

422574, SP/11/4/3/1
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30 October 2008

Board of Inquiry
Proposed NPS on Renewable Electricity Generation
c/- PO Box 10362
WELLINGTON 6143

Dear Sir/Madam

Porirua City Council Submission on the Proposed National Policy Statement for Renewable Electricity Generation 2008

Please find enclosed Porirua City Council's submission in respect of the above-mentioned, which is being lodged in accordance with Council resolution of its meeting on 29 October 2008.

The Council would like the opportunity for representative(s) to be heard in support of its submission if and when hearings are to be scheduled.

If you have any queries concerning the above, please do not hesitate to contact either myself or Peter Matich at Porirua City Council.

Yours faithfully

Roger Blakeley
Chief Executive

Encl.

Cc: Her Worship the Mayor, Porirua City Council, Cobham Court, Porirua

Submission on Proposed National Policy Statement for Renewable Electricity Generation
Section 49 of the Resource Management Act 1991.

To: The Chairperson
Board of Inquiry

This is a submission on the following proposed national policy statement (the proposal):
Proposed National Policy Statement for Renewable Electricity Generation (proposed NPS).

The specific provisions of the proposal that Porirua City Council's submission relates to are:
The proposed NPS

Porirua City Council's submission is:

- Porirua City Council supports the proposed NPS in principle, however the Council has concerns that:
 1. The requirement in Policy 3 does not adequately address reversibility of renewable electricity generation technologies.
 2. The requirements in Policies 4 and 5 to notify plan changes, proposed plans or variations by March 2012 are unnecessarily onerous and arbitrary. If it is desirable to retain these policies in some form, then the emphasis should be an enabling one, not a requirement.
 3. There is an important aspect about priorities in relation to Part II of the Resource Management Act 1991 that does not appear to have been addressed in the proposed NPS, which the Council would like to be addressed.

The reasons for this submission are that:

- Given nationwide demand for energy is increasing, it is important to provide a framework for national consistency on renewable electricity generation issues. Local and regional authorities should not be put in a position of having to anticipate what national priorities are in this regard. Therefore the Council welcomes the proposed NPS in broad principle.
- It is important to have a national context for considering benefits of renewable electricity generation, as well as for considering the adverse effects of particular proposed renewable electricity generation facilities. The substantive aspects of the proposed NPS in Policy 1 and 2 generally provide for this, the Council is happy to note that this accords with the approach in the Council's recently notified Proposed Plan Change 7 – Windfarms.

- It is important to have a national context to consider how the benefits to be derived from the use and development of renewable electricity should be weighed in relation to all the matters that have to be considered in Part II of the Resource Management Act 1991. For example, how much should the requirement to recognize and provide for "the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development" (or any of the other matters of national importance in section 6 of the Act) outweigh the requirement to have particular regard to "the benefits to be derived from the use and development of renewable electricity"? This is not explicit in the proposed NPS, and this aspect really needs to be revisited in the proposed NPS for it to be really useful.
- In regard to Policy 3 in the proposed NPS, the concept of having regard to the relative degree of reversibility is laudable in its intent, however it is of questionable usefulness in achieving targets for renewable electricity generation, and it is merely one aspect to consider in assessing effects. Furthermore, there is no priority or weighting afforded to it in the policy, and the way the requirement is expressed in the policy is lacking in specificity. If this policy is to be retained, the Council would prefer to see the requirement expanded to include consideration of the cost of implementing reversibility and/or the barriers to reversibility, as this would make the purpose of the requirement more practical.
- Costs of implementing reversibility include not only the cost of physically removing the structures associated with the facility being decommissioned, but also the opportunity costs of removing the power generation source after it has been established. Such costs are likely to be a barrier to reversibility, and this may not be understood by the decision makers or potential submitters. It is one thing to proclaim that a particular form of activity is reversible, but another thing entirely to implement reversibility in practice.
- If reversibility was to be taken seriously as a practical factor in consideration of avoiding, remedying or mitigating adverse effects, one would need to consider the likelihood of the electricity generation facility ever actually being decommissioned and removed once it was up and running. This undermines any reliance on 'reversibility' as a persuasive reason for offsetting adverse effects, rendering the usefulness of the policy requirement questionable.
- The Council has recently proposed a plan change to the Porirua City District Plan (Proposed Plan Change 7 – Windfarms). This is an enabling set of plan provisions for wind farms. The proposed plan change introduces a definition for "wind farm" which excludes domestic scale turbines capable of generation up to 5kW with a maximum of

20kW output per site. These smaller turbines are permitted in the Rural Zone subject to compliance with Permitted Activity Standards for the Rural Zone and are treated similarly in other zones. Turbines with greater generation capacity are discretionary activities in the Rural Zone, provided that they are not situated within a Landscape Policy Area, or within 700 metres of a Zone boundary (excluding District boundaries), or within 700 metres of the boundary of any property that is not part of the wind farm. Wind farms that do not comply with these standards are non-complying activities. This provides a high degree of certainty for potential wind farm operators. In addition, 12 assessment criteria for discretionary activity wind farms have been introduced to provide for consistent and certain consideration of proposals for such.

- In the analysis pursuant to section 32 of the Resource Management Act 1991, the Council had investigated whether or not to introduce a plan change for renewable energy generally, and had determined it to be an unnecessary extra expense in view of the fact that other than wind energy, there are no potential other renewable electricity resources that could be offered within Porirua. Having gone through preparation and notification of this proposed plan change, the Council does not see anything would be gained by having to notify a further enabling proposed plan change or variation to enable identification of renewable electricity generation possibilities. In view of this, the requirement in Policy 4 of the proposed NPS to introduce a further plan change in March 2012, is likely to impose an onerous burden of expense that is of questionable necessity.
- The requirement in Policy 5 to notify a further plan change by March 2012 to provide for small and community-scale distributed renewable electricity of less than 4 megawatts is arbitrary and ambiguous, and bears little correlation to potential adverse effects. For example, a 4 megawatt wind turbine is likely to be amongst the largest wind turbines currently available, and there is no anticipation of cumulative adverse effects in Policy 5. This results in uncertainty. What if several large wind turbines are situated on different sites in close proximity to each other under the banner of "small and community scale distributed renewable electricity generation"? How would that be distinguished from a commercial-scale wind farm for the purposes of assessing adverse effects? Which of the "small and community scale distributed renewable electricity generation" turbines should take precedence?
- The Council would prefer to have renewable electricity generation facilities assessed on the basis of their effects, rather than adopting some arbitrary standard that generates uncertainty.

- The Council considers that the proposed NPS should concern itself with important substantive policies about renewable electricity generation (such as weighting to be given to benefits against adverse effects, and priority for renewable electricity generation amongst other Part II matters in the Act), and that the determination of how the NPS should be applied at a local or regional level, is best left up to the respective local and regional authorities to manage. This would result in more efficient outputs as local and regional authorities are left to manage a range of planning and policy-making needs with their available resources. In this regard, if it is considered desirable to retain Policies 4 and 5 in some form, then the Council would prefer those policies to have an enabling focus, rather than being a requirement.

Porirua City Council seek the following changes to the proposal:

- (1) Replace Policy 3 as follows:

Policy 3

When considering proposals to develop new renewable electricity generation activities, decision makers should take into account the relative degree of reversibility of the adverse effects on the environment associated with the proposed generation technologies, including barriers to implementing reversibility, such as the cost of implementing reversibility, and the opportunity cost of decommissioning the generation activity after it has been established.

- (2) In the first instance, removal of Policy 4 and 5 in their entirety or in the second instance replace Policy 4 and 5 with one policy as follows:

Policy 4

Local and/or regional authorities should, where appropriate, prepare and notify proposed policy statements and plans to enable activities associated with:

- (i) The identification and assessment by generators of potential sites and energy sources for renewable electricity generation
- (ii) Research-scale investigation into emerging renewable electricity generation technologies and methods
- (iii) Development and operation of renewable electricity generation

- (3) A policy is required pertaining to the relative priority to be afforded to consideration of "the benefits to be derived from the use and development of renewable energy" in Section 7 of the Resource Management Act 1991, in comparison to other matters requiring consideration in Part II

of the Act. The Council has no suggestion as to how this should be prioritised, however some national direction on this matter is clearly appropriate, and the proposed NPS provides an opportunity to achieve this.

Porirua City Council wishes to be heard in support of its submission.

If others make a similar submission, Porirua City Council will consider presenting a joint case with them at a hearing.

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Roger Blakeley

Chief Executive

Signature of submitter

(or signature of person authorised to sign)

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Date

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