

Form 3
**Submission on proposal for national policy statement for
renewable electricity generation**

To the Chairperson
Board of Inquiry

This is a submission on the (following) proposed national policy statement for renewable electricity generation (the proposal) that was publicly notified on 6 September 2008.

The specific provisions of the proposal that my submission relates to are:
[give details]

Unison has provided comments on the whole National Policy Statement (NPS), which will recognise the national significance of renewable electricity generation, and the evaluation prepared for the Minister for the Environment under section 32 of the Resource Management Act 1991 (RMA):

My submission is:

[include –

- *whether you support or oppose the specific provisions or wish to have them amended; and*
- *the reasons for your views].*

I seek the following changes to the proposal:
[give precise details].

1. NPS Preamble Statement

Unison supports the preamble, and the framework it provides for the NPS approach, in particular the point that the government has determined that 90 percent of electricity generated in New Zealand should be derived from renewable energy sources by 2025. It is appropriate that this government set target and the New Zealand Strategy are highlighted as they are the key drivers in the generation market place.

Unison considers the last paragraph highlights the benefits and costs associated with development of renewable electricity generation, giving recognition to the positive effects that manifest nationally.

Unison agrees with the inclusion of the last sentence in the preamble, as it clearly indicates that there is a requirement for consistency and greater certainty in respect to the decision making process.

2. Objective

The objective statement is crucial, as it ensures interested parties know the governments expected outcome from the NPS.

The statement recognises the national significance of renewable electricity generation, and specifies the outcome expected in an RMA context with the inclusion that 90 percent of New Zealand's electricity will be generated from renewable energy sources by 2025.

Support the recognition of the development of existing renewable electricity generation activities. As noted in the s32 evaluation there are economic benefits to optimising the potential returns from existing investment.

3. Policy 1

Unison supports how the national significance is not dependent on the scale of the project or the level at which these benefits manifest themselves.

In respect to the removal of the need to justify that there are benefits associated with renewable generation, section 7(j) of the Resource Management Act (RMA) already requires decision-makers to have particular regard to the benefits of renewable energy in a general sense. The Environment Court has recently commented in the *Mahinerangi* decision (*Upland Landscape Protection Society Inc v Clutha DC* C85/3008) at [233]: "We conclude that the purpose and effect of the insertion of 7(j) is to avoid relitigating on a case by case basis the benefits of renewable energy over those which use non-renewable energy sources (coal, gas etc). If Parliament had intended to require such benefits to be proven in each case there is little point for 7(j)."

Policy 1 therefore augments section 7(j) by identifying specific benefits, which would be part of the decision-making process if they applied to a particular proposal. While the benefits identified in the Proposed NPS are useful, it may be worthwhile to identify further benefits in order to require decision-makers to consider each of those specific benefits in addition to benefits of renewable energy generally.

The Ministry of Economic Development's Electricity Generation Reference Group Report on scoping a National Policy Statement on Electricity Generation identified the following additional benefits:

- Improved security of supply from adding to New Zealand's generating base.
- Reducing transmission losses and dependence on the national grid through locating electricity generation close to electricity demand centres.
- Reliability of the generation and its fuel including insulation from major external production cost variability.
- Development benefits in the form of industry development, including research, manufacturing, installation and distribution, and maintenance of facilities.

Furthermore, the Environment Court (in the *Mahinerangi* decision at [239]) recently identified the following additional benefits in relation to the proposed Mahinerangi wind farm:

- It does not involve permanent long term alteration of the environment.
- It does not utilise any finite resource, other than the site itself.
- It involves minimal displacement of other productive uses of the land.
- It uses the wind resource without affecting that resource in any meaningful way.

Though decision-makers will be required to have regard to benefits through the NPS, it may also be useful to include a policy requiring changes to policy statements and plans to identify benefits of renewable energy to provide a platform for renewable energy-friendly rules.

4. Policy 2

Unison supports how the NPS provides guidance to consent authorities on how to manage adverse environmental effects of renewable electricity generation activities taking into account the constraints outlined.

The majority of renewable energy sources are in locations that present numerous challenges, logistically and technically. By including an obligation for consent authorities to take into account these constraints, projects in certain areas will be more readily consentable. To-date significant time and cost has been expended trying to overcome unavoidable constraints and to counter unrealistic claims by opposing parties in terms of impractical or unachievable options.

In respect to Unison's Te Waka Windfarm, as highlighted in the s32 evaluation, regional policy statements generally do not contain policies that would encourage the use and development of resources for renewable electricity generation purposes. Noted that, in the evidence presented by Unison's Planning experts in previous consent applications, that a local (Hastings) plan is relatively progressive in terms of supporting alternative, productive activities in rural areas but even that does not readily or specifically envisage renewable generation activities.

5. Policy 3

Windfarm installations, even during their working life, have the majority of the pastoral changes (roads, foundations, etc) reinstated and post-decommissioning the same principle can be extended to reinstate all areas. If this and similar principles in respect of other technologies cannot be recognised in a pragmatic and explicit way in the NPS it will leave the door open for ongoing litigation and simply replace the current duplicated and repeated lines of argument with "degree of reversibility" ones instead.

Accordingly, Unison is supportive of the inclusion of the "relative degree of reversibility" associated with technologies, as this does not require a proposal to be completely reversible to receive the benefit of Policy 3. Similarly the s32 report refers to the environment being returned to the pre-development state "to a greater or lesser degree" and supporting generation technologies with "relatively little long-term impact". This policy is consistent with the *Mahinerangi* decision, and appears to be specifically designed to support wind generation in general. However our concern would be that in doing so it may inhibit other forms of generation (particularly hydro).

6. Policy 4

Unison is supportive of the changes that will ensure that objectives and policies are consistent across local authority boundaries. There will be significant benefits for generators, from the perspective that they can form a view of the resources and opportunities available in New Zealand. Currently there is a significant cost financially and time wise in respect to plan advocacy. It is putting emphasis on the fact that local authority changes are needed by a certain time to meet to the 90 percent target detailed in the objective. Nationally everyone benefits from renewable generation due to the displacement of fossil-fuel based alternatives.

7. Policy 5

Unison promotes the definition of small scale generation as being up to 10MW. The reason for this is legislative consistency with Electricity Industry Reform Act and belief that a 10MW project would not have significantly greater effects than a 4MW project.

8. Additional Comments

Unison considers it may be useful to include a policy protecting new and existing generation from reverse sensitivity effects. For example, it may be desirable to prevent residential activities being established that are sensitive to the noise effects of wind generation, and could therefore interfere with operation. We suggest the following: "Decision-makers must manage new third party activities to ensure that the reasonable operation and maintenance needs of consented and existing renewable electricity generation activities are not compromised."

I wish to be heard in support of my submission.

- If others make a similar submission, I will consider presenting a joint case with them at a hearing.
- Delete if you would not consider presenting a joint case.



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Signature of submitter (or person authorised to sign on behalf of submitter)

31 October 2008

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Date

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