

Before Hearing Panel – Proposed Natural Resources Plan for the Wellington Region

Under The Resource Management Act 1991 (the Act)

In the matter of Proposed Natural Resources Plan for the Wellington Region – Hearing Stream One, Overall Plan Framework, Beneficial Use and Development, and Areas and sites with significant mana whenua values

Between Greater Wellington Regional Council

Local Authority

And Transpower New Zealand Limited

Submitter S165 and Further Submitter FS22

Response to Panel Question - Pauline Mary Whitney

Dated 15 June 2017

Panel Question

- 1 On 7 June 2017, during questioning by the panel to Pauline Whitney, the expert planning witness of Transpower NZ Ltd, Commissioner McMahon asked if the sought Policy 13A has been incorporated in any other RMA policy documents.
- 2 Sought Policy 13A: *Managing environmental effects of new National Grid Infrastructure* (as requested in submissions point S165/ 010 and outlined in paragraph 103 of the Hearing Evidence of Pauline Whitney in relation to the Transpower submission) is as follows:

Policy P13A: Managing environmental effects of new National Grid infrastructure.

When considering the environmental effects of new infrastructure associated with the National Grid, or major upgrades of the existing National Grid, decision makers shall have regard to:

(a) the benefits of the infrastructure to meet the needs of present and future generations,

(b) the extent to which any adverse environmental effects have been avoided, remedied or mitigated by the route, site and method selection; and

(c) the constraints imposed by the technical and operational requirements of the National Grid.

Response

- 3 In reviewing other RMA planning documents, the focus was on the matters to have regard to when considering the environmental effects **of** new National Grid activities, as opposed to the effects of third party activities **on** the National Grid. General policies relating to benefits and operational constraints associated with the National Grid were not included in the review. The focus of the review was on more recent RMA policy documents.
- 4 The review of other policy documents in New Zealand shows the following plans feature a similar policy to that sought above. Policies of particular relevance are highlighted as **grey shaded text**.

Plan reference	Objective	Policy
<p>Auckland Unitary Plan</p> <p>Operative in Part (as at 12 June 2017)</p> <p>Chapter E26. Infrastructure</p>	<p>E26.2.1. Objectives [rp/dp]</p> <p>(1) The benefits of infrastructure are recognised.</p> <p>(2) The value of investment in infrastructure is recognised.</p> <p>(3) Safe, efficient and secure infrastructure is enabled, to service the needs of existing and authorised proposed subdivision, use and development.</p> <p>(4) Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.</p> <p>(5) The resilience of infrastructure is improved and continuity of service is enabled.</p> <p>(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.</p> <p>(7) The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance, repairs, upgrading and removal is enabled.</p> <p>(8) The use and development of renewable electricity generation is enabled.</p> <p>(9) The adverse effects of infrastructure are avoided, remedied or mitigated.</p>	<p>E26.2.2. Policies</p> <p>(2) Provide for the development, operation, maintenance, repair, upgrade and removal of infrastructure throughout Auckland by recognising:</p> <ul style="list-style-type: none"> (a) functional and operational needs; (b) location, route and design needs and constraints; (c) the complexity and interconnectedness of infrastructure services; (d) the benefits of infrastructure to communities with in Auckland and beyond; (e) the need to quickly restore disrupted services; and (f) its role in servicing existing, consented and planned development. <p>Adverse effects of infrastructure</p> <p>(5) Consider the following matters when assessing the effects of infrastructure:</p> <ul style="list-style-type: none"> (a) the degree to which the environment has already been modified; (b) the nature, duration, timing and frequency of the adverse effects; (c) the impact on the network and levels of service if the work is not undertaken; (d) the need for the infrastructure in the context of the wider network; and (e) the benefits provided by the infrastructure to the communities within Auckland and beyond. <p>(6) Consider the following matters where new infrastructure or major upgrades to infrastructure are proposed within areas that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character:</p> <ul style="list-style-type: none"> (a) the economic, cultural and social benefits derived from infrastructure and the adverse effects of not providing the infrastructure; (b) whether the infrastructure has a functional or operational need to be located in or traverse the proposed location; <p>...</p> <p>National Grid</p> <p>(13) Have regard to the extent to which actual and potential effects have been avoided, remedied or mitigated by the route, site and method selected when assessing the development of the National Grid.</p>

<p>One Plan The Consolidated Regional Policy Statement, Regional Plan and Regional Coastal Plan for the Manawatu- Wanganui Region</p> <p>November 2014</p> <p>RPS Section</p>	<p>Objective 3-1: Infrastructure[^] and other physical resources of regional or national importance</p> <p>Have regard to the benefits of infrastructure[^] and other physical resources of regional or national importance by recognising and providing for their establishment, operation*, maintenance* and upgrading*.</p>	<p>Policy 3-3: Adverse effects[^] of infrastructure[^] and other physical resources of regional or national importance on the environment</p> <p>In managing any adverse environmental effects[^] arising from the establishment, operation*, maintenance* and upgrading* of infrastructure[^] or other physical resources of regional or national importance, the Regional Council and Territorial Authorities[^] must:</p> <ul style="list-style-type: none"> (a) recognise and provide for the operation*, maintenance* and upgrading* of all such activities once they have been established, (b) allow minor adverse effects[^] arising from the establishment of new infrastructure[^] and physical resources of regional or national importance, and (c) avoid, remedy or mitigate more than minor adverse effects[^] arising from the establishment of new infrastructure[^] and other physical resources of regional or national importance, taking into account: <ul style="list-style-type: none"> (i) the need for the infrastructure[^] or other physical resources of regional or national importance, (ii) any functional, operational or technical constraints that require infrastructure[^] or other physical resources of regional or national importance to be located or designed in the manner proposed, (iii) whether there are any reasonably practicable alternative locations or designs, and (iv) whether any more than minor adverse effects[^] that cannot be adequately avoided, remedied or mitigated by services or works can be appropriately offset, including through the use of financial contributions.
<p>Regional Policy Statement for Northland</p> <p>May 2016</p>	<p>Objective 3.7 Regionally significant infrastructure</p> <p>Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland's economic, cultural, environmental and social wellbeing.</p>	<p>5.3.3 Policy – Managing adverse effects arising from regionally significant infrastructure</p> <p>(1) Allow adverse effects arising from the establishment and operation of new regionally significant infrastructure and the re-consenting of existing operations where:</p> <ul style="list-style-type: none"> (a) The proposal is consistent with Policies 4.4.1(1), 4.4.1(2). 4.6.1(1)(a), 4.6.1(1)(b), 4.6.1(2) and 4.6.2 (1); (b) The proposal does not result in established water quality limits or environmental flows and / or levels being exceeded or otherwise could lead to the over-allocation of a catchment (refer to Policy 4.1.1); (c) Damage to and / or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga is avoided or otherwise agreed to by the affected iwi or hapū; and (d) In addition to the matters outlined in 1) (a) – (c) above, other adverse effects are avoided, remedied or mitigated to the extent that they are no more than minor. <p>(2) Allow adverse effects arising from the maintenance and upgrading of established regionally significant infrastructure wherever it is located, where:</p> <ul style="list-style-type: none"> (a) The adverse effects whilst the maintenance or upgrading is being undertaken are not significant; and (b) The adverse effects after the conclusion of the maintenance or upgrading are the same or similar to before the activity being undertaken. <p>(3) When managing the adverse effects of regionally significant infrastructure decision makers will give weight to:</p>

		<p>(a) The benefits of the activity in terms of Policy 5.3.2;</p> <p>(b) Whether the activity must be recognised and provided for as directed by a national policy statement;</p> <p>(c) Any constraints that limit the design and location of the activity, including any alternatives that have been considered which have proven to be impractical, or have greater adverse effects;</p> <p>(d) Whether the proposal is for regionally significant infrastructure which is included in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland.</p> <p>(e) The extent to which the adverse effects of the activity can be practically reduced. Such an assessment shall also take into account appropriate measures, when offered, to provide positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and / or resource affected; and</p> <p>(f) Whether a monitoring programme for any identified significant adverse effects with unknown or uncertain outcomes could be included as a condition of consent and an adaptive management regime (including modification to the consented activity) is used to respond to such effects.</p> <p>(g) Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.</p>
<p>Canterbury Regional Policy Statement 2013 Revised February 2017</p> <p>Chapter 16 – Energy</p>	<p>Objective 16.2.1 Efficient use of energy Development is located and designed to enable the efficient use of energy, including:</p> <ol style="list-style-type: none"> 1. maintaining an urban form that shortens trip distances 2. planning for efficient transport, including freight 3. encouraging energy-efficient urban design principles 4. reduction of energy waste 5. avoiding impacts on the ability to operate energy infrastructure efficiently. <p>Objective 5.2.2 Integration of land-use and regionally significant infrastructure (Wider Region) In relation to the integration of land use and regionally significant infrastructure:</p>	<p>Policy 16.3.4 Reliable and resilient electricity transmission network within Canterbury To encourage a reliable and resilient national electricity transmission network within Canterbury by:</p> <ol style="list-style-type: none"> 1. having particular regard to the local, regional and national benefits when considering operation, maintenance, upgrade or development of the electricity transmission network; 2. avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed; 3. enabling the operational, maintenance, upgrade, and development of the electricity transmission network provided that, as a result of route, site and method selection, where: <ul style="list-style-type: none"> (a) the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and (b) other adverse effects on the environment are appropriately controlled. <p>5.3.9 Regionally significant infrastructure (Wider Region) In relation to regionally significant infrastructure (including transport hubs):</p> <ol style="list-style-type: none"> 1. avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety; 2. provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and 3. provide for the expansion of existing infrastructure and development of new infrastructure, while: <ul style="list-style-type: none"> (a) recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists;

	<p>1. To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.</p> <p>2. To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:</p> <p>(a) development does not result in adverse effects on the operation, use and development of regionally significant infrastructure.</p> <p>(b) adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable.</p> <p>(c) there is increased sustainability, efficiency and liveability.</p>	<p>(b) avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and</p> <p>(c) when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.</p>
<p>Southland Regional Policy Statement 2012 <i>(proposed but the provide provisions are</i></p>	<p>Objective INF.1 – Southland’s infrastructure Southland’s regionally significant, nationally significant and critical infrastructure is secure, operates efficiently, and is appropriately integrated with land use activities and the environment.</p>	<p>Policy INF.2 – Infrastructure and the environment Where practicable, avoid, remedy or mitigate the adverse effects of infrastructure on the environment. In determining the practicability of avoiding, remedying, or mitigating adverse effects on the environment, the following matters should be taken into account:</p> <p>(a) any functional, operational or technical constraints that require the physical infrastructure of regional or national significance to be located or designed in the manner proposed;</p> <p>(b) whether there are any reasonably practical alternative designs or locations;</p> <p>(c) whether good practice approaches in design and construction are being adopted;</p>

<i>beyond appeal)</i>		<p>(d) where appropriate, and such measures are volunteered by a resource user, whether any significant residual adverse effects can be offset or compensated for; and</p> <p>(e) the need to give effect to the NPSET (2008) including that planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.</p>
<p>Christchurch District Plan</p> <p>Operative as at 25 May 2017</p>	<p>11.2.1 Objective - Provision of utilities</p> <p>a) Effective and efficient provision of utilities in a manner that is integrated with land use and development in the District.</p> <p>b) The continued operation, maintenance, upgrade and development of utilities throughout the District.</p> <p>c) An increase in renewable electricity generation activities.</p>	<p>11.2.1.5 Policy - Electricity transmission and electricity distribution</p> <p>a. Recognise the national significance of the National Grid by:</p> <ul style="list-style-type: none"> i) providing for the benefits derived from a secure and efficient electricity transmission network; ii) providing for the operation, maintenance, upgrade and development of the National Grid; iii) acknowledging that the management of adverse effects of the National Grid is constrained by technical and operational requirements; and iv) having regard to the route, site and method selection when considering the effects of new infrastructure or major upgrades. <p>b. Provide for ongoing operation, maintenance, upgrade and development of the electricity distribution network, while; having particular regard to the post-earthquake repair and resilience requirements of the electricity distribution network.</p>