

## Preliminary Heritage Assessment of the Laurie House

### Brief

Barnes & Associates Ltd has been contracted to provide a heritage assessment of the former Laurie house, to evaluate its potential for statutory protection by inclusion as a scheduled item in the Waitakere City District Plan.

The work is to be undertaken in two stages. This first stage includes an inspection of the building, and preliminary indicative evaluation of the building against the selection criteria in the Plan, using readily available information. A second stage, to follow, is to carry out additional research to confirm the value of each building and more fully document it.



### Summary History

The former Laurie house is understood to have been lived in by the Laurie family from the early 1860s until 1932, when Peter Culav purchased the property. It remains in the ownership of the Culav family.

Robert and Elizabeth Laurie first came to the area in 1862, purchasing 100 acres of land on the Whau River from Edward Bull and Lucy Reading on 1 May 1862, and establishing a brick-works. Their land surrounded the land owned by John Malam, who also operated a brick-works. Apparently the two operations merged, and the Lauries took over Malam's land.

The cottage may well have been constructed before the Lauries arrived, suggesting it dates from the late 1850s or early 1860s. Notably, it is built of timber rather than brick, further suggesting it predates the brickworks operation.

In its form and detailing, it is typical of small four roomed cottages of the 1850s. It has had additions over the years, to the rear and the side.

Particularly notable is the lath and plaster lining on the internal walls. Certainly in the Auckland area, lath and plaster was normally reserved for grand houses at the time this

house was constructed. Otherwise, the six-paned sashes, pit-sawn weatherboards and four panel doors are typical of an early Victorian cottage.

### **Assessment Against Plan Criteria**

**1. historic - the item is associated with a past event, notable people or activity, a social period, a particular technological milestone, scientific history or principles, or scientific data about fabric (such as the composition of mortar):**

This cottage has an association with the brick-making industry on the banks of the Whau River, and a clear and long association with the Laurie family. It has a similarly long association with the Culav family, reflecting later patterns of internal migration in New Zealand. Further land title research may reveal more information.

It is also interesting for its use of lath and plaster wall linings.

**2. architectural - the item is a good example of a particular architectural styles, construction technology or the work of a notable architect:**

The building is a good example of a four roomed colonial cottage. Although the addition to the side detracts somewhat from the original architecture, it adds illustrates the type of change which frequently occurred as families grew.

**3. landmark - the item is a physical landmark within the City which is valued by the community:**

The building has value as a local landmark, as seen from the water only. There is also the potential for views from Laurieston Park, if other buildings (and vegetation) were ever removed.

**4. the item has significance to the community - consideration given to value placed on an object by the local community, irrespective of other values:**

Although this is difficult to determine, the location is relatively secluded, and it is doubtful whether the existence of the cottage is widely known.

**5. visual - the item is important visually and contributes to the amenity, the form, scale, fabric and setting of the place or an area:**

This small cottage sits in a rural setting, and is entirely compatible with the setting. There is a mix of small buildings and larger ones on the site.

**6. patterns of settlement - the item is an important representative example of the surrounding settlement pattern (such as an example of a bungalow within an area where housing built in the 1930s dominates), or is a relatively rare example in an area which is dominated by another form of settlement.**

The house appears to date from the early European settlement along the Whau River, and is almost certainly the oldest in the area.

**7. Sense of Place - contributes to the identity of the local area or city e.g. orchards, special buildings, community halls etc.**

In its relatively secluded location, and visible only from the water, the house does not make a significant contribution to the sense of place of the area.

**Conclusion**

It is concluded that the former Laurie house is a building which warrants statutory protection, and should not be changed without a public process.

**Preliminary Recommendation**

At this stage, it is recommended that the former Laurie House is scheduled in Category II, and the interior protected. Although a Category I status could be considered, it is likely that significant upgrading of amenities will be required. A Category I status may prove problematic in this regard.

Barnes & Associates Ltd

Tony Barnes

September 2008



*Ministry for the*  
**Environment**  
*Manatū Ahu Te Taiao*

# **Scope of a National Policy Statement on Urban Design**

**Background Paper**

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# Introduction

Recently the Government concluded that preparing a National Policy Statement on Urban Design under the Resource Management Act 1991 (RMA) is desirable. As the majority of New Zealanders live in towns and cities (87 per cent) the Government considered that national guidance would help improve the quality of urban design in New Zealand, and would complement existing voluntary, non-statutory initiatives like the New Zealand Urban Design Protocol. Further, it considered that a National Policy Statement on Urban Design would reinforce that urban design is a legitimate pursuit under the RMA and encourage a more integrated and co-ordinated national approach to such matters.

Your views on the scope of a proposed National Policy Statement (NPS) on Urban Design are now sought. This invitation follows consultation on the desirability of a NPS on Urban Design that the Ministry for the Environment undertook in 2006 and 2007. General details of the organisations which participated in this earlier consultation are listed on page 6.

This paper outlines five questions to prompt your views on the scope and direction of a proposed NPS on Urban Design, and should be read in conjunction with the attached letter. Each question is accompanied by a summary of related findings that emerged from the previous consultation referred to above. You are invited to consider and respond both to the questions and issues raised, and to make any additional comments on any aspect of an NPS on Urban Design. Your feedback will be collated, analysed and used to inform a report back to Government in early 2009 on the potential scope of an NPS on Urban Design. If need and scope is agreed by Government, the Ministry for the Environment will prepare a proposed NPS on Urban Design. An outline of the process for developing an NPS is described in the flowchart on page 7.

## A National Policy Statement

A national policy statement (NPS) is a high level statutory document that provides direction to local authorities on matters of national significance. An NPS on Urban Design could include objectives and policies to promote quality design in urban environments, but not rules or standards. Its scope would also be restricted to matters that are relevant to the purpose of the Resource Management Act (RMA).

Under the RMA local authorities are required to give effect to an NPS when preparing or changing their regional policy statements and regional and district plans. When considering an application for a resource consent decision-makers, including the courts, must also assess any relevant provisions of an NPS.

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# Defining Urban Design

The New Zealand Urban Design Protocol (the Protocol) defines urban design as:

*Urban design is concerned with the design of the buildings, places, spaces and networks that make up our towns and cities, and the ways people use them. It ranges in scale from a metropolitan region, city or town, down to a street, public space or even a single building. Urban design is concerned not just with appearances and built form but with the environmental, economic, social and cultural consequences of design. It is an approach that draws together many different sectors and professions, and it includes both the process of decision-making as well as outcomes of design.*

## Questions

These questions are intended to prompt and focus your consideration, not to limit or constrain your thinking or comments. Where relevant, please give the reasons for your answers.

- 1 Should an NPS on Urban Design be developed? If so what issues of national significance do you consider it should address and what relative priority would you assign them?**

Cities and towns are an important physical resource. The way we develop and adapt urban areas are key factors in creating successful towns and cities. Urban design can contribute to this success, particularly in areas experiencing significant growth pressures. How we manage growth, and the quality of related development, will have a significant influence on the liveability and sustainability of these areas.

**Views expressed in previous consultation were:**

- Some of the principles in the Protocol could help form the basis of an NPS on Urban Design.
- An NPS on Urban Design should be linked to sustainability, including liveable neighbourhoods, towns and cities.
- *National strategic priorities:* These include climate change adaptation, vehicle emissions and sustainable transport.
- *Positive attributes:* These include regional infrastructure, urban form and structure, linking land use and transport, walkable urban environments, recognising heritage values, regeneration, subdivision layout, character, mixed use, and location of schools and other public facilities.
- *Perceived threats:* These include peri-urban development, large format retail, gated subdivisions, lack of interconnection, very low density development, and the impact of urban form on the landscape.

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- *Growth management:* Various views on whether growth management issues (intensification, urban form, location of new housing development) could be covered were recorded. However, some maintained that an NPS on Urban Design would not be possible without addressing urban boundaries, infrastructure design, and the location and design of new settlements.

**2 If an NPS on Urban Design were to be prepared, how would you see it being structured, what level of detail would it contain and how directive would it be?**

Your comments would help inform how an NPS on Urban Design might be structured. These could cover the nature, content and policy direction needed and the balance between national direction and local autonomy.

**Views expressed in previous consultation were:**

- A spectrum of views were expressed. These ranged from an NPS on Urban Design being a brief statement with high level objectives only, through providing consistent policy thinking about urban design with flexibility in how it is implemented to more prescriptive approaches of providing specific codes or standards controlling aspects of urban design.
- Define the expectation rather than giving all the answers.
- Some advocated for a very short document – “two pages” – whereas others considered urban design outcomes should be explicitly stated.
- Provide high level principles, objectives and policies and not prescribe either detail or local-level urban design outcomes.
- Provide a common vision and agenda with sufficient detail to give consistency across council plans as well as guidance for large scale plans and projects.

**3 What should not be covered by an NPS on Urban Design?**

As an NPS is prepared under the RMA its content needs to promote the purpose of the Act – the sustainable management of natural and physical resources. Consequently, you might like to identify those aspects relating to the management of the urban environment that you consider are outside the scope of an NPS on Urban Design and best left to be managed through other mechanisms.

**Views expressed in previous consultation were:**

- Address urban design issues associated with the built environment, not broader urban affairs.
- Avoid approaches that create resourcing issues for smaller councils. (There needs to be a dialogue with smaller local authorities to give a picture of the state of urban design issues and practice across the country.)

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- Initiatives that might be related to, but should not be in, an NPS on Urban Design include:
  - urban design information and assistance for smaller councils
  - capacity building in urban design
  - national urban design advisory board and/or review panel
  - urban design education
  - councillor training
  - standards and codes
  - standard review procedures
  - local or national guidelines
  - pilot projects.

**4 At what scale or scales would it be appropriate for an NPS on Urban Design to provide direction?**

Urban design covers a range of spatial scales, extending from regional to city/towns to neighbourhoods to individual spaces and buildings. As the focus of an NPS is on matters of national significance you might like to consider the scale to which an NPS on Urban Design applies.

**Views expressed in previous consultation were:**

- A strategic, 'big picture' approach to spatial planning is required.
- Address the liveability and everyday experience of local neighbourhoods including relevant attributes of individual spaces and buildings.
- Acknowledge and address the diverse types of urban environments found in metropolitan, provincial and rural areas.
- Address cross-boundary growth management issues through application of a common agenda.

**5 What additional qualities do you consider should be reflected in an NPS on Urban Design?**

Aside from the level of detail and nature of the direction an NPS on Urban Design might contain, you might also like to consider any other qualities that would contribute to its effectiveness (eg, visionary, integrative, responsive).

**Views expressed in previous consultation were:**

- A proactive, visionary approach (as distinct from a reactive approach).
- A focus on good planning rather than procedural or legal outcomes.
- Promote an integrated approach to urban design across the built environment and across relevant legislation (eg, RMA, Local Government, Land Transport Management and Building Act).
- Clarify the actions required of local government.

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## Further Information

*New Zealand Urban Design Protocol* Ministry for the Environment, March 2005  
<http://www.mfe.govt.nz/publications/urban/design-protocol-mar05/index.html>

The Protocol establishes a comprehensive set of design principles and processes for application in New Zealand. Those who become signatories to the Protocol voluntarily commit to undertake specific urban design actions.

*The Value of Urban Design: The economic, environmental and social benefits of urban design* (full report) Ministry for the Environment, June 2005  
<http://www.mfe.govt.nz/publications/urban/value-urban-design-full-report-jun05/index.html>

This report identifies and summarises international and local evidence on the relationship between urban design and social/cultural, economic and environmental outcomes. It establishes the rationale for various urban design qualities. (A shorter summary report is also available on the Ministry's website).

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# Organisations which Participated in Previous Consultation

## Central government

- Department of Building and Housing
- Department of Labour
- Land Transport New Zealand
- Ministry of Culture and Heritage
- Ministry of Education
- Ministry of Health
- Ministry of Transport
- New Zealand Historic Places Trust
- Transit New Zealand

## Local government

- Auckland City Council
- Auckland Regional Council
- Auckland Regional Transport Authority
- Christchurch City Council
- Environment Waikato
- Greater Wellington Regional Council
- Kapiti Coast District Council
- Nelson City Council
- North Shore City Council
- Manukau City Council
- Porirua City Council
- Rodney District Council
- Tauranga City Council
- Waimakariri District Council
- Waitakere City Council
- Wellington City Council

## Professional bodies

- New Zealand Institute of Architects
- New Zealand Planning Institute
- Property Council of New Zealand

## Academic institutions

- University of Auckland
- Victoria University of Wellington

## Developers

- Kensington Properties
- McConnell Properties

## Consultants

- Athfield Architects
- Beca
- Boffa Miskell
- Chow Hill
- Context Urban Design Ltd
- Harrison Grierson
- Hill Young Cooper
- Incite
- John Edmonds and Associates Ltd
- Ken Tremaine Consulting Ltd
- RW Batty and Associates
- Urban Perspectives Ltd
- Urbanism +

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# Process for Developing a National Policy Statement (NPS)

<b>Step 1</b> <b>RMA process</b>	Minister and Government consider an NPS is desirable
<b>Step 2</b> <b>Section 46</b>	Ministry for the Environment seeks comments from relevant stakeholders  Ministry for the Environment collates and summarises the comments  Minister and Government considers the comments received  Minister and Government agrees to the scope of an NPS and directs the Ministry for the Environment to begin drafting a proposed NPS
<b>Step 3</b> <b>Draft proposed NPS</b>	Ministry for the Environment drafts a proposed NPS in keeping with Government decisions above  Ministry for the Environment examines the costs and benefits and effectiveness of the proposed NPS  Ministry for the Environment reports to Minister and Government on the draft NPS
<b>Step 4</b> <b>Consider and consult on NPS</b>	Government decides the process to release the proposed NPS  Board of Inquiry or alternative process is established to seek and hear submissions on the proposed NPS
<b>Step 5</b> <b>Release NPS</b>	Report and recommendations on the proposed NPS made available to the Minister  Government considers the report and recommendations, along with the costs and benefits and regulatory impacts associated with the proposal, and finalises the NPS  Governor-General approves NPS and it is published in the Gazette

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# Proposed National Policy Statement for Renewable Electricity Generation

## Preamble

This national policy statement sets out an objective and policies to enable the sustainable management of renewable electricity generation under the Resource Management Act 1991 ('the Act').

New Zealand's energy demand has been growing steadily and is forecast to continue to grow. In October 2007 the government adopted the New Zealand Energy Strategy, which states that New Zealand must confront two major energy challenges as it meets growing energy demand. 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.

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, the government has determined 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).

Development that increases renewable electricity generation capacity can, however, have environmental effects that span local, regional and national scales, often with adverse effects manifesting locally and positive effects manifesting nationally. In some instances the benefits of renewable electricity generation can compete with matters of national importance as set out in section 6 of the Act, and with matters to which decision-makers are required to have particular regard under section 7 of the Act. In particular, the natural resources from which electricity is generated can coincide with areas of significant natural character, significant amenity values, historic heritage, outstanding natural features and landscapes, significant indigenous vegetation and significant habitats of indigenous fauna. Adopting a nationally consistent approach to balancing the competing values associated with the development of New Zealand's renewable energy resources will provide greater certainty to decision-makers, applicants, and the wider community.

## Title

This national policy statement may be cited as the National Policy Statement for Renewable Electricity Generation.

## Commencement

This national policy statement comes into force on the day after which it is notified in the Gazette.

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## **Matter of national significance**

The matter of national significance to which this national policy statement applies is the need to develop, upgrade, maintain and operate renewable electricity generation activities throughout New Zealand.

## **Objective**

To recognise the national significance of renewable electricity generation by promoting the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities, such that 90 per cent of New Zealand's electricity will be generated from renewable sources by 2025 (based on delivered electricity in an average hydrological year).

## **Recognising the national significance of the benefits of renewable electricity generation activities**

### **Policy 1**

The benefits of renewable electricity generation activities, at any scale, are of national significance. Decision-makers must have particular regard to the national, regional and local benefits relevant to renewable electricity generation activities. These benefits may include, but are not limited to:

- i. maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions
- ii. maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation.

## **Acknowledging the practical constraints associated with the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities**

### **Policy 2**

When considering measures to avoid, remedy or mitigate the adverse environmental effects of renewable electricity generation activities, consent authorities must have particular regard to the constraints imposed on achieving those measures by:

- i. the nature and location of the renewable energy source
- ii. logistical or technical practicalities associated with developing, operating or maintaining the proposed renewable electricity generation activity
- iii. the nature and location of existing renewable electricity generation activities
- iv. the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the local electricity distribution network, and the national grid.

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## **Having regard to the relative reversibility of adverse effects associated with particular generation types**

### **Policy 3**

When considering proposals to develop new renewable electricity generation activities, decision-makers must have particular regard to the relative degree of reversibility of the adverse environmental effects associated with proposed generation technologies.

## **Enabling identification of renewable electricity generation possibilities**

### **Policy 4**

By 13 March 2012, local authorities are to notify, in accordance with Schedule 1 of the Act, a plan change, proposed plan or variation to introduce objectives, policies and, where appropriate, methods, into policy statements and plans to enable activities associated with:

- i. the identification and assessment by generators of potential sites and energy sources for renewable electricity generation
- ii. research-scale investigation into emerging renewable electricity generation technologies and methods.

## **Supporting small and community-scale renewable electricity generation**

### **Policy 5**

By 13 March 2012, local authorities are to notify, in accordance with Schedule 1 of the Act, a plan change, proposed plan or variation to introduce objectives, policies and, where appropriate, methods, into policy statements and plans to enable activities associated with the development and operation of small and community-scale distributed renewable electricity generation.

## **Interpretation**

In this national policy statement, unless the context otherwise requires:

“**Act**” means the Resource Management Act 1991.

“**Application**” means any application for resource consent or consents or application under section 127 of the Act. Applicant has the corresponding meaning.

“**Decision-makers**” means all persons exercising functions and powers under the Act.

“**Local electricity distribution network**” means the system of electricity conveyance that connects individual electricity users with the national grid and electricity generation facilities.

“**National grid**” means the assets used or owned by Transpower NZ Limited.

“**Renewable electricity generation**” means generation of electricity from solar, wind, hydro, geothermal, biomass, tidal, wave, or ocean currents resources.

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

“**Small and community-scale distributed renewable electricity generation**” means renewable electricity generation projects with an installed electricity generation capacity of less than four megawatts and excludes offshore wind, tidal and wave generation.

## **Explanatory note**

*This note is not part of the national policy statement but is intended to indicate its general effect.*

This national policy statement comes into force on the day after which it is notified in the Gazette. It provides that renewable electricity generation is a matter of national significance under the Resource Management Act 1991.

This national policy statement is to be applied by all persons exercising powers and functions under the Act. The objective and policies are intended to guide applicants and decision-makers when making applications for resource consent, in making decisions on the notification and determination of resource consent applications, in drafting policy statements and plans that relate to renewable electricity generation activities, and when exercising other powers under the Act.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change, proposed plan or variation by 13 March 2012.

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Ministry for the Environment  
Att: Ann Callahan  
PO Box 10362  
Wellington

25/10/07

Dear Ann,

Please find enclosed comments of the Waitakere City Council on:

## What should be included in a possible National Policy Statement on Renewable Energy?

### Introduction:

This letter contains the response of officers of the Waitakere City Council<sup>1</sup> to the invitation of the Ministry for the Environment in a letter dated 11 October 2007 to provide views on what should be included in a proposed National Policy Statement on Renewable Energy (NPS :RE).

In summary, officers welcome the government's intention to provide national guidance on Renewable Energy.

Renewable Energy development at both the large commercial generation scale and local distributed or embedded domestic scale generation will be required to achieve the outcomes outlined in the New Zealand Energy Strategy (NZES) and Waitakere's own Climate Change Plan of Action (CCPoA), and to support a number of existing and future initiative intended to achieve these aims.

While providing benefits at the global though to the local levels on a wide range of matters, renewable energy development may also create adverse effects at the local level.

It is important that the NPS:RE recognises this tension and provides high level objectives and policies that provide guidance on how these tensions may be resolved at the local, regional and national level.

<sup>1</sup> Please note: Due to the short time frame involved for comment aligning with the interregnum period, and that these comments are intended for guidance and comment prior to the development of a national policy statement to be made available for public submission, that these comments are those of Officers of the Waitakere City Council based on their professional opinion and current strategic direction and may not represent the opinion of the Waitakere City Council.

Waitakere City Council reserves the right to make a submission on the as yet un-proposed National Policy Statement on Renewable Energy that may not be in accordance with the comments contained herein.

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## What should be included in a possible National Policy Statement on Renewable Energy?

### Resource Management Act 1991:

The Resource Management Act 1991 sets out the legal requirements for what can be contained in a NPS. Sections 45 to 55 inclusive contain detail on the purpose of and process for developing the NPS. Only s45(1) contains the broad direction on what a NPS should contain, and this section states:

#### *National policy statements*

#### **45. Purpose of national policy statements (other than New Zealand coastal policy statements)**

- (1) The purpose of national policy statements is to state **objectives and policies** for matters of national significance that are relevant to achieving the purpose of this Act.

This section states that the NPS should state objectives and policies for matters of national *significance* relevant to achieving the purpose of the Act (note: that this refers to matters of national *significance* which is not the same as Part II, s6 which refers to matters of national *importance*).

S 45 (2) outlines the matters the Minister may have regard to when deciding to promulgate an NPS, which is a broad and non-exclusive list.

The following sections refer to the process of developing the NPS and the public participation process. This includes a provision whereby Cl.16 of the First Schedule may be used to change Plans to directly incorporate specific provisions of an NPS (such as proposed in the recent NPS: Electricity Transmission).

Other sections of the Act refer to the requirement for decision makers to consider the NPS when undertaking various processes under the Act – these provisions include:

S62(3) requires Regional Policy Statements to 'give effect to' the NPS

S67(3)(a) requires regional plans to 'give effect' to the NPS

S75(3)(a) requires District Plans to 'give effect to' the NPS;

The Resource Management Act 1991 also requires that each level of the hierarchy of documents from the national to the district give effect to the document above – in this manner there is a 'trickle down' of consistency.

s104(1)(b)(ii) requires decision makers to 'have regard to' the NPS when deciding whether to grant consent to an application (thereby allowing consideration of an NPS when assessing an application for resource consent even if the relevant plan has not yet been amended to 'give effect to' the NPS).

Given these legal requirements it is important that the NPS is as clear and unambiguous as possible so that there is national consistency with respect to renewable energy (subject of course to the ability to interpret the policies and objectives to the local or regional situation).

If the Cl. 16 process is to be used (as in the recently proposed NPS: Electricity Transmission) then the importance of having clear and unambiguous, easily implemented policies is increased, as no party will be able to comment on the method by which a Regional or Territorial Authority chooses to 'give effect to' the specific provisions to be incorporated into the relevant plans via that non-participatory method.

### General or Specific:

Renewable Energy means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean currents.

While these energy resources are all 'renewable', the issues and effects related to exploiting each resource are very different. It is therefore appropriate and necessary that the NPS:RE include policies and objectives specific to particular types of renewable energy generation in addition to general overarching policies and objectives around the benefits of renewable energy development in general.

General overarching policies (which are required) should reflect (or reference) those already set out in the NZES and the forthcoming National Energy Efficiency and Conservation Strategy (NZECS), which are in themselves statutory documents that would be 'had regard to' when making decisions, but the statutory weight of a NPS requiring the stronger wording of 'giving effect to' would ensure the intent and policy direction contained within the NZES and NEECS are implemented through the Resource Management Act 1991 process more effectively.

Case law<sup>2</sup> indicates that policies may be general or specific and, if specific, may have the effect of a rule.

### Encouragement and Protection:

The NPS should encourage renewable energy, but should recognise (or enable recognition) that some locations should be protected from the effects of such development. In summary, renewable generation despite its widely recognised benefits may not be appropriate in all locations.

While the benefits of renewable energy forms part of the purpose of the Act and is outlined specifically and implicitly as something to be had regard to (via Section 7: Other matters: ss(b), (ba), (i) and especially (j)) the s 6 matters of national importance would take precedence as matters to be recognised and provided for – these section 6 matters include matters which are likely to be impacted by large scale renewable energy developments such as:

- 6(a) *preservation of natural character of the coastal environment* – tidal, wave, ocean current, off and on-shore wind;
- (b) *protection of outstanding natural features and landscapes* – wind, geothermal, large scale solar;
- (c) *protection of significant indigenous vegetation and faunal habitat* – hydro, wind;
- (d) *public access to CMA, lakes and rivers* – hydro, wave, tidal, ocean current, off and on-shore wind;
- (e) *maori taonga* – all;
- (f) *heritage* – all
- (g) *customary activities* – all.

While only a quick summary, the above example does indicate the current (appropriate) restrictions on developments that could impact on renewable energy development.

The NPS should outline the manner in which, at a policy level, these restrictions can appropriately be overcome.

The EECA has been undertaking Regional Renewable Energy Assessments (RREA) to collate in one easily accessible location, known public data on the availability of renewable energy resources by region, as a tool to promote investment and further investigation into exploitation of these resources. They will also be useful tools to local bodies in identifying areas that are likely to be investigated and to

<sup>2</sup> See in particular *Auckland Regional Council v NSCC* – the Long Bay/Oakura MUL series of cases, which clarified the ability of the Auckland Regional Council to use the MUL as a specific policy tool which effectively operates as a rule.

begin to develop objectives, policies rules and methods around the management of the effects of possible future exploitation of those resources.

The approach taken in the RREA was to investigate all of a region with the exception of DoC land "as a first order definition of what might be environmentally acceptable". In the Auckland Regional Assessment a similar approach has been taken to the Waitakere Ranges where the assessment notes:

"Figure 13 shows areas that will require careful and sensitive planning when proposing wind farms. Native forest and Department of Conservation (DoC) land can lengthen and complicate the consent process and as a result, wind farm developers tend to favour locations outside such areas. In this context, it is to be noted that the Waitakere Ranges Regional Park and the proposed Waitakere Ranges Heritage Area contain substantial native forest. Given this, these areas have not been considered in the estimate of installed wind capacity in the Auckland Region presented below. Furthermore, it is noted that the proposed Waitakere Ranges Heritage Area Bill aims to secure the long-term recognition, status and protection for the Waitakere Ranges, foothills and coastal villages. In summary, whilst wind farm development in these areas cannot be ruled out completely, areas within the Auckland Region outside the Waitakere Ranges have comparable wind resources and grid accessibility together with limited native bush cover."

This paragraph illustrates the tension between the possible availability of a renewable energy resource and the presence of other valued natural or physical resources which could be affected by the extraction of those resources.

The NPS will need to reflect this tension and provide guidance to decision makers as to the situations in which the national benefits of renewable generation should outweigh the potential local adverse effects on other resources, and also the situations where they would not.

This is also a complex issue as the availability of a resource is not the only consideration – other factors including proximity to load, site availability, topography, access and distance to the network or grid are also important determinants.

It will be important that the NPS is developed in concert with other government initiatives (including the NPS: Electricity Transmission, government incentives and other regulatory and non-regulatory approaches) to ensure consistency and integration for the best possible outcome.

#### Scale:

Waitakere City Council believe that there is a significant distinction to be made between the use or generation of renewable energy at the individual household or building level ('post-meter') and commercial scale renewable energy developments intended to be connected to the transmission or distribution networks.

The NPS should ensure that there are as few regulatory restrictions on the domestic scale use of renewable energy devices such as micro-wind turbines, solar hot water heating, solar p.v. panels, ground source heat pumps, micro-hydro, passive solar gain and other similar technologies, which will have significant positive benefits from a resilience, efficiency and economic multiplier aspects, and result in minimal adverse impacts even at a cumulative scale.

Existing restraints may include height or sunlight protection planes which are commonly provided in District Plans usually with a number of exceptions for chimneys, aerials, satellite dishes, gable ends and so on. It would be appropriate for the NPS to indicate that similar exemptions should apply to renewable energy devices such as solar p.v. or heaters, and micro wind turbines, given that the effects of such devices are minimal, and comparable to many common roof top structures.

Earthworks rules may restrict the installation of domestic ground source heat pumps.

Water diversion rules may require consent for micro hydro devices.

It is anticipated that the NPS would specify limits as to the scale of devices that should be provided for in plans.

In contrast to the small scale domestic of single building scale devices mentioned above, a different approach is required to the Objectives and Policies surrounding large scale developments.

It is anticipated that this latter concern will form the bulk of the coverage of the NPS, and should address the matters outlined above including (but not limited to):

- o General overarching policies and objectives for renewable energy development
- o Specific policies and objectives for specific renewable resources and the management of the effects of their development for energy needs (i.e. management of the effects of extraction);
- o Policies and Objectives should recognise and provide direction around managing the tension between the benefits of renewable energy and the localised effects, particularly the management of localised effects on matters of national importance;
- o Policies and objectives should recognise that there are locations or situations where renewable energy development would not be appropriate, and there may be locations and/or situations where renewable energy development should be promoted perhaps even to the detriment of other activities or valued resources;

Waitakere City Council thanks the Ministry for the Environment for a chance to comment on the content of a possible National Policy Statement on Renewable Energy and looks forward to commenting on the possible future document.

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Sue Bidrose  
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for  
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Date

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