

**Submission by Transpower New Zealand Limited
Proposed Freshwater Planning Instrument Part of the
Proposed Otago Regional Policy Statement**

29 November 2022

Keeping the energy flowing



Form 5

Submission on notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Otago Regional Council (“the Council”)

Name of submitter: Transpower New Zealand Limited (“Transpower”)

This is a submission on the following proposed plan (“the proposal”):

Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement (“Proposed ORPS - Freshwater”).

Transpower could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

Definition – ‘Specified infrastructure’

Policy LF–FW–P9 – Protecting natural wetlands

Policy LF–FW–P15 – Stormwater and wastewater discharges

Transpower’s submission is:

Background and context

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand’s high voltage electricity transmission network, known as the National Grid, that carries electricity across the country. Transpower provides the required infrastructure to transport electricity from the point of generation to local electricity distribution companies, which supply electricity to everyday users.

Transpower needs to efficiently operate, maintain, upgrade and develop the National Grid to meet increasing demand; to connect new generation; and to ensure security of supply, thereby contributing to New Zealand’s economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. A key part of this is connecting new renewable energy generation to the National Grid – Transpower expects demand for electricity to increase over time as New Zealand transitions to a zero-carbon economy, and Transpower is uniquely placed to help enable that transition.

For this reason, Transpower has an interest in the development of the Proposed ORPS - Freshwater where it may affect the National Grid. In respect of the Proposed ORPS - Freshwater, Transpower’s interests are limited to provisions that relate to ‘specified infrastructure’ and discharges from sites that form part of the National Grid.

The National Grid in Otago

Transpower owns and operates assets within, and traversing, Otago. These assets include transmission lines, substations, communications cables and associated infrastructure. These assets supply electricity to people and communities in Otago and transmit electricity to much of the rest of New Zealand.

Transpower’s assets in Otago are shown on the map in Figure 1 and are as follows:

- Aviemore - Livingstone A (AVI-LIV-A) 220kV transmission line;
- Balclutha Deviation A (BAL-DEV-A) 110kV transmission line;
- Cromwell - Frankton A (CML-FKN-A) 110kV transmission line;

Statutory framework

The National Grid is nationally (and regionally) significant infrastructure that is recognised in the Resource Management Act 1991 (“RMA”) context by the National Policy Statement for Electricity Transmission 2008 (“NPSET”) and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”).

The NPSET was gazetted on 13 March 2008 and confirms the national significance of the National Grid and provides policy direction in relation to:

- recognising the benefits of the National Grid;
- managing the adverse effects on the environment of the National Grid;
- managing the adverse effects of land use and development on the National Grid; and
- long term strategic planning for transmission assets.

A key reason for introducing the NPSET in 2008 was to resolve the inconsistencies that resulted from the variable provision for the National Grid in RMA plans and policy statements. This variance was despite the fact that the National Grid is largely the same across the country. In promoting the NPSET, central government accepted the importance of, and benefits of, a nationally consistent approach to decisions on transmission activities. The preamble of the NPSET highlights that the National Grid has particular physical characteristics and operational/security requirements that create challenges for its management under the RMA, and it is important there are consistent policy and regulatory approaches by local authorities.

The single Objective of the NPSET is as follows:

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

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

The NPSET Objective is supported by fourteen Policies. In a general sense these policies address the following:

- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route selection approach, and the requirements of existing assets;
- Policies 6 to 8: Reducing, minimising and avoiding adverse effects in differing contexts;
- Policy 9: Potential health effects;
- Policies 10 and 11: Managing adverse effects on the National Grid and providing for “buffer corridors”;
- Policy 12: Mapping the National Grid; and
- Policies 13 and 14: Long-term development and planning for transmission assets.

Section 62(3) of the RMA requires the Council to give effect to the objectives and policies of the NPSET in the Proposed ORPS - Freshwater. The requirement to ‘give effect to’ is a strong directive that requires the provisions of the Proposed ORPS – Freshwater, to the extent that they are relevant, to reflect the direction and intent of the NPSET.

Transpower’s submission

Transpower’s submission on the Proposed ORPS – Freshwater is concerned with how the proposed ORPS – Freshwater defines ‘specified infrastructure’ and how such infrastructure is managed in respect of freshwater, including the discharge of stormwater from sites that accommodate the National Grid.

The following table sets out Transpower's submission in detail.

Transpower seeks the following decision from the local authority:

Amend the Proposed ORPS – Freshwater as set out in the following table, and such further alternative or consequential relief as may be necessary to fully achieve the outcomes in this submission.

Transpower wishes to be heard in support of its submission.

Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.



Signature of person authorised to sign
on behalf of Transpower New Zealand Limited

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Transpower New Zealand Limited: Submission on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement

The following table sets out the decisions sought by Transpower, including specific amendments to the provisions of the Proposed ORPS (shown in underline and ~~strike through~~), and reasons for Transpower’s submission on the notified provisions of the Proposed ORPS - Freshwater.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
PART 1 – INTRODUCTION AND GENERAL PROVISIONS			
Interpretation			
Definitions – ‘Specified infrastructure’	Support	<p>Transpower supports the inclusion of a definition of ‘specified infrastructure’ in the Proposed ORPS - Freshwater that replicates clause 3.21 of the NPSFM subject to the definition of ‘regionally significant infrastructure’ being amended to include the National Grid.</p> <p>This relief is consistent with Transpower’s submission on the non-freshwater parts of the Proposed ORPS that notes that the definition of ‘regionally significant infrastructure’ does not explicitly include the National Grid (with the National Grid being ‘nationally significant infrastructure’) and seeks that the definition of ‘regionally significant infrastructure’ includes the National Grid.</p>	<p>Retain the definition of ‘specified infrastructure’ as notified and, as a consequence, amend the definition of ‘regionally significant infrastructure’ as follows:</p> <p>follows:</p> <p><i>“means:</i></p> <ol style="list-style-type: none"> 1. <i>roads classified as being of regional importance in accordance with the One Network Road Classification,</i> <i><u>x. the National Grid;</u></i> 2. <i>electricity sub-transmission infrastructure, ...”</i> <p>As alternate relief, amend the definition of ‘specified infrastructure’ to include reference to the National Grid.</p>
PART 3 – DOMAINS AND TOPICS			
LF – Land and fresh water: LF-FW – Fresh water			
Policies LF-FW-P9 – Protecting natural wetlands	Support	Transpower acknowledges that, while included in this policy statement as opposed to a regional plan, Policy LF-FW-P9 generally reflects the direction for regional plans given in 3.22 of the NPSFM.	Retain Policy LF-FW-P9 as notified.
Policies LF-FW-P15 – Stormwater and wastewater discharges	Support in part	<p>Transpower generally supports policy LF-FW-P15 but seeks a limited amendment to provide for particular situations or land uses where stormwater is disposed of on-site. That is, while it is accepted that clause (2) is the appropriate ‘default’ for this policy, there are sites and activities that are more unique and discharges from such sites may be managed in a site-specific manner. This is often the case for Transpower’s substations.</p> <p>Transpower seeks an amendment to provide for such situations and, as such, give effect to the Policies 1, 2 and 5 of the NPSET.</p>	<p>Amend Policy LF-FW-P15 as follows:</p> <p><i>“Minimise the adverse effects of direct and indirect discharges of stormwater and wastewater to fresh water by:</i></p> <p>...</p> <p>2. <i>requiring:</i></p> <ol style="list-style-type: none"> a. <i>all sewage, industrial or trade waste to be discharged into a reticulated wastewater system, where one is available,</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<p><i>b. all stormwater to be discharged into a reticulated system, where one is available,</i></p> <p><i>c. implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring for reticulated stormwater and wastewater systems,</i></p> <p><i>d. on-site wastewater systems to be designed and operated in accordance with best practice standards,</i></p> <p><i>e. stormwater and wastewater discharges to meet any applicable water quality standards set for FMUs and/or rohe, and</i></p> <p><i>f. the use of water sensitive urban design techniques to avoid or mitigate the potential adverse effects of contaminants on receiving water bodies from the subdivision, use or development of land, wherever practicable, and</i></p> <p>...</p> <p><i><u>x. except that (2) does not apply to nationally significant infrastructure where the adverse effects of direct and indirect discharges of stormwater and wastewater are appropriately managed.</u></i></p>