

- 0.9 These cables are currently near capacity, and significant upgrade will be required to allow for projected increasing energy demand in the Auckland region and north². The recent “D’-shackle” outage of June 2006, and the major Auckland Central Business District blackout in 1998³ highlighted the vulnerability and dependence of the public and private sector on reliable and sufficient supplies of electricity.
- 0.10 In the short to medium term, the importance of this physical resource will continue to increase, as electricity demand increases at a greater rate than population and economic growth⁴ alone. Table 1 below indicates an increase in forecast supply of some 50PJ between 2005 and 2030, representing an approximate 33% increase on current supply.
- 0.11 Large scale, geographically distributed and variable renewable generation (wind, hydro and tidal particularly) sources will also rely on a resilient transmission network to transfer energy around the network to match peaks between the geographical and temporal separation of generation and demand.
- 0.12 In the longer term⁵, embedded or distributed renewable generation (s7(i)), along with improvements in energy efficiency (s7(ba)) may reduce the relative importance of the Transmission network as Waitakere internalises its energy requirements in accordance with the direction indicated NZES⁶, the NZECS⁷ (90% renewable generation by 2025), the RPS⁸ and the goals of the Waitakere City Council Climate Change Action Plan, which is part of the Council’s Sustainable Energy and Clean Air Strategic Platform.
- 0.13 Reticulated energy will retain a dominant proportion of total energy supply under that future scenario, and future total reticulated demand is likely to be greater than today’s total demand even under that future ‘efficient’ scenario above.
- 0.14 A sustainable renewable energy generation future is also highly dependant upon a strong resilient transmission network to allow for the fluctuating geographic variability in generation resulting from increased proportions of wind, tidal and hydro generation.
- 0.15 Waitakere City Council therefore considers the transmission network a physical resource of national significance, and supports the intention of the Proposed National Environmental Standards for Electricity Transmission to provide guidance in this regard.

² Demand is projected to increase by approximately 30MW per annum.

³ The outage was related to the ‘distribution network’ rather than the ‘transmission network’ but in the minds of most, this level of distinction is irrelevant when the lights don’t work.

⁴ Average electricity use per HH is increasing, and a trend towards smaller more energy intensive high density living styles (apartments, etc) would indicate an increase in total residential demand over time. The concept of ‘take back effect’ also applies where increases in efficiency result in more proliferate use of the resource, and improvements in efficiency may also be ‘taken’ in the form of warmer, dryer homes, rather than in a reduction in electrical demand. Heavy Industrial/corporate/light industrial use generally is trending towards being more productive per unit of electricity (i.e. more efficient), electricity use continues to increase, though slowly. Economic growth will increase the total demand even if 25% efficiency measures are implemented, particularly in the short to medium term: Source: *New Zealand’s Energy Outlook to 2030*, August 2006

⁵ A shift to high use of ‘electric’ cars or even to a hydrogen based transport system may shift transport energy demand away from fossil fuels towards reticulated energy – for example it has been estimated that the electrification of Auckland Rail Network will result in a one off increase in base load, equivalent to the average annual percentage increase in load demand in Auckland.

⁶ New Zealand Energy Strategy to 2050, October 2007, *Powering our future: towards a sustainable low emissions energy system*.

⁷ Draft New Zealand Energy Efficiency and Conservation Strategy, December 2006, *Making it happen: Action plan to maximise energy efficiency and renewable energy in New Zealand*.

⁸ Auckland Regional Policy Statement – see especially Chapter 5: Energy.

The general support outlined above is qualified by the submission points outlined below, not all of which relate directly to the National Environmental Standards (NES) as proposed:

- 1.1 Clear and directive policy would limit the variability and uncertainty resulting from various Territorial Authorities managing the effects of and on the transmission network in a wide variety of ways. It is considered that the current layout and arrangement of the National Environmental Standards do not provide a clear and unambiguous direction to Territorial Authorities, Transpower and the general public.
- 1.2 Essentially the National Environmental Standards as proposed create a new rule and assessment framework for assessing and managing both the transmission network and activities that could impact on the network, however, the arrangement and wording of the NES, in particular the Transmission Activities National Environmental Standards is confusing and repetitive, and set out in a manner that does not replicate the rule format of most District Plans.
- 1.3 The National Environmental Standards have been written in a manner that suggests the Transmission Network's importance overrides all other possible considerations including impacts of the Grid on other existing and future activities, and the avoidance, remediation or mitigation of effects on the environment and communities.
- 1.4 The transfer of costs and responsibilities for enforcement from central government has not been matched by a transfer of funds or powers. The existing enforcement regime, whereby the asset owner (Transpower) is not able to take direct action to protect the integrity of the asset from breaches, and the poor performance of the Energy Safety Service with respect to the rectification and enforcement of the estimated 5000 NZECP:34 breaches per annum has exacerbated this issue. Waitakere City Council is concerned that Territorial Authorities may be encumbered with the requirement to undertake enforcement action at significant cost to ratepayers. This issue is exacerbated by the proposed Transmission Activities National Environmental Standards which suggests that NZECP:34 breaches should be rectified not by addressing the unlawful activity which caused the breach, (which would involve enforcement action and/or potentially compensation) but by increasing the height of the lines by up to 25% (which is provided for as a permitted activity), encumbering the wider environment and communities with potentially significant adverse visual effects.
- 1.5 A related issue is the potential risk to Territorial Authorities with respect to the reliance of third parties on the advice provided by Councils with respect to the National Environmental Standards for Transmission Risks, particularly should the NZECP:34 based option be taken up, which requires application of specialist electrical engineering skills, a resource that does not exist in most Territorial Authorities.
- 1.6 There is no suggestion in the National Environmental Standards Transmission Activities that Transpower would be required to advise Territorial Authorities of their proposed works – The National Environmental Standards should indicate that Transpower is required to apply for a Certificate of Compliance (s139 Resource Management Act 1991) for all works, to confirm that Transmission Activities are indeed permitted.
- 1.7 It is suggested that there are several ways in which the National Environmental Standards can be improved, including:

- National Environmental Standards should relate to all transmission and distribution lines activities above a certain voltage, as the infrastructure is functionally identical and many issues are the same;
- Grouping or arranging the standard by activity type rather than activity status;
- A common list of matters for discretion/assessment criteria which may be referenced as required depending on the activity type;
- The provision of policies and objectives against which activities requiring higher levels of consent can be assessed;
- Including provision in the National Environmental Standards (or a new National Environmental Standards) relating to the management of Electro-Magnetic Fields⁹ (Electro Magnetic Frequency) – a key public health concern that appears to have been avoided.
- Providing encouragement for under grounding as a method of avoiding many of the effects associated with electrical transmission for existing lines and their upgrade, but also providing direction to other Government Agencies that own or control other linear infrastructure (e.g. Transit New Zealand and OnTrack) that the use of those corridors should also be made available to Transpower as a first preference/no or low cost option for new and/or relocated and upgraded lines.

1.8 Transmission and Distribution: As for the National Policy Statement: Electricity Transmission, Waitakere City Council seeks that the National Environmental Standards applies to all electricity infrastructure of a certain *type*, regardless of *ownership*. In this National Environmental Standards, which relates solely to Transmission Lines, Waitakere City Council seeks that the National Environmental Standards include Distribution Lines above a certain voltage, that being the lowest voltage lines currently operated by Transpower. This is because many distribution lines are, in terms of appearance and effect, exactly the same as those proposed to be covered by the proposed National Environmental Standards, and equally important for enabling the social, and economic wellbeing of communities. In a distributed and embedded future energy system, the role of distribution lines increases, as they form not only a conduit for electricity from the Grid, but also to enable small scale generators to feed back into it, or allow small scale 'grid' to operate across a local area. It is also noted that the National Environmental Standards may create a 'permitted baseline' against which distribution activities would be assessed, but this would be an inefficient and variable approach to the management of electricity infrastructure upgrades.

1.9 Activity Status or Type: It is suggested that rather than the current arrangement within the Transmission Activities National Environmental Standards whereby activities are grouped according to their activity *status* (i.e. permitted, controlled etc), they be grouped according to their activity *type* (i.e. earthworks, tower maintenance, etc). This would enable anyone to look at the National Environmental Standards and work out, based on the actual activity proposed, what the consent requirements are (if any), rather than the current rather confusing manner in which they are arranged and cross referenced. This current arrangement has also lead to repetition and some errors in the draft document, and would make any updates difficult to implement. This suggested arrangement is proposed in the Transmission Risks National Environmental Standards and supported, and both documents should be consistent. It is also suggested that the matters upon which control is reserved/discretion is restricted are listed in relation to those activities types as appropriate, with the relevant rule referencing the matters for discretion/control as required.

1.10 Qualitative Discussion: The provision of "Objectives and Policies" or "Explanations and Reasons" or similar relating to the matters covered by the standard would assist in providing

⁹ Refer also Waitakere City Council's submission to the Proposed National Policy Statement for Electricity Transmission, which sought that the management of Electro Magnetic Frequency via the National Policy Statement was inappropriate and should be included in a National Environmental Standards.

i:\s and ds\dev\district plans\ps and nes\nes electricity transmission\final submission docs\wcc submission on nes electricity transmission.doc

guidance as to the intended outcomes. This would be particularly useful in situations in which potentially conflicting matters arise (e.g. heritage protection or landscape and visual concerns vs. security of supply), to provide guidance as to how they can be resolved. It is considered that the wide meaning and use of the phrase "terms and conditions" throughout Part 5, and the specific mention of qualitative as well as quantitative standards, methods or requirements would allow for such an approach to be used, particularly as the rules and discretions provided in the National Environmental Standards would replace the top down hierarchy found in district and regional plans. It should also be noted that as a resource consent would be required for non-permitted activities, the provisions of s104 (1)(b)(iv) refer to the relevant planning documents -- where qualitative guidance does not exist in the National Environmental Standards, the relevant provision of a plan (e.g. for earthworks or visual effects, or heritage protection) would be referred to. The absence of an operative National Policy Statement on Electricity Transmission (refer also Waitakere City Council's submission on same) and the lack of a clear policy framework or direction in that document as proposed also suggest that the National Environmental Standards may need to provide some qualitative discussion.

- 1.11 Encouragement of Under-grounding: It appears that the National Environmental Standards does not encourage the under grounding of transmission lines, by classifying this activity as Restricted Discretionary (#33) – a higher activity threshold than is proposed for activities with significantly greater adverse effects, such as increasing the height of an existing tower by 25%, which is a Permitted Activity and therefore encouraged (#3.4). While there are effects of under grounding that must be managed, the National Environmental Standards should not place restrictions on under grounding that effectively encourage the upgrade of the above ground network in preference to under grounding.
- 1.12 Management of Electro Magnetic Frequency: The National Environmental Standards does not mention the management of Electro Magnetic Frequency, a key public health concern. Waitakere City Council has submitted on the National Policy Statement: Electricity Transmission, noting that the management of Electro Magnetic Frequency as a technical and scientific matter relating to discharges of energy to the environment was more appropriately controlled by a National Environmental Standard. Waitakere City Council (as did the Reference Group) also questioned the ICNIRP guidelines datedness and suitability for the purpose to which these guidelines had been put in the National Policy Statement, as they are not readily convertible to measurable standards for the protection of human health. Waitakere City Council therefore submits that, in accordance with the recommendations of the reference group report, that a National Environmental Standards is developed specifically relating to Electro Magnetic Frequency from electricity transmission, and that this be based on the most appropriate and up to date standard, such as is under development by ARPANSA¹⁰, as suggested by the Reference Group.
- 1.13 These suggestions are more fully outlined in the following section where appropriate:

¹⁰ Australian Radiation and Protection and Nuclear Safety Agency: "The reference group believes that the National Environmental Standards development process should not commence until this [ARPANSA] standard is available for consultation and its applicability for New Zealand has been reviewed" Reference Group draft report, p. viii. The timeframe of development and review of this standard is unknown.

Part 2: Specific Standards

This section of the submission addresses the proposed Transmission Activities National Environmental Standards and the Transmission Risks National Environmental Standards.

Because of the wide range of matters covered in the proposed standards and the variety of concerns that Waitakere City Council has, the comments are arranged with respect to the individual proposals in a table format.

A: Proposed National Environmental Standards for Transmission Activities:

Refer attached Activity Table (APPENDIX A) for comments on specific aspects of the proposed National Environmental Standards for Transmission Activities.

Summary:

1. This National Policy Statement should be organised in relation to Activity *type* rather than *status* as per the National Policy Statement Transmission Risks.
2. Limit *permitted* upgrade of bulk or height to 10% (for whatever reason), and ensure this is a one time only provision.
3. Existing NZECP:34 breaches should be rectified by enforcement action (if not legally established) or by negotiation (where legally established – e.g. prior to 2001) between the line operator and the relevant land/building owner as a first preference, before increasing height to the detriment of a wider population.
4. Small relocation of tower locations appears reasonable, however, note that this will result in a shift in the locations affected by the Transmission Risks National Environmental Standards/NZECP:34, and will also require the amendment of District Plan maps (as per proposed National Policy Statement: Electricity Transmission) – there are issues of cost and process around the amendment of the district plan maps that need to be resolved.
5. Tree trimming should be a permitted activity only where less than 20% of the foliage is removed, and this is done in accordance with accepted modern Arboricultural practice, as this is the upper limit of the ability of most trees to survive.
6. Earthworks controls need clarification.
7. Under grounding needs to be encouraged as a first preference, rather than discouraged as indicated by listing this activity as a Restricted Discretionary Activity;
8. Any Transmission Activity that is not defined in the table should default to the underlying Plan, rather than be covered by the catch all discretionary provisions proposed. As there is no equivalent of Objectives and Policies which provide a high level guide as to the intended outcomes and manner in which these outcomes may be achieved, a discretionary activity status overall is not considered appropriate.
9. Provision of Objectives and Policies or the equivalent in qualitative 'Terms and Conditions' is recommended.

An example of how Waitakere City Council envisions that the National Policy Statement could be rearranged with respect to the general and specific comments above and in the accompanying tables is provided below with respect to earthworks:

“Earthworks related to Transmission Activities:

Objectives:

Earthworks are a necessary component of the maintenance, upgrade and operation of the Transmission Network, but earthworks may also result in adverse effects on the surrounding environment.

The objective of the National Environmental Standards Earthworks Rules is to provide a regime that achieves a balance between providing for necessary works and managing the effects of those works, particularly in relation to effects on heritage features and waahi tapu, and significant landscape and ecological areas.

Other effects to be managed include potential for adverse effects on surrounding visual catchments and landscapes, water quality and erosion, contaminated land issues, and impacts on surrounding land uses including effects in respect of noise and the impacts of construction works and timing.

Policies:

Earthworks Policy 1:

Earthworks will be undertaken only the extent necessary for the efficient and safe operation, maintenance and upgrade of the Transmission Network, and where possible shall avoid areas of heritage, landscape or ecological value. Where these areas cannot be avoided, or effects on these areas are not able to be avoided, they shall be remedied or mitigated.

Earthworks Policy 2:

Where earthworks occur, practicable efforts shall be taken to ensure that the impacts of the works on the surrounding environment are avoided, remedied or mitigated. Effects of earthworks on heritage, landscape and ecological areas in particular require careful management. Other effects that require consideration include water quality and erosion issues from exposed soil and runoff, or unsupported cuts or fills; the management of the effects of earthworks on contaminated land; the minimisation of disruption to surrounding land uses from construction works, particularly from noise, but also traffic impacts and timing of works; and the potential for visual impacts from earthworks.

Earthworks Policy 3:

etc...

Rules:

1. Permitted Activities:

(Earthworks associated with any Activity Permitted by this National Environmental Standards, meeting all of the following standards:

(a)

- (i) The volume of any earthworks (including tracking) associated with a permitted activity shall not exceed any relevant permitted activity threshold specified in a regional plan.
- (ii) Earthworks in any scheduled landscape or ecological protection area identified in a district plan shall not exceed 50 m³ per tower or pole in a calendar year, or 100 m³ per track.
- (iii) All areas of bare ground shall be protected from soil erosion for the duration of the works.
- (iv) All areas of ground disturbance for foundation works shall be appropriately remediated at the completion of activities.

(b)

- (i) Earthworks shall not contribute to nor create slope or land surface instability, including subsidence, or the erosion of the bed or bank of any river, stream or lake.
- (ii) Excavated material or debris shall not be placed where it can enter any water body or the coastal marine area.
- (iii) No earthworks to be undertaken in the coastal marine area or the beds of lakes and rivers.
- (iv) Any earthworks undertaken on land identified in a contaminated land register held by a district or regional council shall comply with any relevant requirements of a district or regional plan, including the obtaining of a resource consent if required.
- (v) Construction or earthworks shall not be undertaken within an archaeological site, wāhi tapu area or any other cultural heritage area or sites explicitly scheduled in a district plan (unless the specific provisions of the district plan are complied with), including but not limited the obtaining of a resource consent.
- (vi) If any archaeological site, as defined by the Historic Places Act 1993, or site of cultural significance is exposed or identified before or during earthworks activities, the following procedures shall be applied:

- all site works are to cease immediately
- the area is to be secured to prevent further disturbance.

Note: if any archaeological site that is not listed in a plan is uncovered as a result of earthworks, then it will be necessary for the person carrying out the work to notify relevant tangata whenua, Waitakere City Council Historic Places Trust, the relevant district council, and, in the case of human remains, the Police. A resource consent, and/or authority from the Historic Places Trust may be required.

2. Controlled Activities:

Earthworks not meeting the Permitted Activity terms and conditions of 1(a), but meeting the following terms and conditions:

5. New access tracks to transmission lines, including permanent deviations of existing tracks:
 - for the purpose of accessing transmission lines
 - that are not within a scheduled landscape or ecological area or area of cultural significance
6. Earthworks that do not meet specified permitted activity conditions, but excluding earthworks undertaken within a scheduled landscape or ecological or heritage area or area of cultural significance

Assessment of Controlled Activities applications under 2(a) and 2(b) will be limited to the matters of:

- volume and extent of earthworks
- slope stability
- sediment control
- visual, landscape, ecological and archaeological (including wāhi tapu) remediation
- construction effects (including noise) and timing of the work.

7. Restricted Discretionary Activities:

Earthworks not meeting the Permitted Activity terms and conditions of 1(b) or the Controlled Activity 2(a) and 2 (b) terms and conditions, but meeting the following terms and conditions:

etc.....

8. Discretionary Activities

Earthworks not meeting the terms and conditions of 1, 2 or 3, but meeting the following terms and conditions:

etc.....

9. Non-Complying Activities

etc...

ASO

Appendix A: Transmission Activities National Environmental Standards Comments Table



B: Proposed National Environmental Standards for activities that could put transmission lines at risk

Refer attached Activity Table (APPENDIX B) for comments on specific aspects of the proposed National Environmental Standards for Transmission Risk Activities.

Summary:

Waitakere City Council prefers the approach outlined in 'Option B' – the '20m rule' for the following reasons:

1. A 20m provision provides a balance between the strict electrical safety requirements of the NZECP:34 (which in some cases exceed 20m) and the management of access for maintenance and upgrade, and protection of the public from Electro Magnetic Frequency;
2. Is easily measurable and provides certainty to Territorial Authorities, developers and property owners around where consent/investigation would be required (as compared to the NZECP based 'Option A', which would require expensive engineering advice to show compliance or not);
3. If the proposed National Policy Statement requirement to show Transmission Lines on appropriate maps is confirmed (Note that Waitakere City Council already show Transmission Lines on the operative District Plan maps), this will provide an opportunity to also indicate the 'consent required' zone on those same planning maps;
4. Only where development is proposed within the 'consent required zone' engineering advice would be required to confirm the suitability of the proposal (vs. Option A which requires such advice to confirm activity status, including permitted).
5. Option A would impose considerable risk and costs to Territorial Authorities, who would need to indicate on Project Information Memorandums, Certificates of Compliance and many other commonly requested documents whether consent is required or not, which requires specialist engineering advice which carries a direct cost.

Generally the Transmission Risks National Environmental Standards appears reasonable in that it mirrors the existing requirements (for the most part) of existing mandatory regulations, but Waitakere City Council does have concerns with respect to the transfer of risks and responsibilities to Territorial Authorities (and their ratepayers), without the appropriate resourcing.

Appendix B: Transmission Activities National Environmental Standards Comments Table

Part 3: Posed Questions

This section of the submission addresses the questions posed in the discussion document, in the order they are presented in the discussion document:

Question 1: Do you think national environmental standards are the most appropriate way of providing detailed national direction for managing the national grid?

Comment:

- Yes, but not as currently drafted, and only in combination with a strong and balanced National Policy Statement: on Electricity Transmission. As noted in Waitakere City Council's submission on the National Policy Statement: Electricity Transmission, clear direction is needed, but this also needs to recognise that Transmission Infrastructure generates significant environmental effects, and constraints on surrounding existing and future land uses and activities.
- An National Environmental Standards cannot provide "detailed national direction for managing the national grid" – they are essentially technical standards for managing the effects of activities – the "detailed national direction for managing the national grid" should be encompassed in the National Policy Statement : Electricity Transmission (see also Waitakere City Council' submission on the same).

Question 2: Do you agree with the objective[s]? Do you think the objective[s] meet the purpose of the RMA?

Comment:

No. The Transmission Activities National Environmental Standards objective relates to "the management of the adverse effects of the transmission network" – the purpose of the Resource Management Act 1991 is to "promote the *sustainable* management of natural and physical resources" while (amongst other things) "avoiding, remedying or mitigating any adverse effects of activities on the environment".

The Transmission Activities National Environmental Standards in seeking only to *manage the adverse effects*, clearly does not promote sustainable management of the physical resource, nor seek to *avoid, remedy or mitigate* adverse effects of transmission activities. Refer also comments above in Parts 1 and 2 in relation to the specifics of the Standards.

Question 3: Have we covered all the viable options for providing detailed national guidance under the RMA for the sustainable management of electricity transmission?

No. Section 140 of the Resource Management Act 1991 enables the Minister to call in applications of national significance, in which case, the Minister makes the decision on the application. An example of this is the current 400Kv grid upgrade project from Whakamaru to the Otahuhu Power Station. This option would help ensure that due regard can be given to the policy and regulatory frameworks of the relevant regional and district plans, while at the same time, improve national consistency where necessary.

The options of designations, negotiating easements or other agreements with landowners are also available tools, and merit further consideration.

The National Grid is not as unique as indicated in the discussion document, and many other significant linear infrastructure such as Railways, Gas Pipelines, State Highways and Electricity Distribution Lines exhibit many of the same characteristics and face similar issues with respect to maintenance and upgrade.

Waitakere City Council has recently received Notices of Requirement from two separate requiring Authorities, Vector Limited for their Manukau to Whangarei Gas Pipeline and the New Zealand Refining Company Marsden Point Refinery to Wiri Tank Farm Oil Pipeline for designations over their linear infrastructure that crosses a number of Territorial Authority jurisdictions.

This designation or easement option for existing lines should be explored further particularly as it would address the key private land rights issue by purchasing interests in land and compensating for loss of potential development, and is clearly achievable, should the requiring authority be prepared to adequately compensate land owners for the restrictions that the requirement imposes, as demonstrated by Vector (also an electricity distribution company) and the New Zealand Refining Company.

Question 4: Are the proposals for permitted activities likely to generate additional resource consent requirements?

Comment:

Clarification needs to be provided regarding the extent of existing use rights (s10, s139A), and clarification should also be provided around whether Transpower is required to obtain a Certificate of Compliance (s139) for activities that are proposed to be listed as Permitted.

Question 5: Should more activities be permitted than are currently proposed? For example, earth peaks are permitted in many plans, and often increase the height of the tower by more than the 15% allowed for permitted activities in the proposed National Environmental Standards (See Appendix 3). Should earth peaks be permitted without a height allowance?

Comment:

No. The proposed scope of permitted activities is already generous, and in some cases would result in significant adverse effects. There is no resource management justification for various activities such as increasing the height of towers and replacement poles, tree trimming or removal, size of signage, non abrasive washing, wet abrasive blasting, and earthworks controls to be subject to more lenient controls than those for other activities with the same or similar environmental effects (as a particular example compare with a potential upgrade of high voltage 'distribution' lines).

The height of structures needs to be considered in the context of the proposed locality, because this can affect the amenity values. Mitigation measures could be helpful to reduce any adverse visual effects.

Question 6: Do you think the categories assigned to activities are appropriate? Are they too stringent or too lenient? For example, putting existing overhead transmission lines underground is a restricted discretionary activity. Should this be a controlled or even permitted activity?

Comment:

Please refer to above comments in Parts 1 and 2 with respect to permitted activities.

The placement of existing lines underground should be encouraged, but this activity would need to be controlled in some manner, because of potential effects related to that activity as noted in the proposed standard (induced charge, access and termination structures). These issues are however also very similar to those encountered by above-ground lines.

Currently the National Environmental Standards encourage significant height and bulk increases in preference to under grounding as the consent threshold is lower.

There should also be a complementary "whole of government" response to directing government controlled organisations with suitable linear corridors (Transit New Zealand in particular, but also OnTrack) to make their corridors available for under grounding at little or no cost.

A related issue is the ongoing management of utilities within the limited space available in many road corridors or other private and public land. Waitakere City Council for example has accurate and detailed plans of its own underground assets, (Sanitary sewer, Storm water and potable water supply, and increasingly, fibre optic ducting) but does not have equivalent plans for other underground (or above ground) assets including gas pipes, electricity distribution, telecommunications etc.

A service such as the www.dialbeforeyoudig.com.au website, phone and fax service would provide a 'one stop shop' for people and organisations looking to excavate or develop. Such a scheme would require the dissemination of spatial information currently held by a wide variety of organisations to a central source, or alternatively the provision of such information to local authorities for use in their GIS systems which would then be available to local customers.

Direction from the government in management of utilities in the road corridor is also required, as the deregulation of many utilities has lead to the proliferation of services both above and below ground.

Question 7: Are the terms and conditions proposed to control the environmental effects of permitted activities appropriate? Are the matters over which the council can have control / discretion in assessing resource consents appropriate?

Comment:

No. Please refer to comments in Parts 1 and 2.

Question 8: Are there any other activities that should be listed in the transmission activities National Environmental Standards?

Comment:

In a previous Issues and Options paper dated February 2006, mention is made of the intention to consider the incorporation of at least part of the draft standard which was under development by the Australian Radiation Protection and Nuclear Safety Agency. Compliance with NZCEP34 is linked to the need to maintain physical access and provide electrical safe distances. There is no mention of the need to take either a cautionary (or precautionary) approach to any health effects from electromagnetic fields. Council has previously expressed support for more national guidance on this issue, because many territorial authorities lack specific expertise on this issue, yet it is not addressed in this discussion document.

It is recognised that this issue may have an effect on some of the proposed provisions in the National Environmental Standards, particularly with respect to risk management.

Question 9: Should the National Environmental Standards make any provision for activities to be non – complying (for example, some activities in the coastal marine area)?

Comment:

Yes. There is no reason why these matters cannot be addressed through a consent process if this would be consistent with the activity hierarchy of the relevant regional or district plan.

This will also require the provision of Objectives and Policies (which are noted as a requirement in Parts 1 and 2 above).

Question 10: Should the construction of new transmission lines be covered in the National Environmental Standards?

Comment:

No. Council notes that Section 1.4 of the Discussion Document states that the construction of new transmission lines will be subject to district and regional plan rules, unless the grid operator arranges for a designation in a district plan.

However, it may be appropriate for an National Environmental Standards (or National Policy Statement) to outline the manner in which a route should be selected, and the particular issues that should be taken into account.

It is likely that new lines would be considered nationally significant, and would be therefore called in by the Minister under the provisions of ss140-150AA inclusive.

Question 11: Do you have any comments on the activities proposed to be covered by the transmission risks National Environmental Standards? Is this the most appropriate way to manage these activities?

Comment:

Please refer specific comments in Part 1 and 2.

A key concern is that the responsibility for the enforcement of NZECP:34 has been moved from the Electrical Safety Service of the Ministry of Economic Development to Territorial Authorities, without the necessary resource transfer.

It appears that the ineffectiveness of the existing arrangement has lead to the suggestion that Territorial Authorities are better placed to enforce these regulations, rather than reviewing the performance of the current enforcement agency.

It is Waitakere's opinion that a central government agency should remain responsible for enforcement, and that such an agency should be resourced and tasked appropriately to respond to the lodgement of breaches noted by Transpower (up to 5000 breaches are recorded per annum). Alternatively, Transpower could be given powers to investigate and rectify breaches which it becomes aware of via its regular maintenance and inspection processes.

Question 12: Do you have any comments on the proposed activity types (prohibited, non – complying, controlled, restricted discretionary)?

Comment:

Please refer specific comments in Part 1 and 2.

Question 13: Which building option do you prefer and why? What should be the cut – off point for managing “buildings” (eg, all buildings and structures, only inhabitable buildings)? What about bridges and other structures? How could this be defined?

Comment:

It is Council's understanding that electrical risk exists irrespective of the use of the building and so would prefer an approach based on compliance with NZCEP:34 together with a new national standard addressing electromagnetic fields.

Question 14: Are there any other activities that should be managed to prevent risks to transmission lines? For example, damming and diverting water could endanger transmission support structures. Is this adequately controlled in regional plans now, or are additional provisions required?

Comment:

This matter is best addressed by regional councils as managing the damming and diverting of water is their responsibility under section 30 of the Resource Management Act 1991.

Question 15: Have we accurately reflected the range of costs and benefits arising from the proposals for national environmental standards and who might bear the costs or receive the benefits? Are there any costs and benefits we have overlooked?

Comments:

The main focus of the cost benefit analysis is on the *benefits to Transpower* from improved operational efficiency, and wider resource management and community related costs are not considered appropriately.

Question 16: Are our estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of final proposals)? Do you have any information on costs and benefits that we have been unable to quantify at this stage?

Comments:

There is a need to take a more balanced and realistic approach with relation to additional costs that will be imposed on the wider community, Councils and affected landowners.

Council is unable to provide more information on costs and benefits at this time.

Waitakere City Council looks forward to working with the Ministry for the Environment in relation to the issues outlined in this submission.

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APPENDICIES:

- A: Table of Comments on Transmission Activities National Environmental Standards
- B: Table of Comments on Transmission Risks National Environmental Standards

- C: Submission of Waitakere City Council to the Board of Enquiry into National Policy Statement for Electricity Transmission.

Activity Tables from Proposed National Environmental Standards for Electricity Transmission with Waitakere City Council Comments and Suggestions:

Table A6: Proposed Transmission Activities National Environmental Standards: Permitted Activities:

All permitted activities are subject to the terms and conditions for earthworks and noise listed in (18), (19) and (20).

Activity	Terms and Conditions	Default if not meeting Terms and Conditions: Restricted discretionary (39)	WCC District Plan Activity Status	Level of Concern	Comment
1. Repair, addition or replacement of conductors	The work results in: <ul style="list-style-type: none"> no more than duplex configuration conductors not exceeding 50 mm diameter where the existing conductor already exceeds 50 mm, any new or replacement conductor not exceeding the diameter of the existing conductor. 	Restricted discretionary (39)	"Upgrading" – Permitted	L	Is appropriate level of control.
2. Addition or replacement of earth wires and aerial communications cables (including earth wires containing an optic fibre ground wire)	The work results in: <ul style="list-style-type: none"> no more than 2 earth wires per pole / tower; or 1 earth wire and 1 communication cable per pole / tower wires or cables not exceeding 25 mm diameter. 	Restricted discretionary (39)	"Upgrading" – Permitted	L	Why not 50mm for all wires as per 1? – visual effects of any activity are related to their appearance, not its function.
3. Alterations to or replacement / strengthening of towers and foundations (note: the definition of towers includes cross-arms)	<ol style="list-style-type: none"> The tower height increase must not be more than 15% (including foundations and earth peaks) and the additional height must comply with any airport surface limitation or scheduled view shaft in a plan. The tower foundation footprint must not increase by more than 15% of the existing tower base footprint. The tower foundation footprint must not be relocated by more than the lower relocation envelope for permitted activities (ie, no more than 80% of the width of the base, see figure 6, page 75). if the height increase is to correct an NZECP violation created by parties other than the line owner, it may increase by up to 25%. 	Controlled (21) or restricted discretionary (32)	<ol style="list-style-type: none"> 1, 2, 3 - Discretionary – Upgrading permits 10% increase in height width or length of any infrastructure. 4 - Discretionary – Upgrading permits 10% increase in height width or length of any infrastructure. 	1,2,3 M 4 H	<p>1, 2, 3 - 10% as upgrade – one time only provision to avoid cumulative effects</p> <p>4: If NZECP-34 violation not authorised then why should everyone else bear effects of rectification via visual impacts – better to enforce NZECP better to avoid height increase.</p> <p>Also, effects of 25% height increase (irrespective of reason) would have significant effect – therefore cannot be provided for as a permitted activity.</p>

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
4. Alterations to or replacement / strengthening of poles (note: the definition of poles includes cross-arms and guy wires)	<p>1. The pole height must not increase by more than 15% (including foundations and earth peaks) provided the additional height complies with any existing airport surface limitation or scheduled view shaft in a plan.</p> <p>2. The pole must not be relocated by more than 2 m, measured as a horizontal distance, from the pole it replaces.</p> <p>3. If the height increase is to correct an NZECP violation created by parties other than the line owner, it may increase by up to 25%.</p>	Controlled (22)	<p>1, 2, - Discretionary – Upgrading permits 10% increase in height width or length of any infrastructure.</p> <p>3 - Discretionary – Upgrading permits 10% increase in height width or length of any infrastructure.</p>	1, 2 M 3 H	<p>1, 2, Limit to 10% height increase, 2m relocation seems reasonable.</p> <p>3. If NZECP-34 violation not authorised then why should everyone else bear effects of rectification via visual impacts – better to enforce NZECP better to avoid height increase.</p> <p>Also, effects of 25% height increase (irrespective of reason) would have significant effect – therefore cannot be provided as a permitted activity.</p>
5. Replacement of a tower with a pole	The replacement pole must not exceed the height of the tower it replaces by more than 15%.	Restricted discretionary (32)	Discretionary – Upgrading permits 10% increase in height width or length of any infrastructure.	M	10% as upgrade – one time only provision to avoid cumulative effects
6. Removal of existing lines		Controlled (27)		L	Could not default to Controlled as there are no performance standards (27) refers to earthworks which are covered by 18, 19, and 20 (more about those later)
7. Addition of circuits to lines designed to carry an additional circuit: • Inangahua – Kikiwa B • Inangahua – Westport B • Haywards – Melling A • Hairini – Mt Maunganui B	The conductors must not exceed 50 mm in diameter.	Restricted discretionary (39)	Permitted – However, it appears no such lines exist in Waitakere City	L	No such Lines exist in Waitakere City

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
8. Trimming or removal of trees or vegetation for the purposes of transmission line maintenance	<p>1. Trees or vegetation are:</p> <ul style="list-style-type: none"> not explicitly scheduled in a district plan not within a scheduled landscape / ecological protection area or land administered by the Department of Conservation under the Conservation Act 1987 or any other Act specified in Schedule 1 to that Act <p>• not planted for authorised river control purposes.</p> <p>2. Trimming or vegetation clearance:</p> <ul style="list-style-type: none"> is supervised by an arboricultural professional; and does not contribute to or create slope or land surface instability, including subsidence, or erosion of the bed or bank of any river, stream or lake. 	Controlled (25) or restricted discretionary (36)	Controlled Activity in all Natural Areas – "any vegetation alteration not meeting the standards of (permitted activity) undertaken or required by a network utility operator necessary for the maintenance of that operators works". Pruning of up to 20% of the foliage in any one year is permitted. Waitakere City Council has also issued 'a global consent' to a distribution company. Zone dependent.	L	Trees do not need to be 'planted' to be part of a river control programme (e.g. existing native vegetation). All Trees generally 'protected' by District Plan should be afforded protection, however do note that this should not preclude the management of the corridor via the 'Tree Regulations'.
9. Signs attached to transmission infrastructure	<p>1. The total face area per pole / tower does not exceed 1 m².</p> <p>2. For signs required for safety or navigation purposes, the total face area per pole / tower does not exceed 5 m².</p>	Restricted discretionary (37)	Permitted if related to a construction project (Temporary Activity)	L	Signs should be limited to Transmission Activity related signage only. Waitakere City Council would seek to avoid a proliferation of advertising signage attached to Transmission towers.
10. Temporary structures required for transmission maintenance or upgrade	Structures are erected not more than 20 working days before commencement of line works and removed no later than 20 working days after work finishes.	Controlled (24)	n/a	L	Appropriate level of control
11. Painting of transmission support structures, components and foundations		n/a	n/a	L	Colour restrictions? Does Transpower have a specified colour range?
12. Non-abrasive washing of transmission support structures and components	<p>1. Washing is not to be undertaken within 50 m of a water body or public road, or within 100 m of an occupied building.</p> <p>2. The wash water is not to contain chemical additives.</p> <p>3. All readily collectible waste and debris arising from abrasive blasting is to be removed from the site.</p> <p>4. There is to be no discharge of contaminants to water, and no discharge to land of contaminants that could enter water.</p>	Controlled (28)	n/a (Noise?)	L	Appears to be an appropriate level of Control. Discharges to land or water are controlled by Regional Council.

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
1.3 Wet abrasive blasting of transmission support structures and components	<p>1. Wet abrasive blasting is not to be undertaken within 50 m of a water body or public road, or within 100 m of an occupied building.</p> <p>2. Abrasive material is to contain no more than 5% free silica.</p> <p>3. No paint stripper (except solvent rag used for degreasing), fungicides, acids, alkalis, sodium hypochlorite or other oxidising agents is to be used for surface preparation.</p> <p>4. There is to be no discharge of contaminants to water, and no discharge to land of contaminants that could enter water.</p> <p>5. There is to be no discharge of contaminants to air that are noxious, dangerous, offensive or objectionable at the notional boundary of any occupied building.</p> <p>6. Prior to wet abrasive blasting work on towers coated with lead-based paint, a geotextile material of a quality shall be positioned on and around towers to capture spent abrasive material.</p> <p>7. All readily collectible waste and debris arising from abrasive blasting is to be removed from the site.</p>	Controlled (2B)	n/a (Noise?)	L	Appears to be an appropriate level of Control. Discharges to land or water are controlled by Regional Council.

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
14. Dry abrasive blasting of tower foundations	<p>1. Dry abrasive blasting is not to be undertaken:</p> <ul style="list-style-type: none"> • within 50 m of a water body or public road, or • within 100 m of an occupied building, or • more than 1 m above ground level. <p>2. Abrasive material is to contain no greater than 5% free silica.</p> <p>3. Prior to dry abrasive blasting work on towers coated with lead-based paint, a geotextile material of a filter quality shall be positioned on and around towers to capture spent abrasive material.</p> <p>4. All readily collectible waste and debris arising from abrasive blasting is to be removed from the site.</p> <p>5. There is to be no discharge of contaminants to water, and no discharge to land of contaminants that could enter water.</p> <p>6. There is to be no discharge of contaminants to air that are noxious, dangerous, offensive or objectionable at the notional boundary of any occupied building.</p>	Controlled (28)	n/a (Noise?)	L	Appears to be an appropriate level of Control. Discharges to land or water are controlled by Regional Council.
15. Maintenance, replacement, alteration or addition of electrical components or fittings on support structures or conductors; for example tanger brackets, insulators, marker bells	There is to be no increase in the height of the structure unless permitted by items (3) or (4) of this table.	Controlled (21 or 22)	Permitted (Upgrading)	L	See comments on (3) and (4) above.
16. Enhancement of existing circuits – retensioning, resagging, nip-tuck		n/a	Permitted (Upgrading)	L	Appears to be an appropriate level of Control.

ABS

Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
<p>17. Operating at design voltage and increasing the voltage and / or carrying capacity of a line (this does not include any physical works required to upgrade the line)</p>	<p>Note: major increases in voltage or carrying capacity would require other physical work to be done (eg, increasing tower height), which would be likely to be restricted discretionary or discretionary.</p>	<p>n/a</p>	<p>Permitted (Upgrading) - up to 110kVA (mirrors transitional RMA provisions), beyond 110kVA Discretionary</p>	<p>L</p>	<p>Appears to be an appropriate level of Control. Concerns do remain around the emission of EMF from significantly updated lines, and potential electrical safety distance requirements.</p>
<p>18. Any earthworks (including tracking) associated with the above permitted activities</p>	<p>1. The volume of any earthworks (including tracking) associated with a permitted activity shall not exceed any relevant permitted activity threshold specified in a regional plan. 2. Earthworks in any scheduled landscape or ecological protection area identified in a district plan shall not exceed 50 m³ per tower or pole in a calendar year, or 100 m³ per track. 3. All areas of bare ground shall be protected from soil erosion for the duration of the works. 4. All areas of ground disturbance for foundation works shall be appropriately remediated at the completion of activities.</p>	<p>Controlled (27)</p>	<p>Zone Dependent - would likely require consent.</p>	<p>M</p>	<p>18 and 19 appear to be a double up - the terms and conditions from each could easily be combined into one standard, (and if arranged by activity type rather than status) could easily indicate the jump from Permitted to Controlled or Restricted Discretionary as appropriate.</p>

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
<p>19. Any earthworks (including tracking) associated with the above permitted activities</p>	<p>1. Earthworks shall not contribute to not create slope or land surface instability, including subsidence, or erosion of the bed or bank of any river, stream or lake.</p> <p>2. Excavated material or debris shall not be placed where it can enter any water body or the coastal marine area.</p> <p>3. No earthworks to be undertaken in the coastal marine area or the beds of lakes and rivers.</p> <p>4. Any earthworks undertaken on land identified in a contaminated land register held by a district or regional council shall comply with any relevant requirements of a district or regional plan.</p> <p>5. Construction or earthworks shall not be undertaken within an archaeological site, wahi tapu area or any other cultural heritage area or sites explicitly scheduled in a district plan (unless the specific provisions of the district plan are complied with).</p> <p>6. If any archaeological site, as defined by the Historic Places Act 1993 or site of cultural significance is exposed or identified before or during earthworks activities, the following procedures shall be applied:</p> <ul style="list-style-type: none"> • all site works are to cease immediately • the area is to be secured to prevent further disturbance. <p>Note: if any archaeological site that isn't listed in a plan is uncovered as a result of earthworks, then it will be necessary for the person carrying out the work to notify relevant tangata whenua, NZ Historic Places Trust, the relevant district council, and, in the case of human remains, the Police. A resource consent may be required.</p>	<p>Restricted – discretionary (3B)</p>	<p>M</p>	<p>Refer comments in 18 above.</p>	

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Activity	Terms and Conditions	Default if not meeting Terms and Conditions	WCC District Plan Activity Status	Level of Concern	Comment
20. Noise and vibration associated with permitted activities	<p>1. Noise from all construction and maintenance work (including implosive jointing of conductors) is to comply with NZ Standard NZS 6803:1999 Acoustics</p> <p>– Construction Noise.</p> <p>2. Vibration from all construction and maintenance work is to meet the peak particle velocity limits in table 1 of German Standard DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures.</p> <p>Note: Noise from the normal operation of transmission lines would be managed via the district plan, probably requiring compliance with NZS 6802:1991 Assessment of Environmental Sound or NZS 6802:1999 Acoustics: Assessment of Environmental Sound.</p>	Controlled (29 or 30)	<p>1. NZS 6803P:1984</p> <p>2. ISO 2631-2:1989</p>	L	<p>Use of updated standards (vs Waitakere City Council District Plan standards) is appropriate.</p> <p>Waitakere City Council has no experience with the proposed German Standard and is unable to comment on its appropriateness.</p>

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Table A5: Proposed Transmission Activities National Environmental Standards: Controlled Activities

Activity	Matters over which control is reserved	Default if outside Controlled	WCC District Plan Activity Status	Level of Concern	Comment
21. Replacement of towers, or placement of fittings on towers, where the height increase is up to 15% (as for permitted), but relocated outside the existing tower base footprint by more than 80% of the width, but no more than 1.5 times the width of the existing tower base footprint (figures 6 and 7, page 75)	<ul style="list-style-type: none"> visual, landscape, archaeological (including wāhi tapu), ecological effects construction works and timing. 	Restricted discretionary (32)	Discretionary/Non-Complying	L	See comments on bulk increase (recommend 10% limit) above, but small relocation of tower location appears reasonable.
22. Replacement of poles, or placement of fittings on poles where the height increase is up to 15% and located more than 2 m but less than 5 m in a horizontal distance from the existing pole base	<ul style="list-style-type: none"> visual, landscape, archaeological (including wāhi tapu), ecological effects construction works and timing. 	Restricted discretionary (32)	Discretionary/Non-Complying	L	See comments on bulk increase (recommend 10% limit) above, but small relocation of tower location appears reasonable.
23. Temporary line deviation where one or more of the support structures located outside the replacement envelope (1.5 times the base width for towers, 5 m horizontally for poles (figure 7, page 75))	<ul style="list-style-type: none"> visual, landscape, archaeological ecological effects duration of works construction works and timing. 	n/a	Temporary Activity (Permitted). Heritage/earthworks effects covered by other rules.	L	Temporary activities – appropriate to control, but matters for control are covered by other rules relating to earthworks and or heritage. See also comments on (24) below.
24. Temporary structures that exceed the time constraints for a permitted activity	<ul style="list-style-type: none"> visual, landscape, archaeological (including wāhi tapu), ecological effects construction effects and timing of the work. 	n/a	Zone Dependent	M	Make temporary activities limited to the construction/reconstruction completion period – there is currently no defined time limit for temporary activities in the National Environmental Standards as proposed – the definition refers to the construction period – if the structure exceeds the duration of the construction project then it would not be temporary, but rather permanent, and covered by the District Plan or this National Environmental Standards as appropriate.
25. Trimming of scheduled areas of vegetation to reduce the risk to the transmission line <i>Note: this does not include individual scheduled trees.</i>	<ul style="list-style-type: none"> effects on the form, integrity and longevity of the vegetation replacement species and location. 	Restricted discretionary (36)	Permitted if no more than 20% of foliage of each individual tree and undertaken "in accordance with accepted modern Arboicultural practice", Restricted Discretionary if greater than 20%. This would also be covered by the Controlled Activity provisions relating network utility operators outlined in (8) above, if not heritage vegetation (e.g. vegetation in a scheduled ecological or landscape area etc).	M	Limit Trimming to 20% as this is the upper limit of the ability of any tree to survive pruning.

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Activity	Matters over which control is reserved	Default if outside Controlled Description	WCC District Plan Activity Status	Level of Concern	Comment
26. New access tracks to transmission lines, including permanent deviations of existing tracks: • for the purpose of accessing transmission lines • that are not within a scheduled landscape or ecological area or area of cultural significance	<ul style="list-style-type: none"> • visual, landscape, archaeological (including wāhi tapu), earthworks and ecological effects • earthworks matters (see (27) below). 	Restricted discretionary (38)	Discretionary or Non-Complying		Earthworks can generate significant adverse effects on landscape, ecology and water quality, irrespective of location. Controlled Activity Status does not provide the necessary legislative restraint of potentially significant adverse effects. Suggest Restricted Discretionary status. There also appears to be a double up between (26) and (27) (refer also comments on (18) and (19), that makes for unnecessary repetition and creates uncertainty.
27. Earthworks that do not meet specified permitted activity conditions, but excluding earthworks undertaken within a scheduled landscape or ecological or heritage area or area of cultural significance	<ul style="list-style-type: none"> • volume and extent • slope stability • sediment control • visual, landscape, ecological and archaeological (including wāhi tapu) remediation • construction effects and timing of the work. 	Restricted discretionary (38)	Discretionary or Non-Complying		Earthworks can generate significant adverse effects on landscape, ecology and water quality, irrespective of location. Controlled Activity Status does not provide the necessary legislative restraint of potentially significant adverse effects. Suggest Restricted Discretionary status. There also appears to be a double up between (26) and (27) (refer also comments on (18) and (19), that makes for unnecessary repetition and creates uncertainty.
28. Wet or dry abrasive blasting within 50 m of a water body or coastal marine area but work is not undertaken in the water body or coastal marine area or public road or within 100 m of a public building	<ul style="list-style-type: none"> • containment methods for discharges to land, air or water • measures proposed for spill contingency management • extent and nature of effects on ecologically sensitive receiving environments. 	Discretionary	N/a		
29. Noise associated with maintenance and upgrading of transmission lines that fails to meet permitted activity requirements	<ul style="list-style-type: none"> • timing of works and minimising effects on noise sensitive land uses • giving notice of work to potentially affected parties. 	n/a	Discretionary		Given that any noise related to upgrading and maintenance would be temporary and intermittent, the proposed matters for control are appropriate to the effects that should be controlled, and
30. Imposive jointing of conductors that fails to meet noise limits for permitted activities	<ul style="list-style-type: none"> • timing of works and minimising effects on noise sensitive land uses • giving notice of work to potentially affected parties. 	n/a			As for (29) above. Activity should be included in (29) above.

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Table A6: Proposed transmission Activities National Environmental Standards: Restricted Discretionary Activities

Activity	Matters over which discretion applies	WCC District Plan Activity Status	Level of Concern	Comment
<p>31. Permanent deviation of transmission line outside the tower relocation envelope for controlled activities (figure 7, page 75) or the specified timeframes for permitted activities</p>	<ul style="list-style-type: none"> • deviation route and siting of support structures in relation to visual, landscape, archaeological and ecological effects and areas of cultural sensitivity • height of support structure • siting of towers in relation to visual landscape and ecological effects • earthworks and vegetation clearance • construction effects • effects on any scheduled heritage item • electric and magnetic fields. 	<p>Discretionary or Non-Complying</p>	<p>M</p>	<p>Permanent deviation (and 'non-temporary' Activities) results in essentially a new line and is appropriately subject to scrutiny as a Discretionary Activity allowing consideration of the full range of effects under s104.</p>
<p>32. Replacement or alteration of a pole or tower that is not otherwise specified as permitted or controlled</p>	<ul style="list-style-type: none"> • height and siting of the tower or pole in relation to visual, landscape, archaeological and ecological effects and areas of cultural sensitivity • construction effects. 	<p>Discretionary or Non-Complying</p>	<p>M</p>	<p>This could result in significant increase in height (beyond 15% or 25% as proposed or 10% as suggested in this submission) and is therefore appropriately subject to scrutiny as a Discretionary Activity allowing consideration of the full range of effects under s104.</p>
<p>33. Underground transmission lines, including termination towers</p>	<ul style="list-style-type: none"> • siting of termination towers in relation to visual, landscape and archaeological effects and areas of cultural sensitivity • route of the underground cable in relation to visual, landscape, archaeological and ecological effects and areas of cultural sensitivity • extent and nature of earthworks and sediment control • construction effects • effects on services and infrastructure • electric and magnetic fields. 	<p>Underground lines – Permitted. Related structures above ground – Discretionary or Non-Complying</p>	<p>H</p>	<p>Underground lines significantly reduce the EMF and Visual effects of transmission of electricity and should be encouraged as much as possible. The 'termination towers' would be of a similar scale to the replaced standard towers (probably shorter, but perhaps with a greater footprint) and would be covered by the existing upgrading provisions, or perhaps more appropriately by a new category, perhaps Controlled Activity.</p> <p>Undergrounding should be Permitted or perhaps Controlled to deal with any particular effects of undergrounding as noted in the matters for discretion to remove any barriers to undergrounding, especially in relation to relative ease that significant increases in bulk and height of above ground infrastructure is dealt with in this standard as proposed.</p>
<p>34. Telecommunication facilities on existing towers or poles required for transmission line management and monitoring, and not specified as permitted activities</p>	<ul style="list-style-type: none"> • antenna or dish or cable size, height and number • visual and landscape effects. 	<p>Permitted (Upgrading)</p>	<p>M</p>	<p>Controlled. Use of the existing network to improve rollout of internet services should be encouraged, as part of a whole of government push towards a knowledge economy and improving New Zealand's economic performance.</p> <p>The limits on telecommunications relating to transmission lines management and monitoring should be removed. This will also allow the use of existing infrastructure and may prevent the proliferation of cell towers in the landscape.</p>
<p>35. Permanent alterations to a scheduled transmission heritage item</p>	<ul style="list-style-type: none"> • degree of change to be made and effects on its heritage value • alternative methods. 	<p>Non-Complying</p>	<p>H</p>	<p>Heritage is fragile and irreplaceable, and a matter of national importance Resource Management Act 1991 (s6(f)). However where that heritage forms part of the network its value lies in its continued use and relevance to the network, which also provides maintenance and context to the item. Restricted Discretionary Status is considered appropriate, but should not be classified as any less than this, such as Permitted or Controlled.</p>

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Activity	Matters over which discretion applies	WCC District Plan Activity Status	Level of Concern	Comment
36. Trimming of individual scheduled trees or removal of scheduled areas of vegetation for the purpose of reducing risk to the transmission lines	<ul style="list-style-type: none"> extent and nature of trimming and the effects on the health integrity and longevity of the tree ecological effects. 	Permitted to prune less than 20%. Restricted Discretionary to prune over 20%. Removal Non-Complying.	H	Removal of scheduled vegetation should only be undertaken as a last resort – it is appropriate to be a Discretionary Activity to allow consideration of the wide variety of effects under s104. Pruning of individual trees should remain Restricted Discretionary.
37. Signs above the size limit specified for a permitted activity	<ul style="list-style-type: none"> orientation visual effects. 	Zone Dependent – Permitted through to Non-Complying.	M	Ability to erect signage should be limited to Transmission related activities beyond the specified minimum as a Controlled Activity. For signage that is not transmission related should be Discretionary Activities (e.g. billboards etc). This will allow for the use of say billboards on towers in appropriate locations and instances (e.g. commercial or industrial areas, for screening or other purposes), but preclude the proliferation of signage for non-transmission related activities in residential, rural or landscape areas.
38. Earthworks that are associated with works on or access to a line are: <ul style="list-style-type: none"> undertaken within a scheduled heritage site, area or precinct; or undertaken within scheduled landscape or ecological protection area; or on land identified in a contaminated land register 	<ul style="list-style-type: none"> extent and nature of disturbance and effects on the heritage values of the site area or precinct and areas of cultural sensitivity reinstatement earthworks management and methods extent and nature of disturbance in relation to visual, landscape and ecological effects extent and nature of disturbance in relation to health effects. 	Discretionary or Non-Complying	H	Earthworks within a heritage area may have significant adverse impacts on heritage value and result in archaeological site modification. Earthworks in landscape or ecological areas may have significant effects on the values for which those areas have been scheduled, generally also for reasons of National Importance. Given that there is no limit on the volume or extent of earthworks in addition to the above concerns, this Activity should be a full Discretionary Activity, allowing a consideration of all relevant issues under s104.
39. Addition or replacement of circuits, conductors or earth wires in excess of the number or size of conductors specified for permitted activities	<ul style="list-style-type: none"> visual effects limiting of works and minimising effects on sensitive land uses electric and magnetic fields 	Discretionary or Non-Complying	L	Appropriate level of control and discretion applied.

Table A7: Proposed Transmission Activities National Environmental Standards: Discretionary Activities

Activity	WCC District Plan Activity Status	Level of Concern	Comment
40. Creating new access tracks through scheduled cultural or historic sites, or scheduled landscape / ecological protection areas	Non-Complying	H	Can generate significant adverse effects on a number of matters of national importance.
41. Work in the coastal marine area or in the beds of lakes and rivers	via Regional Council function	L	
42. Any transmission activity not defined as permitted, controlled or restricted discretionary.	Activity and Zone Dependent – given the extensive range of activities already provided for is likely to be Discretionary or Non-Complying.	M	It is appropriate that where not defined, the status reverts to the underlying District or Regional Plan which will provide details on what the particular issues to be addressed are in each circumstance and in each location. For example, this would allow the construction of new lines as a discretionary activity which may not be appropriate in every instance and every location.

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Activity Tables from Proposed National Environmental Standards for Electricity Transmission with Waitakere City Council Comments and Suggestions:

Table A8: Proposed Transmission Activities National Environmental Standards: Permitted Activities:

- o Plans can be more stringent than the National Environmental Standards
- o Activities not covered by this National Environmental Standards will continue to be subject to plan rules
- o This proposed National Environmental Standards will not apply to the owner of the transmission line.

Activity	Activity type	Maintains compliance applies to (see restricted disallowance activities)	Consistent with WCC District Plan Current Status	Level of Concern?	Comment
Excavation near support structures					
1. Excavation of the land adjacent to any pole or stay wire or any overhead conductor;	Prohibited	n/a	Natural Area Dependent – volume and area dependent rather than 'proximity to lines' trigger dependent.	L	As noted is consistent with NZECP:34 however this is not enforced by Waitakere City Council. Existing practice is to inform applicants (via Project Information Memorandum (PIM) note) of requirements to comply.
2. to a depth greater than 750 mm, located at a distance between 2.2 m and 5 m;	Restricted discretionary	<ul style="list-style-type: none"> • the effect on the stability of transmission line supports • the ability of the asset owner to maintain transmission line supports for maintenance and safety • the extent that buried conductive pipes pose a safety risk to the transmission line or the public • any other matters set out in a plan or proposed plan for excavations 	The distances and requirements are consistent with existing requirements under NZECP 34.		NZECP:34 has been mandatory since 2001, but enforcement by the Energy Safety Service of the Ministry of Economic Development has not been great – violations can result in a fine of up to \$10000, and Transpower estimates over 5000 new breaches are made every year (Note NZECP applies to transmission, distribution and overhead telecommunications lines). Waitakere City Council is not however aware of any prosecutions in its district for breaches despite having over 30km of transmission lines, and is concerned that the responsibility for enforcement will move to Territorial Authorities, who will also carry a risk where existing breaches that should have been addressed by the EES are referred to the Territorial Authority.
Excavation: This does not apply to vertical holes not exceeding 500 mm in diameter at a distance of 1.5 m or greater from a pole or stay wire.					NOTE: Poles exclusion would also allow for the erection of fences and or vegetation to screen if required and still complying with NZECP.
Excavation near support structures					
2. Excavation of the land adjacent to any pylon supporting an overhead line;	Prohibited	n/a	Natural Area Dependent – volume and area dependent rather than 'proximity to lines' trigger dependent.	L	As for (1) above.
3. at a depth exceeding 300 mm within 0.5 m of the outer edge of the visible foundation of the tower, or where cables are attached to the tower, such that it is likely to endanger the structural stability of the transmission line support	Restricted discretionary	<ul style="list-style-type: none"> • stability of transmission line supports • no effect on ability to excavate transmission line supports for maintenance and engineering • any safety risk to the transmission line or the public from buried conductive pipes • any other matters set out in a plan for excavations 	Excavation in excess of 1.5m will require consent.		
Excavation: 1 and 2 do not apply to excavations undertaken as part of any transmission line maintenance or upgrading activities.					

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Activity	Activity Type	Matters description applies to (for restricted electricity activities)	Completion status (see table)	WCC District Plan Current Status	Level of Concern?	Comment
<p>Building their conductors</p> <p>Scope A: NZECP 34 consent conditions at ground level</p> <p>1A Buildings or structures closer to the conductors than the distances specified in Schedule 2 and further from the conductors than the distances specified in Schedule 3</p> <p>An engineering study undertaken by a suitably qualified electrical engineer is required to demonstrate that the structure is located outside the distances specified in Schedule 3</p>	<p>Restricted discretionary</p>	<ul style="list-style-type: none"> • risk to the structural integrity of the transmission line • effects on the ability of the conductors to carry the current to operate, maintain or at replace the high-voltage transmission network • proximity of structures to electrical hazards • risk of electrical hazards affecting public safety and risk of property damage • risk of electrical faults causing disruption to electricity supply • extent of networks required, and use of mobile technology near the transmission line that may put the line at risk • risk of electrical hazards due to the height of towers or associated vegetation • siting of buildings in relation to transmission lines to minimise visual effects from the transmission line • any other matters set out in plans for structures. 	<p>The distances are the same as NZECP 34 requirements.</p>	<p>Plan does Not control.</p> <p>Refer notes box on infrastructure page only + PIM notes</p>	<p>H</p>	<p>While this option provides more flexibility, Waitakere City Council submits that the better, easier option is B. Under this option applicants will need to engage a professional just to show that they comply (or not), imposing a compliance cost, even on those who may not even require a consent.</p> <p>There would also be a cost to Councils/ratepayers/customers in providing information on PIM's or Land Information Memorandum (LIM)'s Resource Consents etc as to whether or not an activity is permitted or not, as this would require specialist engineering advice.</p> <p>There may also be a risk to Councils with respect to the reliance people may place on the information provided as outlined in 5 above.</p>
<p>Building their substations</p> <p>1B Buildings or structures within 20 m of the perimeter of the transmission line, but further from the conductors than the distances specified in Schedule 3</p> <p>An engineering study undertaken by a suitably qualified electrical engineer is required to demonstrate that the structures located outside the distances specified in Schedule 3</p>	<p>Restricted discretionary</p>	<ul style="list-style-type: none"> • risk to the structural integrity of the transmission line • effects on the ability of the transmission line to carry the current to operate, maintain and upgrade the high-voltage transmission network • proximity of structures to electrical hazards • risk of electrical hazards affecting public safety and risk of property damage • risk of electrical faults causing disruption to electricity supply • extent of networks required, and use of mobile technology near the transmission line that may put the line at risk • risk of electrical hazards due to the height of towers or associated vegetation • siting of buildings in relation to transmission lines to minimise visual effects from the transmission line • any other matters set out in plans for structures. 	<p>This is very different from NZECP 34, in addition to the distances listed above, the distances are enhanced from the distances in the schedule being horizontal / vertical distances they extend to ground level.</p> <p>15 dist: 34 also includes a requirement that structures be located for buildings and structures within 20 m of a transmission line</p>	<p>Plan does Not control.</p> <p>Refer notes box on infrastructure page only + PIM notes</p>	<p>H</p>	<p>The preferred option of A and B because it provides an easily measurable, and relatively common trigger point for the requirement to obtain consent. Should the applicant wish to building within this zone then engineering advice would be required, indicating the level of compliance with NZECP:34, and indicating what the parameters for development are.</p> <p>While the distances specified are in excess of NZECP: 34, thereby encompassing a greater number of properties or potentially developable land area, the certainty that the blanket 20m rule provides exceeds the issues around requiring an assessment just to know if a development is permitted or not. Where development is within 20m of the lines triggers the consent which requires an assessment against the more technical standards. As a district plan may be more stringent it may also be possible to introduce other controls such as orientation and screening requirements if deemed appropriate (refer also Transporter's "Building in Proximity to Transmission Lines" document for some good tips).</p>

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Activity	Activity type	Matters description applies to (the associated discretionary activities)	Component with status and	WCC District Plan Current Status	Level of Concern?	Comment
<p>Specialists</p> <p>7. Sub-division within 20 metres of the centreline of a transmission line</p> <p>An engineering activity as defined by a statutory standard relating to engineers may be required to engineer any new buildings are likely to be built within the distances specified in Schedule 1.</p>	Controlled	<ul style="list-style-type: none"> consideration of transmission line back on the proposed area of the sub-division, and the impact on the sub-division, including the impact on the sub-division's ability to carry through standing or temporary structures, including any structures location of building footings, by proximity to the transmission line risk to the structure integrity of the transmission line possibility of building and structures to electrical fault risk of electrical fault, including public safety, as a result of proximity to the line risk of overhead fault causing disturbance to the electricity supply cost of overheads required and use of mobile machinery near the transmission line effect on the line at risk the nature height of any associated vegetation the risk of electrical hazard due to close proximity to the transmission line reason for any proposed lines to remain a stand-off distance from the transmission line any other matters at a lower or higher level than the sub-division. 	<p>As part of the above area, the sub-division, and the impact on the sub-division, including the impact on the sub-division's ability to carry through standing or temporary structures, including any structures</p> <p>20 metres from the sub-division, including the impact on the sub-division, including the impact on the sub-division's ability to carry through standing or temporary structures, including any structures</p>	Plan does Not control. Refer notes box on infrastructure page only + PIM notes	H	Seems reasonable to ensure subdivision does not create unreasonable building platforms – most large developers already do this, but may prevent infill in inappropriate locations (e.g. where pylon takes up entirety of new section)
<p>Beer ramps</p> <p>8. Construction of a beer ramp within 2 m in any direction of a transmission line</p>	IMC Controlled	<ul style="list-style-type: none"> the risk of electrical hazard due to close proximity to the transmission line reason for any proposed lines to remain a stand-off distance from the transmission line any other matters at a lower or higher level than the sub-division. 	<p>The risk of electrical hazard due to close proximity to the transmission line</p> <p>reason for any proposed lines to remain a stand-off distance from the transmission line</p> <p>any other matters at a lower or higher level than the sub-division.</p>	N/A Regional Council Function	L	No Comment.
<p>Additional proposal, covering and diverting water</p> <p>Additional proposal, covering and diverting water</p> <p>Additional proposal, covering and diverting water</p>	IMC Controlled	<ul style="list-style-type: none"> the risk of electrical hazard due to close proximity to the transmission line reason for any proposed lines to remain a stand-off distance from the transmission line any other matters at a lower or higher level than the sub-division. 	<p>The risk of electrical hazard due to close proximity to the transmission line</p> <p>reason for any proposed lines to remain a stand-off distance from the transmission line</p> <p>any other matters at a lower or higher level than the sub-division.</p>	N/A Regional Council Function	L	No Comment.

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Form 3

Submission on proposal for National Policy Statement

Section 49 Resource Management Act 1991

To The Chairperson
Board of Enquiry
c/- PO Box 8270
AUCKLAND



This is a submission of the **Waitakere City Council** on the **Proposed National Policy Statement on Electricity Transmission** (National Policy Statement: Electricity Transmission), notified on 16 May 2007.

Submission Structure and Overview:

This submission covers three main points:

- Waitakere City Council supports the objective of the National Policy Statement: Electricity Transmission;
- however, support for the objective is qualified with 6 broad issues centred on the inter-related issues of both the *process* proposed, and the *content* of the policies;
- for which some solutions or improvements are suggested to enable the objective to be better achieved.

The submission is organised in the order outlined above.

Waitakere City Council looks forward to working with the Board of Enquiry and other interested parties in order to improve the national consistency of approach to this matter of national significance.

Part 1: General Support and Issues

The Specific provisions of the National Policy Statement: Electricity Transmission that this submission relates to are:

The Proposed National Policy Statement on Electricity Transmission in its entirety, including the s32 report.

0. Introduction/Context:

- 0.1 Waitakere City Council *supports the intent* of the Proposed National Policy Statement on Electricity Transmission to provide greater guidance to Territorial Authorities, Transpower and adjacent future land use activities, regarding the national significance of the transmission network as a physical resource.
- 0.2 Waitakere City Council considers that a secure, resilient and efficient energy transmission system is vital to the achievement of the purpose of the Act, particularly in allowing for people and their communities to provide for their social, economic and cultural wellbeing.
- 0.3 Waitakere City Council supports a directive approach from central government to ensure a nationally consistent approach to national scale infrastructure, such as the electricity system.
- 0.4 However such a directive approach must be integrated, clear and easily implemented. In this respect Waitakere City Council does have concerns with the wording and content of the Proposed National Policy Statement: Electricity Transmission, including the s32 analysis.
- 0.5 Waitakere City Council does also support the use of a 'streamlined' C16 process, but only where the wide consultative and participatory process usually undertaken at the Plan Change stage is replicated at the NPS stage.
- 0.6 Waitakere City Council has some general concerns that may be grouped under 6 more specific headings, which are inter-related:
 - i. unclear and broad policies without explanatory text or context leading to national variability and uncertainty of outcome;
 - ii. the need for Transmission to be considered as one (important) part in the context of the (future) energy system as a whole;
 - iii. a lack of balance in the policies with respect to the wide range of matters to be considered under the Act;
 - iv. lack of supporting documentation/context including anticipated National Environmental Standards for Electricity Transmission;
 - v. use of a non-participatory process to give effect to the Proposed National Policy Statement on Electricity Transmission and lack of a balancing broad consultative process around the NPS;
 - vi. Flawed s32 analysis, particularly with respect to the transfer of costs and responsibilities from Transpower to Local Authorities, and the potential for *perceived* loss of property development rights for adjacent/affected landowners.

Reasons for Support:

- 0.7 Waitakere City is currently almost 100%¹ dependant on electrical energy imported to the City from and through other regions of the country via the Transmission Network. Security of supply to Waitakere City is therefore somewhat dependent on the approach taken by other Territorial Authorities to the Generation and Transmission of electricity, as well as the level of investment by Transpower, generation and distribution companies in their infrastructure.
- 0.8 The Auckland Region as a whole generates only some 25% of its peak load generation, the remainder entering the region of Auckland via a small number of cables (the Transmission Network). These cables continue through the region and Waitakere City to serve the rapidly growing Northland Region.
- 0.9 These cables are currently near capacity, and significant upgrade will be required to allow for projected increasing energy demand in Auckland and north². The recent "D'-shackle" outage of June 2006, and the major Auckland CBD blackout in 1998³ highlighted the vulnerability and dependence of the public and private sector on reliable and sufficient supplies of electricity.
- 0.10 In the short to medium term, the importance of this physical resource will continue to increase, as electricity demand increases at a greater rate than population and economic growth⁴ alone. Table 1 below indicates an increase in forecast supply of some 50PJ between 2005 and 2030, representing an approximate 33% increase on current supply.
- 0.11 Large scale, geographically distributed and variable renewable generation (wind, hydro and tidal particularly) sources will also rely on a resilient transmission network to transfer energy around the network to match peaks between the geographical and temporal separation of generation and demand.
- 0.12 In the longer term⁵, embedded or distributed renewable generation (s7(i)), along with improvements in energy efficiency (s7(ba)) may reduce the relative importance of the Transmission network as Waitakere City Council internalises its energy requirements in accordance with the direction indicated NZES⁶, the NZEECS⁷, the RPS⁸ and the goals of the WCC Climate Change Action Plan.

¹ The only significant embedded or distributed generation in the City is used at the on-site use scale (e.g. solar hot water heating, PV panels and small scale wind turbines for houses, business, community facilities and isolated infrastructure) or used on-site (e.g. Watercare Services operates some small scale hydro plants at their water supply dams for onsite needs). Waitakere City Council actively supports and encourages Solar Hot Water installations by fully subsidising building consent costs and providing encouragement.

² Demand is projected to increase by approximately 30MW per annum.

³ The outage was related to the 'distribution network' rather than the 'transmission network' but in the minds of most, this level of distinction is irrelevant when the lights don't work.

⁴ Average electricity use per HH is increasing, and a trend towards smaller more energy intensive high density living styles (apartments, etc) would indicate an increase in total residential demand over time. The concept of 'take back effect' also applies where increases in efficiency result in more proliferate use of the resource, and improvements in efficiency may also be 'taken' in the form of warmer, dryer homes, rather than in a reduction in electrical demand. Heavy Industrial/corporate/light industrial use generally is trending towards being more productive per unit of electricity (i.e. more efficient), electricity use continues to increase, though slowly. Economic growth will increase the total demand even if 25% efficiency measures are implemented, particularly in the short to medium term: Source: *New Zealand's Energy Outlook to 2030*, August 2006

⁵ A shift to high use of 'electric' cars or even to a hydrogen based transport system may shift transport energy demand away from fossil fuels towards reticulated energy – for example it has been estimated that the electrification of Auckland Rail Network will result in a one off increase in load, equivalent to the average annual percentage increase in demand in Auckland.

⁶ Draft New Zealand Energy Strategy to 2050, December 2006, *Powering our future: towards a sustainable low emissions energy system*.

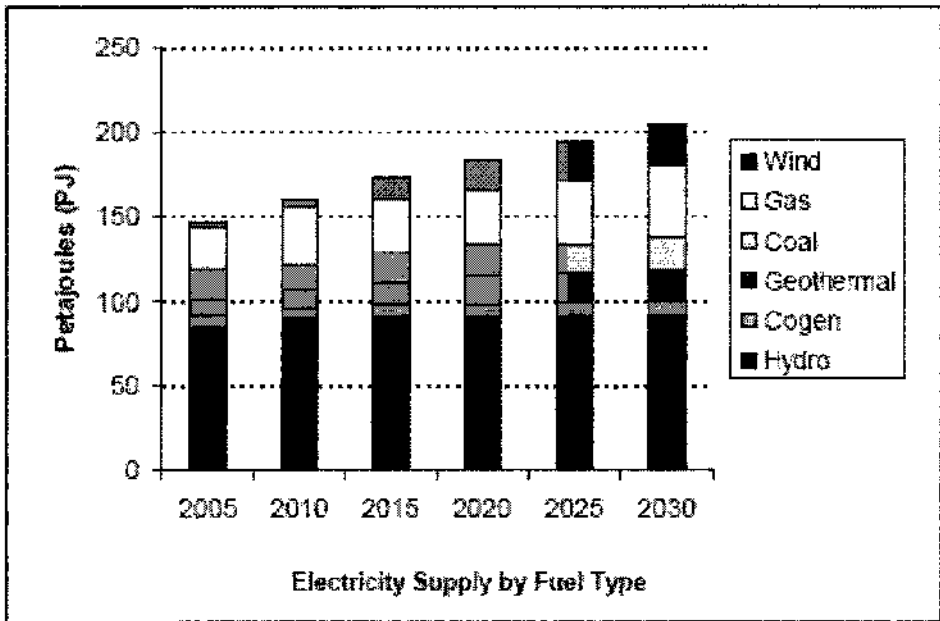


Table 1: New Zealand's Electrical Supply by fuel type forecast to 2030.
 Source: *New Zealand's Energy Outlook to 2030*, Ministry of Economic Development

- 0.13 Reticulated energy will retain a dominant proportion of total energy supply, and total energy transmitted under that future scenario, and future total reticulated demand is likely to be greater than today's total demand even under that future 'efficient' scenario (See Table 1) above.
- 0.14 A sustainable renewable energy generation future is also highly dependant upon a strong resilient transmission network to allow for the fluctuating geographic variability in generation resulting from increased proportions of wind, tidal and hydro generation.
- 0.15 Waitakere City Council therefore does not dispute that the transmission network is a physical resource of national significance, and supports the intention of the Proposed National Policy Statement on Electricity Transmission to provide guidance in this regard.

The general support outlined above is qualified by the concerns outlined below:

1. Clear and Directive Policies:

- 1.1 Clear and directive policy would limit the variability and uncertainty resulting from various Territorial Authorities interpretations (a stated aim of the Proposed National Policy Statement on Electricity Transmission). As worded, the proposed policies do not provide the certainty and assurance that would be required if a Cl.16 process (noting that the clause refers to the inclusion of "specific provisions") is to be followed.
- 1.2 It is also noted in the sections below, that Cl16 does not allow for Transpower (or any other party) to comment on any Territorial Authority's changes, which would be desirable where broad

⁷ Draft New Zealand Energy Efficiency and Conservation Strategy, December 2006, *Making it happen: Action plan to maximise energy efficiency and renewable energy in New Zealand.*

⁸ Auckland Regional Policy Statement – see especially Chapter 5: Energy.

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- policies are proposed. The onus on Territorial Authorities to give effect to the policies, in the absence of clear guidance and without a participatory process, will not provide the benefits as suggested in the s32 report.
- 1.3 WCC has not undertaken a detailed audit of the changes required to give effect to the proposed NPS, however changes required to 'give effect' to this document may be significant. Waitakere City Council would also note that its current Infrastructural Policies and Rules have been undertaken under the rigour of a s32 analysis, been subject to submission, appeal and Environment Court scrutiny.
 - 1.4 Recent changes proposed (and subject to submission, including Transpower) under the LG(A)AA 2004 process may reduce the extent to which Waitakere City Council is required to amend its District Plan, as the planners report to the Joint Hearings panel has recommended that a number of Transpower's submissions be accepted.
 - 1.5 The s32 analysis notes that most Territorial Authorities would wait until the review and re-write of the 'second generation' plans – for Waitakere City Council, this date is not until 2013 – this is not the 'as soon as practicable' as directed by the Act.
 - 1.6 The CI16 process is also not subject to the rigours of s32 (meaning Territorial Authorities may⁹ develop policies, objectives, methods and rules, without considering costs and benefits, or the efficiency and effectiveness of them), nor provides the opportunity for 'experts' (i.e. Transpower, MED or Ministry for the Environment) to comment on whether such rules give effect to the Proposed National Policy Statement on Electricity Transmission.
 - 1.7 The risk of acting in this manner has been significantly underestimated, given that the Policies proposed to give effect to the stated objective are non-specific, poorly worded, and do not reflect the issues raised in the s32 analysis.
 - 1.8 Waitakere City Council is also concerned that many of the recommendations of the Reference Group (contained in the November 2005 Draft Report¹⁰) have not followed through to the Proposed National Policy Statement on Electricity Transmission, particularly the lack of technical support from National Environmental Standard(s) to support the Proposed National Policy Statement on Electricity Transmission. These concerns are more fully outlined in the sections below.

2. *Transmission should be considered as one component of the (future) energy system as a whole:*

- 2.1 While the Transmission network is nationally significant, it is only one component of the energy system, and is interdependent on the other components (Generation and Distribution) for its purpose and ability to function.
- 2.2 With respect to Generation¹¹, the transmission network plays a vital role, providing the ability for geographical separation of generation and load. Indeed, the transmission network that exists today was built in the 1940s to the 1970's in order to transmit energy from the major hydro and thermal stations of the South Island and Waikato respectively, to the load points of Auckland and other major metropolitan or industrial centres.

⁹ It is unlikely that such a situation would eventuate, but the potential exists.

¹⁰ Draft Report of the Reference Group on Electricity Transmission, November 2005, *The merits and potential scope of national guidance on the management of electricity transmission under the RMA.*

¹¹ Both the current centralised model and a future embedded or distributed model

- 2.3 In the future, new forms and models of generation such as the embedded or distributed model outlined in *Get Smart, Think Small*¹², or where large scale renewable generation plays a growing role in providing energy growth, the transmission network will be as, if not more important to distribute supply from variable (temporal and geographic) generators to a variety of load points.
- 2.4 The transmission networks relationship with the distribution network is simpler: the transmission network is simply the distribution network at a larger scale, and there is perhaps an artificial separation due to ownership, rather than any fundamental difference between issues affecting and effects of the two networks.
- 2.5 The National Policy Statement: Electricity Transmission has been notified, but does not have a supporting wider strategic framework within which to effectively consider the impacts of the proposal against, or to guide consideration of how it might be improved.
- 2.6 This concern is perhaps more an issue of timing, as Waitakere City Council notes that a complementary NPS is being developed for Generation, and a National Environmental Standard is also discussed in relation to EMF/Transmission in the report of the Reference Group.
- 2.7 Waitakere City Council submits that it would have been preferable to have the full suite of documents including the National Policy Statement: Electricity Transmission (May), NPS: Generation (late 2007/early 2008?), and the supporting National Environmental Standards on Electricity Transmission (September 2007) to consider as a package, within the framework of a finalised NZES (September 2007) and NZEECS (October 2007).
- 2.8 Having the suite of complementary documents to consider as an integrated package may have removed a large part of the uncertainty and also provided a contextual backdrop (see also issue 4).

3. *Lack of balance in the policies with respect to the wide range of matters to be considered under the Act.*

- 3.1 Waitakere City Council is also concerned that the NPS states that adverse effects of the ETN should only be considered in relation to [section 6] matters of national importance.
- 3.2 It would appear that such a provision is less stringent than the Resource Management Act 1991, which requires that all effects (positive and negative) be considered on the environment (as a whole), and that in achieving the purpose of the Act the whole range of matters set out in Part II are relevant considerations when making a determination on the relative merits of any particular matter.
- 3.3 While it is noted the explanatory note states that this is not the case, it would seem self contradictory to have the policy state one thing, and the accompanying notes (and overarching legislation) state another.

4. *Lack of supporting documentation and context*

- 4.1 Waitakere City Council submits that the NPS policies are simply too succinct – the policies require explanation and context, particularly as they are unclear and non-specific, and where a non-participatory process for giving effect to them is mandated.

¹² Parliamentary Commissioner for the Environment, 2006. *Get smart, think small: Local energy systems for New Zealand*. Wellington: Parliamentary Commissioner for the Environment.