Comments by Transpower NZ Limited on Draft Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

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Keeping the energy flowing



Comments by Transpower New Zealand Ltd on Draft Change 5 (Kaituna River) to the Bay of Plenty RPS

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Overview

Transpower New Zealand Ltd ("**Transpower**") welcomes the opportunity to provide comments on Draft Change 5 Kaituna River ("**Draft Change 5**") to the RPS which has been prepared and approved for community consultation.

These comments have been prepared to assist the Council in ensuring the planning framework under Draft Change 5 appropriately recognises and provides for the National Grid. Specifically, from Transpower's perspective, the provisions of Draft Change 5 need to ensure that it:

- Gives effect to the National Policy Statement on Electricity Transmission 2008 ("NPSET" or "NPS");
- Recognises the need to sustainably manage the National Grid as a physical resource of national significance;
- Recognises the benefits of the National Grid at local, regional and national levels; and
- Provides for the effective operation, maintenance, upgrading and development of the National Grid.

Within these comments, Transpower provides an overview of Transpower and its role and function; an overview of the National Grid assets within the Kaituna River catchment area; an overview of the statutory framework as it relates to the National Grid; the key issues for Transpower; and specific comments on the Draft Change 5 provisions on which the Bay of Plenty Regional Council ("**the Council**") is seeking feedback.

Transpower's Role and Function

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and 166 substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

Transpower's Statement of Corporate Intent for July 2019 to July 2022, states that:

Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:

- As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and

- As system operator, to operate a competitive electricity market and deliver a secure power system.

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand's economic and social aspirations. It has to be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation. Transpower also directly connects electricity to some large industrial users.

Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient regional policy framework where it may affect the National Grid, including possible future changes.

Kaituna River Catchment Transmission Assets

Transpower's assets within and traversing the Kaituna River catchment (as identified in Draft Change 5), comprise the following:

- Hairini-Te Matai A 110kV single circuit transmission line on single poles;
- Okere-Te Matai A 110kV single circuit transmission line on pi poles;
- Edgecumbe-Tarukenga A 220kV double circuit transmission line on steel towers;
- Hairini-Tarukenga A 220kV double circuit transmission line on steel towers; and
- Te Matai substation.

Attached as **Appendix 1** is a map of Transpower's assets within the Kaituna River catchment area.

Statutory Framework

The National Grid is nationally (and regionally) significant infrastructure that is recognised in the RMA context by the National Policy Statement for Electricity Transmission and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations.

National Policy Statement on Electricity Transmission

The National Policy Statement for Electricity Transmission 2008 ("**NPSET**") was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid, and establishes national policy direction to recognise the benefits of transmission, the effects of the National Grid and the need to appropriately manage activities and development close to the Grid. The NPSET only applies to the National Grid (the assets used or operated by Transpower). A copy of the NPSET is attached as **Appendix 2**.

The one single objective of the NPSET is as follows:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- a. Managing the adverse environmental effects of the network; and
- b. Managing the adverse effects of other activities on the network.

The NPSET policies give direction on how to achieve the objective, providing for the recognition of the benefits of transmission as well as the environmental effects of transmission, and the management of adverse effects on the transmission network. As such, the NPSET policies impose obligations on decision makers and Transpower itself.

Policy 1 of the NPSET provides that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy, development and use of new electricity generation, and enhanced supply.

Policies 2 to 9 relate to management of the environmental effects of transmission. In particular, Policy 2 states:

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

Policies 3 to 5 contain matters which decision-makers must consider, including technical and operational constraints, the route, site and method selection process, and operational requirements. Policy 6 seeks to reduce the existing adverse effects of transmission infrastructure where appropriate and Policies 7 and 8 relate to urban and rural environments. Policy 8 requires new Grid assets to 'seek to avoid' sensitive rural environments (rather than fully avoid them). Policy 8 is as follows:

In rural environments, 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.

Policy 9 specifically relates to health standards. Policies 2 to 9 are relevant to Draft Change 5 as they provide the policy framework for managing the environmental effects of transmission and seek to ensure provision for the ongoing operation and development of the National Grid.

Policies 10 and 11 of the NPSET provide guidance on the management of adverse effects of other activities on the transmission network. Policies 13 and 14 relate to the long-term strategic planning for transmission assets. Under Policy 14, regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Sections 55, 61 and 62 of the Resource Management Act 1991 (RMA) require the Council to ensure its regional policy statement is prepared and amended in accordance with and 'gives effect' to the objectives and policies of the NPSET. This is a strong statutory direction and requires the Draft Change 5 provisions to reflect the direction and intent of the NPSET.

Key Issues and Approach Sought

These comments have been prepared to assist the Council in ensuring the policy framework under Draft Change 5 appropriately recognises and provides for the National Grid.

As highlighted in the NPSET (being a higher-level policy document) the three significant resource management issues relating to the National Grid are:

- a) Enabling and providing for the ongoing operation, maintenance, upgrading and development of the National Grid,
- b) Managing the adverse effects of the ongoing operation, maintenance, upgrading and development of the National Grid, and
- c) Inappropriate development, land use and subdivision in proximity to the National Grid which can compromise its operation maintenance, development and upgrade.

Transpower generally supports Draft Change 5 and the vision, objectives, policies and methods that have been developed specific to the Kaituna River and its tributaries. Transpower understands that under the Treaty Claims Settlement Act, the Regional Policy Statement (RPS) must recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document and that this change to the RPS is to be achieved via Draft Change 5. Transpower also understands that the existing operative RPS provisions also contribute to achieving the Kaituna River objectives and that the Draft Change 5 provisions must therefore be read alongside the region wide provisions of the RPS.

While Transpower is generally supportive, some specific amendments are sought to ensure Draft Change 5 appropriately recognises the National Grid and provides for its ongoing operation, maintenance, upgrade and development. Specifically, Transpower seeks clarification of the relationship between the Kaituna River provisions and the operative RPS provisions and seeks recognition of the National Grid in order to give effect to the NPSET. To support clarity, Transpower seeks that Table 10c be amended to include specific reference to additional operative RPS policies that achieve the objectives, including specific Energy and Infrastructure policies related to the National Grid.

Transpower would be happy to expand on any other points within these comments or provide further details or supporting information if required.

Specific comments on Draft Change 5 (Kaituna River)

The following table outlines Transpower's specific comments on the Draft Change 5 provisions (dated August 2020).

It should be noted that Transpower reserves its right to amend/refine its position and comments on the Draft Change 5 provisions as the RPS change progresses through the RMA Schedule 1 process.

Draft Change 5 Provision	Support / Oppose / Amend	Comments / Reasons	Outcome sought
Part Two – Resource management issues, objective	s and summ	ary of policies and methods to achieve the objectiv	ves of the Regional Policy Statement
2.12.3 Kaituna River			
[] (bottom of page 2) Applying the Kaituna River provisions The Kaituna River objectives, policies and methods set out in Table 10c only apply to the Kaituna River co- governance area identified in Map 4ab below (source OTS-209-79 - Office of Treaty Settlements). These provisions should be read along with other region wide provisions.	Amend	Transpower supports the inclusion of a clear statement within the Draft Change 5 provisions that provides clarity for RPS users on how the Kaituna River provisions are to be applied and how they relate to the existing operative RPS provisions. Such information provides clarity and assists the interpretation and implementation of the RPS. Transpower understands that the existing operative RPS provisions also contribute to achieving the Kaituna River objectives and that the Change 5 provisions must therefore be read alongside the region wide provisions of the RPS. Transpower notes that the draft text box titled 'Applying the Kaituna River provisions' located at the end of section 2.12.3 differs from the "readers note" (that does not form part of Change 5 but is provided at the front of the Draft Change 5 consultation document) which states the Change 5 provisions and that <i>"Where a conflict exists between any Kaituna River specific provisions and region wide provisions, the Kaituna River specific provisions shall prevail."</i> Transpower seeks clarification of the relationship between the Kaituna River provisions and the operative RPS provisions and their application (particularly in relation to the operative RPS provisions related to the National Grid) and seeks recognition of the National Grid in order to give effect to the NPSET. This is	Transpower seeks that the 'Applying the Kaituna River provisions' text boxes are retained as part of Change 5 but that they be amended to clarify the relationship between the Kaituna River provisions and the operative RPS provisions and their application (particularly in relation to the operative RPS provisions related to the National Grid) and seeks recognition of the National Grid in order to give effect to the NPSET. To ensure clarity, Transpower would support specific reference within the Change 5 provisions to the National Grid. However, Transpower appreciates the confined scope of Change 5 and as an alternative, would support references to regionally significant infrastructure through the inclusion of specific cross-references to existing relevant RPS policies within Table 10c (see below comments).

Draft Change 5 Provision		Support / Oppose / Amend	Comments / Reasons	Outcome sought
Table 10c: Kaituna River – obj	ectives and titles of policies ar	nd methods to	particularly important for Transpower in relation to the operative RPS Energy and Infrastructure provisions that relate to the National Grid and which provide for its operation, maintenance, upgrade and development, consistent with the NPSET. To ensure clarity, Transpower would support specific reference within the Change 5 provisions to the National Grid. However, Transpower appreciates the confined scope of Change 5 and as an alternative, would support references to regionally significant infrastructure through the inclusion of specific references to existing relevant RPS policies within Table 10c (see below comments).	
Objectives <u>Objective 45</u> <u>The restoration, protection</u> <u>and enhancement of</u> <u>Kaituna River's wetlands,</u> <u>aquatic and riparian</u> <u>ecosystems that support</u> <u>indigenous species.</u>	Policy titles Policy KR 6B: Providing for the protection of Kaituna River's indigenous aquatic, riparian and wetland vegetation and habitats. Policy MN 2B: Giving particular consideration to protecting significant indigenous habitats and ecosystems.	Amend	Transpower's primary concern in relation to Draft Change 5 is the lack of recognition given to the NPSET and the need to operate, maintain, upgrade and develop the National Grid. The NPSET requires specific policy recognition of the National Grid. Policy 1 of the NPSET specifically requires that decision makers must 'recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network'. As shown on the map provided with these comments, a number of National Grid assets are located in the Kaituna River catchment. As outlined above, Transpower is generally supportive of Draft Change 5 but seeks clarification of the relationship between the Kaituna River provisions and the existing RPS provisions	Amend the Table 10c 'policy titles' column by including additional policy references for Objective 45 from the operative RPS as follows: Policy EI 4B: Recognising the benefits from nationally and regionally significant infrastructure and the use and development of renewable energy. Policy EI 5B: Managing adverse effects of regionally significant infrastructure on matters of national importance.

Draft Change 5 Provision	Suppo Oppo Amen	se /	Comments / Reasons	Outcome sought
En	blicy MN 4B: neouraging ecological estoration.		the use and development of the National Grid. For example, in the operative RPS, Objective 6 provides for the social, economic, cultural and environmental benefits of, and the use and development of nationally and regionally significant infrastructure (which includes the National Grid). Objective 7 provides for the appropriate management of any adverse effects created by the development and use of infrastructure. These objectives are supported by a series of specific policies. The operative RPS objective and policy framework enables the effects of the National Grid, including on matters of national importance, to be assessed in a considered manner. To ensure appropriate recognition of the existing operative RPS provisions that provide for activities associated with the National Grid, Transpower seeks amendment of Table 10c to add further RPS policy references, particularly in relation to Objective 45. Specifically, Transpower seeks inclusion of references to Policies EI 4B (recognising the benefits from nationally and regionally significant infrastructure) and EI 5B (managing adverse effects of regionally significant infrastructure on matters of national importance).	

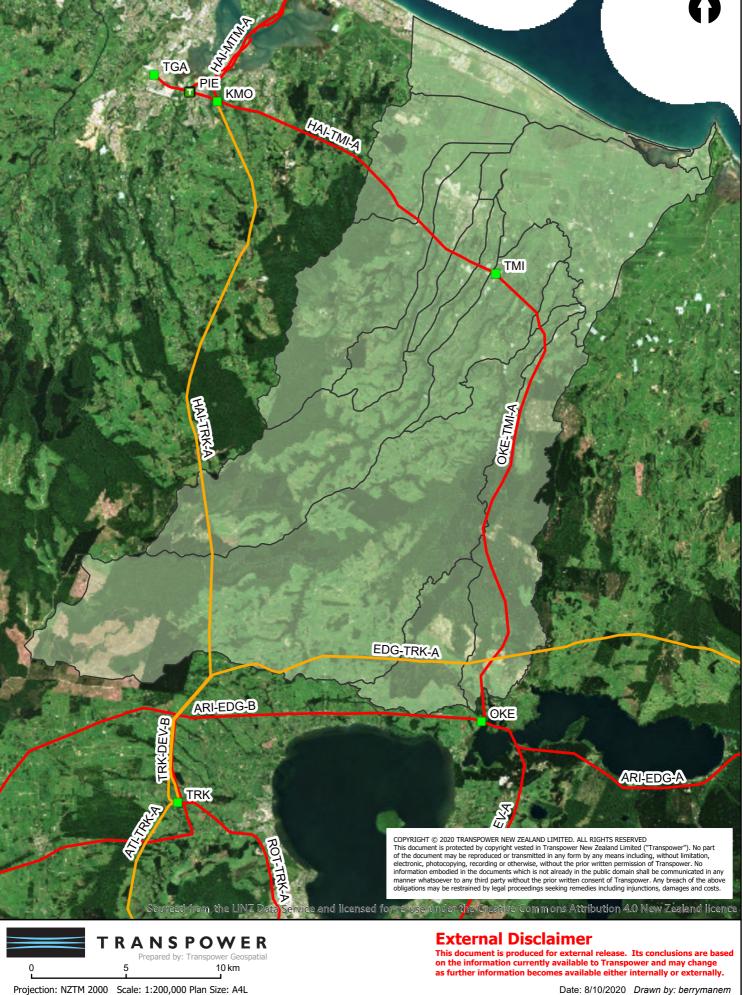
art Three – Policies and methods

Part Three – Policies and methods 3.1 Policies					
3.2 Methods to implement policies 3.2.1 Directive methods					
Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River catchment <u>and Kaituna River</u> Where appropriate require the removal of structures that impede cultural and recreational access in the Rangitāiki River catchment <u>and Kaituna River</u> . Where removal is impracticable, employ measures to adapt existing structures to minimise adverse effects on cultural and recreational access.	Neutral	Transpower notes the draft amendment to Method 23S as part of the Draft Change 5 proposals. Transpower is concerned that there is a lack of clarity in relation to the implementation of the method, particularly in terms of what might be deemed to be "appropriate" and how widely the method applies. As shown on the map provided with these comments, a number of National Grid assets are located with the Kaituna River catchment. Transpower would be concerned if Method 23S required the removal of National Grid structures	Transpower seeks clarification of the intent and application of Method 23S in relation to National Grid structures located within the Kaituna River catchment.		

located within the Kaituna River catchment (including	
within the riparian margins of the Kaituna River and its	
tributaries).	

Appendix 1: Kaituna River Catchment National Grid Transmission Assets





Date: 8/10/2020 Drawn by: berrymanem

Appendix 2: National Policy Statement for Electricity Transmission (NPSET)

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the wellbeing of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local while the benefits may be in a different locality and/or extend beyond the local to the regional and national making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government's objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act's statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

2. Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the *Gazette*.

3. Interpretation

In this national policy statement, unless the context otherwise requires: Act means the Resource Management Act 1991.

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

Electricity transmission network, electricity transmission and transmission activities/ assets/infrastructure/resources/system all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

National environmental standard means a standard prescribed by regulations made under the Act.

National grid means the assets used or owned by Transpower NZ Limited. Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

6. Recognition of the national benefits of transmission

POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

7. Managing the environmental effects of transmission

POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

POLICY 8

In rural environments, 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.

POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ioninsing Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

Managing the adverse effects of third parties on the transmission network

POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

9. Maps

POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

10.Long-term strategic planning for transmission assets

POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

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 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

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 or review within four years of its approval.