

**IN THE MATTER**

the Resource Management Act 1991

**AND**

**IN THE MATTER**

A submission by the Auckland  
Regional Council to the proposed  
National Policy Statement for  
Renewable Electricity Generation

**STATEMENT OF EVIDENCE BY JONATHAN RICHARDS  
AUCKLAND REGIONAL COUNCIL**

**1.0 INTRODUCTION**

1.1 My name is Jonathan Richards. I hold a Bachelor of Arts (Hons) Degree in Town and Country Planning. I have eighteen years planning experience and I am currently employed as a Senior Policy Planner in the Policy Implementation Group of the Auckland Regional Council (ARC), where my role involves the promoting and monitoring the implementation of regional policy.

1.2 My evidence today relates to the ARC's submission made to Board of Inquiry on 7 November 2008 which expressed conditional support for the proposed National Policy Statement for Renewable Electricity Generation (the NPS).

**2.0 OVERVIEW**

**2.1 Overall direction of the NPS**

2.1.1 The provision of greater policy direction on renewable electricity generation is supported, particularly as it attempts to provide a clear approach for planning authorities to respond to Central Government's target to achieve 90 per cent renewable electricity generation by 2025, as set out in the New Zealand Energy Strategy.

- 2.1.2 I consider that the NPS's Preamble accurately describes the issues arising in respect of renewable electricity generation, in particular the balance to be achieved between increasing renewable electricity generation capacity while giving effect to sections 5, 6, 7 and 8 of the Resource Management Act 1991 (RMA).
- 2.1.3 I also support the NPS's Objective which is clearly stated and measurable. However, I maintain that the policies that follow do not respect or defer to the balancing exercise referred to in the Preamble and supported by the Objective.

## **2.2 Regional Context:**

- 2.2.1 Responding to climate change and addressing unsustainable resource use are two of the principal environmental sustainability challenges facing the Auckland region, as identified in the Auckland Sustainability Framework (ASF). The ASF has been developed by all of the region's councils, in partnership with central government agencies, mana whenua, academic institutions, business interests and the community. The ASF has a 100 year vision and is designed to align short-term investment and action with long-term social, economic, environmental and cultural outcomes.
- 2.2.2 The operative Auckland Regional Policy Statement (ARPS) and proposed Change 6 to the ARPS, directly address issues surrounding infrastructure provision, including renewable electricity generation. In general, the ARPS seeks to enable the provision of new regionally significant infrastructure while ensuring that any adverse effects on the environment are avoided, remedied or mitigated. The ARPS clearly favours a shift towards renewable electricity generation and it is important that the NPS facilitates the potential development and contribution of these generation sources in the future.
- 2.2.3 The ARC considers that security of electricity supply is particularly important to the growth and development of the Auckland region. The security of electricity supply may be negatively affected by events such as a rise in the price of fuels, natural disasters such as floods, human error, failure of the national grid, geopolitical or industrial disruptions such as oil shocks, industrial disputes, market or regulatory failure or depletion/shortage of resources. I therefore support the argument that by

diversifying the type and/or location of electricity generation, the impact of such events may be lessened or avoided in the future.

### **2.3 Assessment of environmental effects:**

2.3.1 Whilst I offer broad support for the NPS, I consider that as drafted, the NPS elevates renewable electricity generation activities to a status that potentially undermines the broad sustainable management purpose of the RMA. In particular, the NPS does not enable a balanced assessment of positive effects (or benefits), adverse effects and relevant matters under Part 2 of the RMA. I therefore argue that the NPS should identify matters that are relevant to achieving the purpose of the RMA, rather than exclude consideration of matters that are relevant to achieving the purpose of the RMA.

### **3.0 ISSUES**

3.1 In summary, I consider the NPS should be amended to address the following key issues to be addressed:

- Achieving the purpose of the RMA and the weighing of environmental effects;
- Ensuring the policies respect the Preamble and Objective
- Recognising small and community-scale renewable electricity generation activities;
- Considering economic benefits where there are adverse environmental effects;
- Implementing the NPS.

### **3.2 Achieving the purpose of the Act and the weighing of environmental effects**

3.2.1 I consider that insufficient guidance is given in weighing the merits of renewable electricity generation with the imperatives of Part 2 of the RMA. The NPS is intended to provide a clear direction from Central Government that the wider environmental benefits of renewable electricity generation (i.e. reduction in carbon dioxide emissions) must be recognised and balanced against potential adverse effects. However, the NPS as proposed does not currently provide adequate guidance on how this “balancing” is to be achieved. To the contrary, the policies suggest that some adverse effects can be ignored. I do not consider that this assists in ensuring that an appropriate balancing or weighing exercise is undertaken.

3.2.2 I therefore maintain (in accordance with the ARC's November 2008 submission) that the NPS should include more directive policy to guide decision makers in the balancing of conflicting considerations and to ensure that significant adverse effects are avoided. To do this, the NPS must recognise the weighing factors that might not favour a particular renewable electricity generation project. This would include RMA Part 2 matters such as: significant natural character; significant amenity values; historic heritage; outstanding natural features and landscapes; significant indigenous vegetation and significant habitats of indigenous fauna. Those are matters recognised within the Preamble but not in the policies. It is noted that the NPS on Electricity Transmission provides for these matters in its Policies 4, 7, 10 and 11 and I consider that it would be desirable to include similar policies in this NPS. Such alignment between the two NPSs would enhance clarity and consistency of interpretation particularly of national policy statements that address interrelated matters.

### **3.3 Ensuring the NPS Policies respect the Preamble and Objective**

3.3.1 The Preamble clearly states the intention to promote renewable electricity generation while acknowledging the necessary balancing of competing values that define and direct the sustainable management purpose under Part 2 of the RMA and should therefore be retained in its entirety. The Objective appropriately focuses on a measurable target, being 90 per cent of NZ electricity generated from renewable sources by 2025.

3.3.2 Policy 1 promotes the use of renewable electricity generation as a means by which the country may avoid, reduce or displace the emission of greenhouse gases. However, the guidance offered by Policies 1, 2 and 3 only refers to renewable electricity generation and does not acknowledge the statutory requirement to sustainably manage all relevant natural and physical resources.

3.3.3 Whilst Policies 4 and 5 are intended to be directive, I do not consider that they provide the necessary guidance as to the content or extent of changes to any planning documents that are required.

3.3.4 I consider that the research and assessment referred to in Policy 4 does not need to be provided for within a NPS. Policy 4 refers to activities undertaken as part of the investigation and establishment of an activity, which will generally have minor effects. It is difficult to understand why such fine grained matters should be the subject of a policy in a national policy statement. It therefore may be more appropriate to delete Policy 4 and instead seek to manage research scale activities within an NES.

### **3.4 Recognising small and community-scale renewable electricity generation activities**

3.4.1 The NPS recognises the role of small and community-scale renewable electricity generation activities. If the government target of 90 per cent renewable electricity by 2025 is to be achieved, individual actions and their cumulative contribution must be acknowledged. Furthermore, activities at the individual and community scale raise the level of awareness and opportunity. I therefore maintain that the intent of the NPS to encourage small and community-scale renewable electricity generation activities should be retained and particular encouragement should be given to the investigation of small scale urban energy generation opportunities.

3.4.2 However, there may be potential difficulties in developing an enabling planning framework to give effect to this policy direction, due in part to the plethora of small scale renewable electricity generation options. Consequently, the intent of the NPS to encourage small scale and community-scale renewable electricity generation should be facilitated by minimising regulation on such facilities. An effective and efficient of achieving this, while also reducing the burden on local authorities to manage these activities, would be through setting a common national standard for small and community-scale renewable electricity generation activities through an NES.

### **3.5 Considering economic benefits where there are adverse environmental effects**

3.5.1 Renewable electricity generation, as with non-renewable electricity generation, has the potential to have significant adverse effects. Consideration of economic factors, including how proposals contribute to security of supply and the value of avoiding carbon dioxide emissions, should be included in plan provisions and in the consideration of proposals.

3.5.2 Economic and efficiency factors and their potential contribution to the social and economic wellbeing of the community are relevant, whether or not they outweigh adverse landscape, cultural and other environmental effects of a proposal. I therefore consider that the NPS should provide guidance on how these matters are to be assessed and weighed.

3.5.3 I acknowledge that this is not an explicit consideration for non renewable generation, other than via economic considerations that arise from the purpose of the RMA.

### **3.6 Implementing the NPS**

3.6.1 The successful implementation of a NPS hinges on the clarity of policy and consistency within the NPS itself. I therefore consider that the quality of this policy guidance will reduce the resources needed for implementation.

## **4.0 REVISIONS TO POLICIES**

4.1 To address the issues raised in Section 3 of my evidence, the ARC seeks the following revisions to the policies contained within the NPS.

### **4.2 Policy 1 – Recognising the national significance of the benefits of renewable electricity generation activities**

4.2.1 Policy 1 should be retained subject to the following amendments (shown in underlined text):

*“The economic and social benefits of renewable electricity generation activities, at any scale, are of national significance. Decision makers must have particular regard to the national, regional and local benefits relevant to renewable electricity generation activities. These benefits may include, but are not limited to:*

- i maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions*
- ii maintaining or increasing security of electricity at local, regional and national levels by diversifying the type and location of electricity generation*

- iii integrating the renewable electricity generation activity with the transmission network and the establishment of peak load and/or back up generation while avoiding, remedying and mitigating the effects of these activities.

#### **4.3 Policy 2 – Acknowledging the practical constraints associated with renewable electricity generation activities**

- 4.3.1 Policy 2 should be retained subject to the following amendments (shown in underlined text):

*“When considering measures to avoid, remedy or mitigate the adverse environmental effects of renewable electricity generation activities, consent authorities must consider ~~have particular regard to the constraints imposed on achieving those methods by...~~*

#### **4.4 Policy 3 – Having regard for the relative reversibility of adverse effects associated with particular generation types**

- 4.4.1 Consideration needs to be given with regard to providing a definition of the term ‘reversibility’ referred to in Policy 3. Furthermore, the following amendments to the Policy are requested (shown in underlined text):

*“When considering proposals to develop new renewable electricity generation activities, decision-makers must consider ~~have particular regard to the relative degree~~ and likelihood of reversibility of the adverse environmental effects associated with proposed generation technologies.”*

#### **4.5 Policy 4 – Enabling identification of renewable electricity generation possibilities**

- 4.5.1 Consider deleting Policy 4 and address this issue through a NES.

#### **4.6 Policy 5 – Supporting small and community-scale renewable electricity generation**

4.6.1 Policy 5 should be retained however, I consider there to be a need to develop a NES 'to enable activities associated with the development and operation of small and community-scale distributed renewable electricity generation'. The NES should be developed in such a way as to inform the plan change, proposed plan or variation required by Policy 5 to be notified by 13 March 2012.

#### **4.7 Additional Policies**

4.7.1 I consider that in order to provide suitable guidance with regard to environmental effects, the following new policies should be included within the NPS:

**Policy x:**

“When considering the environmental effects of new renewable electricity generation infrastructure, decision makers must have particular regard to the extent to which any adverse effects have been avoided, remedied or mitigated through the site selection process.”

**Policy y:**

“Planning and development of renewable electricity generation infrastructure should minimise adverse effects on residential and recreational amenity and general rural character”.

**Policy z:**

“Planning and development of renewable electricity generation infrastructure should avoid significant adverse effects on significant natural and cultural heritage values including outstanding natural features and landscapes, areas of significant natural character and areas of high recreational value and amenity”.

## **5.0 RECOMMENDATION**

- 5.1 The Board of Inquiry should confirm the Proposed National Policy Statement for Renewable Electricity Generation subject to the amendments as outlined in my evidence, and any other further or consequential amendments required to give effect to the issues raised above.

**Jonathan Richards  
Senior Policy Planner  
Policy Implementation  
Auckland Regional Council  
6<sup>th</sup> June 2009**