.</p>	
<b>Risk of acting or not acting</b>	<p>Large-scale activities will not have an appropriate assessment pathway to ensure that effects on indigenous biodiversity are avoided, remedied, or mitigated.</p> <p>The height and footprint of existing structures or buildings should not be able to be incrementally expanded without a threshold to manage potential adverse cumulative effects.</p>	
<b>How effective is your preferred option?</b>		

I consider Option 1 will be most effective in providing an appropriate framework that enables REG activities while ensuring their effects are appropriately managed. The reasons for this are as follows:

- REG R8 as a discretionary activity means that any actual or potential effects associated with the activity will be subject to a robust decision-making process. This provides a broader framework for assessment, including the ability to impose appropriate and effective conditions, particularly for activities that have site-specific effects or are large in scale.
- REG R8 as a restricted discretionary activity, with clear matters of discretion that include all types of indigenous biodiversity such as indigenous flora, would appropriately manage the effects of large-scale REG activities on indigenous biodiversity. However, because large-scale REG activities can have site-specific effects and vary significantly in scale, this option would not be as effective as classifying the activity as discretionary.
- Amendments to REGR9 will ensure that existing buildings and structures within a site cannot incrementally increase as a permitted activity, enabling potential cumulative effects to be appropriately assessed and controlled.

#### **How efficient is your preferred option?**

In my view, Option 1 is the most efficient method to ensure REG activities are enabled, in accordance with higher-order planning documents such as the NPS-REG, while being consistent Part 2 of the RMA. My reasons for this are as follows:

- A discretionary activity status for REG-R8 will ensure that all actual and potential effects associated with a large-scale REG activity are considered, assessed, and managed in accordance with the policy framework of the plan, as well as higher-order planning documents where applicable.
- A restricted discretionary activity status could be as efficient as a discretionary status; however, the matters of discretion would need to be expanded to include effects on all indigenous biodiversity, including indigenous flora. However, for those large-scale REG activities that have site-specific effects and are of larger scale, this option would not be as efficient as classify the activity as discretionary.
- Amendments to REG-R9 provide an appropriate balance between enabling the upgrade and repowering of existing activities, while controlling the extent to which existing structures and buildings can be increased in height or footprint, thereby limiting potential cumulative adverse effects.

#### **Summary**

Overall, I consider that Option 1 is the most efficient and effective option for ensuring the REG chapter gives effect to the NPS-REG. On this basis, Option 1 is the most appropriate option for the REG chapter in accordance with section 32AA of the RMA.