

BEFORE THE MANAWATU-WANGANUI REGIONAL COUNCIL

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of submissions and
further submissions
made by
**TRANSPower NEW
ZEALAND LIMITED**
on the Proposed
Horizons One Plan –
Administration, Finance
Air, Natural Hazards,
Infrastructure Energy
and waste and
Landscapes and
Natural Character.

**STATEMENT OF EVIDENCE OF DAVID LE MARQUAND ON BEHALF OF
TRANSPower NEW ZEALAND LIMITED “TRANSPower”: GENERAL
HEARING**

1.0 INTRODUCTION

1.1 My name is David le Marquand and I am a Director of Burton Planning Consultants Limited. My qualifications are a Bachelor and Master of Arts degree in Geography from Auckland University. I have practised resource management for over twenty-eight years: fifteen of those years in Central Government including six years as a Scientist in the Planning Section of the Water and Soil Directorate (MWD) Wellington, and two years as a Policy Analyst and five years

as a Senior Policy Analyst with the Ministry for the Environment in Auckland. I have spent the last fourteen years as a Resource Management Consultant with Burton Consultants.

1.2 I have been the Burton's Account Manager for Transpower for more than thirteen years. In that role I have been responsible for providing advice to Transpower, on a national basis, on relevant district and regional plan provisions and various resource management issues affecting Transpower's operations.

2.0 BASIS OF EVIDENCE

2.1 My evidence generally supports the submissions and further submissions lodged by Transpower on the Proposed One Plan.

2.2 I have read and am familiar with the Proposed One Plan provisions, and with the staff report and relevant background reports in relation to Transpower's submissions and further submissions. My evidence primarily focuses on the Planner's Report recommendations on the topics of Administration and Finance; Air; Landscapes and Natural Character. I also make additional comments in respect of the Infrastructure Energy and waste provisions in light of further pre-hearing discussions.

2.3 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

3.0 ADMINISTRATION AND FINANCE

3.1 Transpower made submissions (265/51, 265/52, and 265/53) on the financial contribution provisions seeking the retention of policies 18-1 to 18-3 without further modification. The staff report has made a number recommendations for change to those policies. I am supportive of those recommended changes, and commend the staff recommendations to the Committee.

4.0 AIR

- 4.1 Transpower made submissions (265/40 and 265/42) seeking the retention of Rules 14-10 and 14-12. Minor modifications are proposed to these provisions in the staff report. I am supportive of those recommended changes, and commend the staff recommendations to the Committee.

5.0 LANDSCAPE AND NATURAL CHARACTER

- 5.1 Transpower made submissions seeking the retention of Objective 7-2 and Policy 7-7 without further modification (265/20 and 265/21), and also sought the inclusion of cross references to the policies in Chapter 3 when assessing activities involving infrastructure of regional importance (265/22) for Policy 7-8.
- 5.2 Staff have recommended a number of changes to the wording of Objective 7-2, Policy 7-7 and Policy 7-8. None of those changes (as identified in the redline version of the provisions) are opposed except for the lack of a linkage back to the policies in Chapter 3 in Policy 7-8 and the proposed deletion of 7-7 (c).
- 5.3 The staff report states (81):
The policies in Chapter 3, and any other relevant policies, will be considered as a matter of course in the decision-making process for individual resource consent applications. In my opinion, there is therefore no need to single them out for mention in Policy 7-8.
- 5.4 The staff's reasoning appears to be at odds with the current recommended version of Policy 7-1A for activities affecting indigenous biological diversity, which does include a specific reference back to Chapter 3. These provisions should be consistent. Otherwise there is a risk that more will be read into the omission of the cross reference for Outstanding Regional Landscape and Natural Character than is actually intended. At this stage (and until the role, function and content of Chapter 3 is suitably finalised) my preference is that an explicit reference be made to the consideration of Chapter 3 policies as per existing 7-1A in both Policy 7-7 and Policy 7-8.

6.0 NATURAL HAZARDS

- 6.1 Policy 10-4 seeks to prevent the establishment of new critical infrastructure within areas likely to be affected by a natural hazard event. The definition of critical infrastructure applies, amongst other things, to electricity substations, but does not apply to transmission lines. On the basis of its scope as to what constitutes “critical infrastructure”, this policy approach and therefore the proposed amendments outlined in the staff report is supported. I commend the staff recommendations to the Committee

7.0 SUPPLEMENTARY EVIDENCE IN RELATION TO PREHEARING DISCUSSIONS ON INFRASTRUCTURE, ENERGY AND WASTE PROVISIONS

- 7.1 There have been various discussions between staff, generators and linear network operators over the provisions in Chapter 3. Suffice to say there is no unanimity of view on these provisions and indeed there appears to be a difference between the generators approach to dealing with the effects of infrastructure compared to the linear operators (such as Transpower, Powerco and Transit). The difference appears to be based on how the parties view effects on their respective interests.
- 7.2 The staff prepared a redline version of the Chapter 3 infrastructure provisions for a prehearing meeting on 16th February (see attachment A) and the Generators provided some redline changes on 9th March 2009 (see Attachment B). I have reviewed each of these versions, and in light of the evidence already produced on behalf of Transpower on the infrastructure chapter, I have produced a combined version (see Attachment C). This includes changes to address those matters in relation to Transpower’s submissions. A clean version is included as Attachment D.
- 7.3 The key principles I have incorporated into the amended documents are as follows:

- Reference is made explicitly to the National Policy Statement on Electricity (2008 NPSET);
- The list of issues is expanded in line with the list prepared by the Generators. Specific reference is made in issue (vi) to infrastructure corridors.
- The proposed amendments by staff to objective 3-1(i) are preferred over to the Generators revision. This RPS policy applies to District and Regional Plans, so it is important to indicate the effects on and from infrastructure are appropriately provided for and allowed (i.e. to clearly state that the expectation is that they will be minimally fettered by subsequent planning provisions).
- Reference to decision making processes and managing adverse effects is retained in Objective 3-1 (ii). The Generators' appear to have a different view to the linear network operators on the way adverse effects should be addressed in the One Plan. I consider it appropriate and reasonable for the effects of infrastructure to be considered within this section (in much the same way as there are stand alone utility sections in many district plans and now recent RPS's) rather than requiring the effects from infrastructure to be spread throughout and subject to the provisions of all chapters.
- Separating out efficiency in energy use in 3-1 (iii) is supported.
- The changes proposed in policy 3-1 are generally supported except to the extent that specific reference should be made to the National Grid, in line with the NPSET.
- In policy 3-2 (a) it is important that the infrastructure corridors are identified and recognised (arguments as per original evidence 5th August 2008). The Regional Council is required to identify buffer corridors (in accordance with NPSET Policy 11), how this is to be implemented has yet to be determined, however I am supportive of some recognition of these in the RPS to ensure consistency across the region.
- The Generators' proposed changes to policy 3-2 (b) are supported but a minor amendment is made to clarify that it does not apply to changes to other infrastructure in proximity to existing.
- Policy 3-3 as proposed by staff is supported. It deals appropriately with adverse effects in relation to new and existing infrastructure and

should be retained as per the pre hearing version. Linear networks have slightly different imperatives to generators in dealing with adverse effects in that linear networks traverse many environments, rather than single or site specific location as is the case at the point of generation.

- The proposed Generators' changes to 3.4 are supported.
- The proposed Generators' change or addition to policy 3-5 (as per ECA submission) is not supported. Existing Policy 3-5, as proposed is considered to be appropriate and the other matters (e.g. reverse sensitivity) are adequately dealt with in terms of the other provisions. I would be concerned if this became a stand alone policy, as it is entirely focused on "renewables". This is inappropriate as the transmission of electricity, via the Grid, does not distinguish between whether the source was from renewable energy or otherwise. I would not support a policy that promoted transmission only from renewable sources, and to do so would, in my opinion, be contrary to the NPSET.

7.4 In my opinion the proposed (collective) changes identified in Attachments C and D of this evidence will provide an adequate basis for the RPS to address the effects from and the effects on regionally significant infrastructure. In so doing it will also satisfy Transpower's submissions on this Chapter.

David le Marquand

17.04.09

ATTCHMENT A

Staff recommendations on Chapter 3 for pre-hearing meeting of 16th February 2009.