

Submission by Transpower New Zealand Limited on the Proposed Te Tai o Poutini Plan

26 October 2022

Keeping the energy flowing



TRANSPOWER



Te Tai o Poutini Plan Proposed Plan

Submission form

Te Tai o
Poutini Plan
Proposed
Plan

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We need your feedback. We want to hear from you on the proposed Te Tai o Poutini Plan. What do you support and what would you like changed? And why? It is just as important to understand what you like in the Proposed Plan as what you don't. Understanding everyone's perspectives is essential for developing a balanced plan.

Your details:

First name:

Surname:

Are you submitting as an individual, or on behalf of an organisation?

Individual

Organisation

Organisation (if applicable): Transpower New Zealand Limited

Would you gain an advantage in trade competition through this submission?

Yes

No

If you **could** gain an advantage in trade competition through this submission please complete the following:

I am /am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

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Signature:

Date:

26 October 2022

Refer Address For Service details

Your submission:

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

Strategic Direction

Energy Infrastructure and Transport

Hazards and Risks

Historical and Cultural Values

Natural Environment Values

Subdivision

General District Wide Matters

Zones

Schedules

Appendices

General feedback

All submitters have the opportunity to present their feedback to Commissioners during the hearings process. Hearings are anticipated to be held in the middle of 2023. Please indicate your preferred option below:

I wish to speak to my submission

I do not wish to speak to my submission

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes, I would consider presenting a joint case

No, I would not consider presenting a joint case

Public information - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published to the Te Tai o Poutini Plan website and available to the public. It is your responsibility to ensure that your submission does not include any personal information that you do not want published.

Want to know more?

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Te Tai o Poutini
PLAN

A combined district plan for the West Coast

ADDRESS FOR SERVICE

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Introduction

Transpower New Zealand Limited (“**Transpower**”) welcomes the opportunity to make a submission on the Proposed Te Tai o Poutini Plan (“**Proposed Plan**”). The following provides an overview of Transpower’s role and function including;

- a description of Transpower’s assets on the West Coast;
- an overview of the Resource Management Act 1991 (RMA) statutory framework as it relates to Transpower’s assets and functions; and
- specific comments on provisions of the Proposed Plan.

Transpower appreciates that Council has incorporated some of its feedback on the exposure draft of the District Plan, particularly in the Energy Chapter. However, it notes that there are some fundamental elements which have not been incorporated into the plan provisions, particularly in the overlay chapters. Section 75(3)(a) of the RMA requires that district plans must ‘give effect’ to a National Policy Statement, and the operative Regional Policy Statement. Case law has established that the words “give effect to” means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it. Transpower reiterates its concerns that the Proposed Plan does not give effect to the National Policy Statement on Electricity Transmission 2008.

Overview

The following comments are provided to inform the Proposed Plan to ensure that its corresponding planning framework appropriately recognises and provides for the National Grid.

From Transpower’s perspective, the provisions of the District Plan need to ensure:

- The National Policy Statement on Electricity Transmission 2008 (“**NPSET**” or “**NPS**”) is given effect to;
 - The sustainable management of the National Grid as a physical resource of national significance is recognised;
 - The benefits of the National Grid at local, regional and national levels are recognised and provided for;
 - The need for the operation, maintenance, upgrade and development of the electricity transmission network is recognised and provided for; and
- The protection of the National Grid from issues of reverse sensitivity and the adverse effects of others' activities is recognised to ensure the National Grid is not compromised.

Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand’s National Grid, the high voltage electricity transmission network for the country. The National Grid links electricity generators directly to major industrial users and distribution

companies, feeding electricity to the local networks that distribute electricity to homes and businesses. The role of Transpower is shown in Figure 1 below. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 11,000 km of transmission lines and over 170 substations, supported by a telecommunications network of around 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

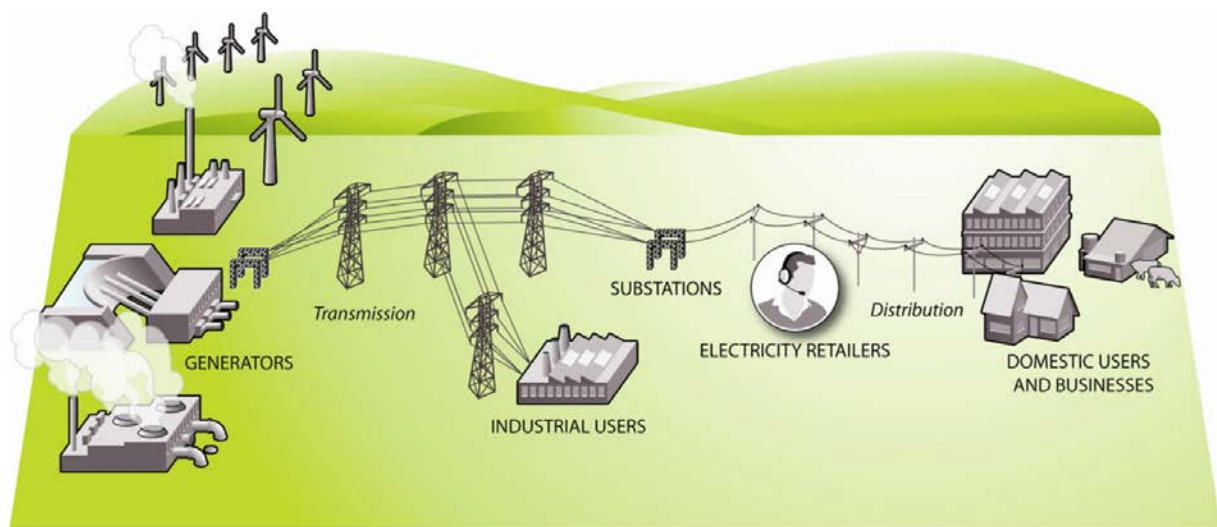


Figure 1. Role of Transpower in New Zealand's electricity industry. (Source: MBIE)

Transpower's role as outlined in its Statement of Corporate Intent for July 2022, states that:

Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:

- *As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*
- *As system operator, to operate a competitive electricity market and deliver a secure power system*

In line with the above, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to seek 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. As the economy electrifies in pursuit of the most cost efficient and renewable sources, the base case in Transpower's "Whakamana i Te Mauri Hiko" predicts that electricity demand is likely to increase around 55% by 2050. Whakamana i Te Mauri Hiko suggests that meeting this projected demand will require

significant and frequent investment in New Zealand's electricity generation portfolio over the coming 30 years, including new sources of resilient and reliable grid connected renewable generation. In addition, new connections and capacity increases will be required across the transmission system to support demand growth driven by the electrification of transport and process heat. Simply put, New Zealand's electricity transmission system is the infrastructure on which our zero-carbon future will be built. This work supports Transpower's view that there will be an enduring role for the National Grid in the future, and the need to build new National Grid lines and substations to connect new, renewable generation sources to the electricity network.

The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed. Operational requirements are set out in legislation, rules and regulations that govern the National Grid, including the Electricity Act 1992, the Electricity Industry Participation Code, the New Zealand Electricity Code of Practice for Electricity Safe Distances (NZECP 34:2001), and the Electricity (Hazards from Trees) Regulations 2003.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation.

West Coast Area Assets

The following National Grid assets are within the West Coast region.

- Arahura - Dobson A (AHA-DOB-A) 66kV Single Circuit line on Single and Pi Poles
- Arahura – Dobson A1 – CBL Section 66KV primary system voltage
- Arahura - Otira A (AHA-OTI-A) 66kV Double Circuit line on Single, Pi-Poles (Transpower own this from TMR (Three Mile Road) to OTI)
- Blackwater - Inangahua A (BWR-IGH-A) 110kV Single Circuit line on Pi Poles
- Coleridge - Otira A (COL-OTI-A) 66kV Double Circuit line on Single Poles, Pi Poles, Triple Poles and Steel Towers
- Dobson - Blackwater A (DOB-BWR-A) 110kV Single Circuit line on predominantly Single Poles
- Dobson - TEE A (DOB-TEE-A) 110kV Single Circuit line on Single and Pi Poles
- Greymouth - Kumara A (GYM-KMU-A) (Westpower owned, Leased to Transpower)
- Inangahua - Kikiwa A (IGH-KIK-A) 110kV Single Circuit line on predominantly Steel Towers but with a few Pi Poles
- Inangahua - Kikiwa B (IGH-KIK-B) 110kV operation voltage (220 design voltage) Double Circuit line on Steel Towers
- Inangahua - Reefton A (IGH-RFN-A) 110kV Single Circuit line on Single Poles and Pi Poles)
- Inangahua - Waimangaroa A (IGH-WMG-A) 110kV Single Circuit line on Steel Towers
- Inangahua - Westport B (IGH-WPT-B) 110kV Double Circuit line on Steel Towers

- Kumara – Kawhaka Tee (Westpower Owned, leased to Transpower)
- Waimangaroa - Westport A (WMG-WPT-A) 110kV Single Circuit line on Pi Poles
- Robertson Street – Tee A (ROB-TEE-A) 110kV
- Robertson Street – Tee B (ROB-TEE-B) 110kV
- Orowaiti Tee (ORO)

There are also 10 substations (some of which are not Transpower owned and operated) within the district being the Atarau Substation, Dobson Substation, Kumara Substation (Westpower owned with Transpower having some equipment and operational control), Hokitika and Greymouth Substations (Westpower owned and operated), Inangahua Substation, Otira Substation, Reefton Substation (Westpower owned and operated), Robertson Street Substation (Buller Electricity owned and operated), and the Waimangaroa Substation. The former Westport Substation has been dismantled. A further asset is the Inangahua-Murchison underground fibreoptic cable.

There is one other leased line being the Hokitika-Two Mile River Tee A (Westpower). There is also the Two Mile River Tee and Kawhaka Tee.

Refer to Appendix 1 for a map showing the location of these assets.

Statutory Framework

The National Policy Statement on Electricity Transmission (“**NPSET**”) was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the Resource Management Act (“**RMA**”) duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or owned by Transpower – and not to electricity generation or distribution networks.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, councils have to work through how to make appropriate provision for the National Grid in their district/city plans, in order to give effect to the NPSET.

The one 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’s 14 policies provide for the recognition of the benefits of the National Grid, as well as the environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid is explicitly recognised in the NPSET.

Policy 1 of the NPSET provides that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy, development and use of new electricity generation, and enhanced supply.

Policies 2 to 9 provide RMA decision-makers direction for managing the environmental effects of transmission activities.

Recognition of the development of the National Grid is also required in Policy 2 of the NPSET, in that “*decision makers must recognise and provide for ... the development of the electricity transmission network*”. Policy 2 is as follows:

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

Policies 3 to 5 contain matters to which decision-makers must consider or have regard, including:

- the constraints imposed on avoiding, remedying or mitigating adverse effects by the technical and operational requirements of the network
- the role of the route, site and method selection process in avoiding, remedying or mitigating adverse effects for new or major upgrades of transmission infrastructure, and
- the enablement of the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

Policies 6 to 8 relate to Transpower’s responsibilities under the NPSET, with Policy 6 promoting the reduction of existing adverse effects where substantial upgrades of transmission line infrastructure are undertaken. Policies 7 and 8 relate to circumstances in which the effects of transmission infrastructure could be reduced, minimised or avoided in urban and rural environments.

Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments/areas (being outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity, and existing sensitive activities). The wording of NPSET Policy 8 (“should seek to avoid”) does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET).

Policy 8 is as follows:

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

Policy 9 specifically relates to standards for dealing with electric and magnetic fields.

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address. Policy 10 is as follows:

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

Policy 11 relates to the development of buffer corridors, and is as follows:

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Policies 13 and 14 relate to the long-term strategic planning for transmission assets. Under Policy 14, regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Section 75(3)(a) of the RMA requires that district plans must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.

It is therefore a requirement that local policy reflects national direction and that the local policy is effective in helping support the integrated management of natural and physical resources across the region as a whole.

Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009

The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 ("NESETA") came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines (which are typically designated).

Activities covered by the NESETA are activities relating to the operation, maintenance, upgrading, relocation or removal of an existing transmission line, including:

- a construction activity
- use of land or occupation of the coastal marine area
- activities relating to an access track to an existing transmission line
- undergrounding an existing transmission line.

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. The NESETA regulates how Transpower's existing lines in the District are developed and maintained, rather than the District Plan Rules. In accordance with Section 43B of the RMA, the District Plan rules cannot be more lenient or stringent than the NESETA rules and therefore the NESETA rules in effect prevail.

West Coast Regional Policy Statement 2020

The National Grid is explicitly addressed in Chapter 6. Regionally Significant Infrastructure ("RSI") and Chapter 9. Coastal Environment of the West Coast Regional Policy Statement ("RPS") 2020. In addition to general RSI provisions, the following policies are of specific relevance:

Chapter 6. Regionally Significant Infrastructure (RSI)

Policy 2. *Provide for the development, operation, maintenance and upgrading of new and existing RSI including renewable electricity generation activities and National Grid infrastructure.*

Explanation: *Policy 2 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast. RSI is defined in the Glossary. Policy 2 also gives effect to Policies E1-E4 of the NPSREG which requires provision for renewable electricity generation, and Policy 2 of the NPSET which requires recognition of the National Grid.*

Policy 4. *Recognise that RSI important to the West Coast's wellbeing needs to be protected from the reverse sensitivity effects arising from incompatible new subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading, or development of the infrastructure.*

Explanation: *The operation, maintenance and future development of RSI can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as reverse sensitivity, or by the effects of existing resource use. Policy 4 gives effect to Policies 10 and 11 of the NPSET for managing reverse sensitivity effects on RSI including the National Grid.*

Policy 7. (1) *In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.*

Policy 7. (2) *In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects, on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and natural landscapes, and the natural character of wetlands, and lakes and rivers and their margins outside the Coastal Environment.*

Explanation: Policy 7 provides a specific management approach for the National Grid. 'Seek to avoid' means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and natural character. Policy 7 sets the policy framework for the effects of the National Grid to be assessed in a considered manner, taking into account the technical and operational constraints of the network and the route, site and method selection process. It enables a case by case merits assessment of specific National Grid projects, taking into account the nature of the adverse effects and the values adversely affected.

Method 3. As part of regional and district plan development or review processes, regional and district councils must consult with the National Grid operator about identifying appropriate buffer corridors to manage the adverse effects of subdivision, use and development on the National Grid.

9. Coastal Environment

Policy 2. (1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.

Policy 2.(2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and areas of high and outstanding natural character located within the coastal environment.

Explanation: Policy 2 provides a specific management approach for the National Grid. 'Seek to avoid' means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and high or outstanding natural character. The circumstances in which adverse effects must be avoided will be dependent on the nature of the adverse effects and values adversely affected, taking into account the technical and operational constraints of the network and the route, site and method selection process.

The RPS provides a clear policy framework that distinguishes the National Grid from other infrastructure and provides a policy framework relating to the effects of the grid as well as the effects of other activities on the grid.

Policy 2 and Policies 7(1) and (2) provide a clear policy directive to provide for and enable the development, operation, maintenance and upgrading of the National Grid. Method 3 of the RPS is clear in its directive that as part of the district plan development processes, the council(s) must consult with the National Grid operator about identifying appropriate buffer corridors to manage the adverse effects of subdivision, use and development on the National Grid.

Section 75(3) of the RMA requires the district plan to give effect to the RPS.

Specific National Grid Policy Framework

The primary basis and reasoning for the district plan provisions is to recognise the national significance of the National Grid and enable its operation, maintenance, upgrade and development. The sought policy framework is a result of Transpower's evolving approach to the management of activities near the National Grid as it works with Councils around the country on various plan review and plan change processes to give effect to the NPSET.

The need to operate, maintain, upgrade and develop the electricity transmission network is recognised as a matter of national significance through the NPSET. This significance applies universally across the country regardless of the nature of the specific National Grid asset. The NPSET Objective recognises that the network itself potentially gives rise to adverse effects, and that other activities can potentially adversely affect the network. The NPSET policies give direction on how to achieve the objective by providing for the recognition of the benefits of electricity transmission, as well as the management of the environmental effects of electricity transmission and the adverse effects of other activities on the transmission network. As such, the NPSET policies impose obligations on both decision-makers and Transpower itself.

There are three broad aspects to the NPSET which must be given effect to in district plans, as below.

Enabling the National Grid:

Policies and plans must provide for the effective operation, maintenance, upgrading and development of the National Grid. This includes recognising the national benefits. Policy 1 specifies that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy and facilitating the use and development of new electricity generation, including renewable generation in the management of the effects of climate change.

In terms of its existing assets, Transpower undertakes a wide range of maintenance activities across its entire asset base. Typical maintenance activities include earthworks, vegetation trimming and clearance, and support structure maintenance activities. Some but not all of these activities are regulated under the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. Transpower considers it necessary for the District Plan to adopt an enabling framework through which the benefits of the National Grid can be considered and recognised.

Managing the effects of the National Grid:

Associated with the development of National Grid assets is the potential for adverse environmental effects. Policies 2 to 9 relate to management of the environmental effects of electricity transmission. In particular, Policy 2 states: *In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.*"

Policies 3 to 5 contain matters which decision-makers must consider, including technical and operational constraints, the route, site and method selection process, and operational requirements.

Policy 6 of the NPSET seeks to reduce existing adverse effects where appropriate, while Policies 7 and 8 relate to effects on urban and rural environments respectively. Policy 9 specifically relates to health standards.

Policies 2 to 9 are particularly relevant to the Proposed District Plan as they provide the policy framework for managing the environmental effects of electricity transmission in recognising and providing for the ongoing operation and development of the National Grid.

The development of the National Grid must therefore be managed to ensure the potential for adverse effects is appropriately managed while recognising the significance of the National Grid and the constraints under which it operates. The NPSET requires the District Plan to include objectives and policies that:

- Allow for the consideration of the technical constraints and operational requirements under which the National Grid operates for example. the linear nature of the transmission lines.
- Have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the route, site and method selection.
- Ensure new planning and development seeks to avoid adverse effects on more sensitive areas.

This policy direction within the NPSET sets an appropriate rule framework for National Grid infrastructure.

Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.

Managing the effects on the National Grid:

In addition to the health and safety issues of activities locating within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/ operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines. The location of buildings and activities, particularly 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.

Of particular relevance in terms of the effects of activities on the National Grid are NPSET Policies 10 and 11. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to:

- Avoid sensitive activities near electricity transmission lines and infrastructure;

- Manage other activities to avoid reverse sensitivity effects on the Grid; and
- Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised.

The most effective and efficient way of managing the potential for adverse effects on the National Grid is to adopt a corridor approach. This corridor approach is often referred to as the “National Grid Yard” and the “National Grid Subdivision Corridor”. Adopting the National Grid corridor approach is supported by NPSET Policy 10, that requires councils to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised and Policy 11, that requires councils to identify an appropriate buffer corridor, within which sensitive activities should generally not be provided for.

Transpower supports the inclusion of these corridors within the Proposed Plan.

Transpower’s Feedback on the proposed Te Tai o Poutini Plan

In its comments Transpower has identified a number of provisions which Transpower specifically supports, as well as those to which amendment are sought. Transpower considers that further amendments to the Proposed Plan are required in order to give effect to the NPSET and be consistent with the intent and effect of the NESETA.

An overview of key matters in Transpower’s submission is as follows:

Definitions - Ngā Tautuhinga

- Minor amendments are required to the definitions relating to the National Grid, to ensure that they are consistent with the NPSET requirements and consistent with those applied in many planning documents across the country. Specific to the definition of National Grid Subdivision Corridor, it is erroneous to apply the NPSET requirements to distribution lines, as the NPSET (and buffer corridor provided for within Policy 10 and 11) only applies to the National Grid electricity transmission network.
- Transpower also seeks a new definition for the term ‘minimise’. This is used throughout the natural environment chapters and a definition is critical to the accurate interpretation of these chapters and would assist in plan interpretation and application.

Strategic Outcomes/Objectives- Te Pae Tawhiti

- Transpower supports the Strategic Objectives but seeks the provision of a new Strategic Objective specific to the National Grid.

Energy Chapter - Te Pūngao

- Transpower is generally comfortable with the application of the NPSET in the Energy Chapter, however has concerns that other chapters in the Proposed Plan do not reflect the nuances of the NPSET and as such are not considered to give effect to the

NPSET. A self-contained Energy Chapter that incorporates all of these matters would negate many of the comments Transpower has made on specific Proposed Plan provisions.

- Clarity is required as to the relationship of the Energy chapter to other chapters in the plan. Transpower's preference is for the Energy chapter to be entirely self-contained, so that other chapters in the plan do not apply to the National Grid. However, Transpower has made submissions on other chapters in the Proposed Plan to indicate what changes would be required, whether they are incorporated into the Energy Chapter or remain in their current location.
- The term 'minimise' is used throughout the Energy chapter. Notwithstanding the appropriateness of the term when applied to non-quantifiable effects, Transpower would support a definition for this term given its wide application and directive application.
- Transpower generally supports the rules in this chapter, subject to amendment/clarification.

Infrastructure Chapter – Te Tūhanga

- Transpower supports the direction provided in the Infrastructure Chapter that it does not apply to energy activities. Transpower seeks additional wording to make it clear that it does not apply to the National Grid.

Subdivision Chapter – Te Wawaetanga

- Transpower supports the provision of a specific rule relating to subdivision in proximity of the National Grid. However, amendments are sought to the rule including clarifying that it only applies to the National Grid, amending the activity status, deletion of provisions which do not relate to the effects of the subdivision on the National Grid (but instead are general subdivision matters for consideration), and inclusion of matters for discretion.

Earthworks Chapter – Te Huke Whenua

- A specific National Grid Yard earthworks rule is sought with amended activity status and permitted activity conditions.

Coastal Environment Chapter – Te Taiao o te Takutai

- Transpower largely supports the references to the National Grid within the Coastal Environment chapter but seeks clarification to the Energy chapter noting policy ENG-P8 specifically addressed the National Grid within the Coastal Environment.

Natural Character and Outstanding Natural Features and Landscapes Chapter

- As currently drafted, the NFL and NC chapters would apply to the National Grid and while Transpower would prefer that the Energy Chapter is self-contained, it is not necessarily opposed to this approach. Transpower does seek clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid

specific policies within the ENG chapter which adopts a “seek to avoid’ approach for the National Grid.

Ecosystems and Indigenous Biodiversity Chapter

- As currently drafted, the ECO chapter would apply to the National Grid and while Transpower is not necessarily opposed to this approach, it does seek clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid specific policies within the ENG chapter which adopts a “seek to avoid’ approach for the National Grid.
- It is further noted that many provisions within the ECO Chapter apply to indigenous vegetation and are not confined to significant indigenous vegetation. This has wide implications for many activities. While Transpower supports the recognition of vegetation clearance and disturbance for the construction and operation of the National Grid within ECO rules R1 and R2 which apply to indigenous biodiversity, it notes the wide application of the rule and would have implications for any change in the rules as they apply to the National Grid.
- The activity status and rule cascade of Rule R1 requires clarification – the application of the rules is currently very unclear.

Sites and Areas of Significance to Māori - Ngā Wāhi Tāpua ki te Māori

- Transpower generally supports the provisions in this chapter.

Specific Comments

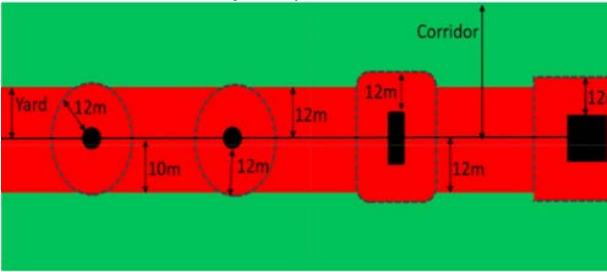
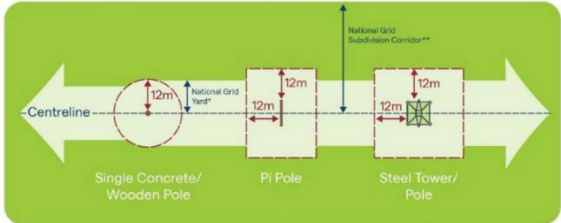
In addition to the general commentary above (which for the avoidance of doubt, forms part of the Transpower submission in that it outlines additional reasoning for the specific relief sought in the following table), the following provides specific submissions points.

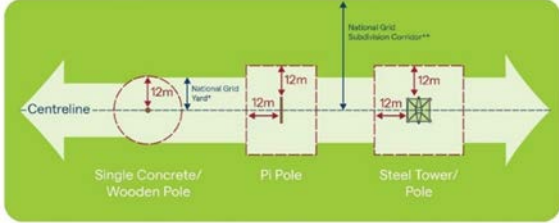
Amendments sought through this submission are shown as ~~red strikethrough~~ and underline text. For the avoidance of doubt all the points below include any consequential amendments.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
Part 1 – Introduction and General Provisions			
Interpretation – Definitions - Ngā Tautuhinga			
CONTAMINATED LAND <i>means land that has hazardous substance in or on it that:</i> <i>a. has significant adverse effects on the environment; or</i> <i>b. is reasonably likely to have significant adverse effects on the environment.</i>	Support	Transpower supports this definition as it reflects the National Planning Standards.	Retain the definition.
CRITICAL INFRASTRUCTURE <i>means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants, defence facilities, telecommunications networks and electricity generation, transmission and distribution assets.</i>	Support	On the basis the definition applies to the National Grid, Transpower supports the definition.	Retain the definition.
EARTHWORKS <i>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavating of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fenceposts.</i>	Support	Transpower supports this definition as it reflects the National Planning Standards. Earthworks are an activity which can directly impact on the National Grid and Transpower supports the provision of a nationally consistent definition.	Retain the definition.
ENERGY ACTIVITY <i>means the use of land, buildings and structures for the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation.</i>	Support	Transpower supports the definition on the basis it includes reference to energy transmission., which although is not specific to the National Grid, would encompass the National Grid electricity transmission network.	Retain the definition.
FUNCTIONAL NEED <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i>	Support	Transpower supports this definition as it reflects the National Planning Standards.	Retain the definition.
INFRASTRUCTURE <i>means</i>	Support	Transpower supports this definition as it reflects the RMA definition.	Retain the definition.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<ul style="list-style-type: none"> a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy; b. a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; c. a network for the purpose of radiocommunication as defined in Section 2(1) of the Radiocommunications Act 1989; d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures if a person- <ul style="list-style-type: none"> i. uses them in connection with the generation of electricity for the person's use; and ii. does not use them to generate any electricity for supply to any other person; e. a water supply distribution system, including a system for irrigation; f. a drainage or sewerage system; g. structures for transport on land by cycleways, rail, roads, walkways, or any other means; h. facilities for the loading or unloading of cargo or passengers transported on land by any means; i. an airport as defined in section 2 of the Airport Authorities Act 1966; j. a navigation installation as defined in section 2 (1) of the Port Companies Act 1988; k. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166. 			
<p>MAINTENANCE means,</p> <ul style="list-style-type: none"> a. In relation to infrastructure and renewable electricity generation activities, any work or activity necessary to continue the operation and 	Support	Notwithstanding that the NESETA regulates maintenance associated with existing National Grid lines, the definition of maintenance is supported as it recognises activities associated with the ongoing operation and functioning of existing infrastructure.	Retain the definition.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>/ or functioning of existing infrastructure. It does not include upgrading.</p> <p>b. In relation to historic heritage, is work or activity that does not result in the following:</p> <ul style="list-style-type: none"> i. Changes to the extent, floor levels, form, proportion and scale of the historic heritage item; ii. Changes to the design, texture or form of the fabric; iii. Use of materials other than those that are the same as the original, or most significant fabric, or the closest equivalent; or iv. Damage to the building or structure as a consequence of affixing scaffolding. 			
<p>NATIONAL GRID means the assets used or owned by Transpower NZ Limited.</p>	Amend	<p>Transpower supports the inclusion of a definition for the National Grid, as the term is used numerous times throughout the Plan.</p> <p>However, Transpower requests that the meaning is amended to refer to the definition in the National Policy Statement on Electricity Transmission 2008 (NPSET), rather than incorporating the current NPSET definition directly.</p> <p>This ensures that the definition remains consistent with the NPSET without requiring a plan change, if the NPSET definition is updated at any point during the life of the Plan. It also provides clarity to plan users that the definition reflects that in the NPS.</p>	<p>Amend the definition as follows:</p> <p>NATIONAL GRID <i>has the same meaning as provided in the National Policy Statement on Electricity Transmission 2008.</i> means the assets used or owned by Transpower NZ Limited.</p> <p>The term 'National Grid' should be capitalised throughout the Plan.</p>
<p>NATIONAL GRID YARD means as illustrated in red below</p> <ul style="list-style-type: none"> a. the area located 10m either side of the centreline of an overhead 66kV or 110kV National Grid transmission line on single poles; 	Amend	<p>The provision of a definition specific to the National Grid is supported on the basis it gives effect to the NPSET and specifically polices 10 and 11 which establish the mandate for the yard (corridor) approach applying to the electricity transmission network (being the assets used or owned by Transpower).</p>	<p>Amend the definition as follows:</p> <p>NATIONAL GRID YARD <i>means as illustrated in red below:</i></p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>b. the area located 12m in any direction from the outer edge of a support structure for an overhead 66kV or 110kV National Grid transmission line; and</p> <p>c. the area located 12m either side of the centreline of any 66kV or 110kV overhead National Grid transmission on pi poles or towers (including tubular steel towers where these replace steel lattice towers).</p> <p>The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line and the outer visible edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</p>  <p>LEGEND</p> <p>— Centreline ● Single Pole ■ Pi Pole ■ Tower</p> <p>Not to scale</p>		<p>Notwithstanding the support for the inclusion of the definition, Transpower seeks a minor amendment so that (b) refers to the outer 'visible' edge.</p> <p>The underground components of support structures, for example, foundations, may extend further than the outermost point of the structure above ground level, but do not have any bearing on activities that occur aboveground.</p> <p>Additionally, it can be difficult for the public to determine the extent of structures below ground.</p>	<p>a. the area located 10m either side of the centreline of an overhead 66kV or 110kV National Grid transmission line on single poles;</p> <p>b. the area located 12m in any direction from the outer <i>visible</i> edge of a support structure for an overhead 66kV or 110kV National Grid transmission line; and</p> <p>c. the area located 12m either side of the centreline of any 66kV or 110kV overhead National Grid transmission line on pi poles or towers (including tubular steel towers where these replace steel lattice towers).</p> <p>The measurement of setback distances from the National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line and the outer visible edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</p> 
<p>NATIONAL GRID SUBDIVISION CORRIDOR means the area measured either side of the centreline of above ground National Grid transmission and distribution lines as follows (and illustrated in green below):</p> <p>a. 14m for 66kV or 110kV transmission lines on single poles;</p> <p>b. 16m for 110kV transmission lines on pi poles; and</p> <p>c. 32m for 110kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).</p>	Amend	<p>The provision of a definition specific to the National Grid is supported on the basis it gives effect to the NPSET and specifically polices 10 and 11 which establish the mandate for the yard (corridor) approach applying to electricity transmission network (being the assets used or owned by Transpower).</p> <p>Notwithstanding the support for the inclusion of the definition, Transpower seeks amendment to provide clarity in the application of the definition, and</p>	<p>Amend the definition as follows:</p> <p>NATIONAL GRID SUBDIVISION CORRIDOR means the area measured either side of the centreline of above ground National Grid transmission <i>and distribution</i> lines as follows (and illustrated in green below):</p> <p>a. 14m for 66kV or 110kV transmission lines on single poles;</p> <p>b. 16m for 110kV transmission lines on pi poles; and</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		<p>specifically deletion of reference to ‘distribution’ within the definition. The reference to ‘distribution’ is opposed on the basis it is confusing to plan users and means the subdivision corridor provisions also apply to the local distribution lines. Transpower does not support this approach. NPSET policies 10 and 11 establish the mandate for the corridor approach applying to the electricity transmission network (being the assets used or owned by Transpower) and not distribution. Amendment to the text would avoid confusion and ensure the correct application of the NPSET.</p> <p>Further text is also sought to provide guidance on how the corridor is to be measured, and to ensure consistency with the ‘National Grid Yard’ definition.</p>	<p>c. 32m for 110kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).</p> <p><u>The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</u></p> 
<p>NETWORK UTILITY OPERATOR has the same meaning as in s166 of the RMA (as set out below) means a person who-</p> <ul style="list-style-type: none"> a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or b. operates or proposes to operate a network for the purpose of- <ul style="list-style-type: none"> i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or ii. radio communication as defined in section 2 (1) of the Radio Communications Act 1989; or c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or 	Support	Transpower supports this definition as it reflects the meaning from s166 of the RMA.	Retain the definition.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</p> <p>e. undertakes or proposes to undertake a drainage or sewerage system; or</p> <p>f. constructs, operates, or proposes to construct or operate, a road or railway line; or</p> <p>g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or</p> <p>h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or</p> <p>i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,-</p> <p>and the words network utility operation have a corresponding meaning.</p>			
<p>OPERATIONAL NEED means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</p>	Support	Transpower supports this definition as it reflects the National Planning Standards.	Retain the definition.
<p>REVERSE SENSITIVITY means the potential for an approved, existing or permitted activity to be compromised or constrained, by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity.</p>	Support	Transpower supports this definition as it provides clarity to plan users.	Retain the definition.
<p>SENSITIVE ACTIVITY means any:</p> <p>a. residential activity;</p> <p>b. visitor accommodation;</p> <p>c. retirement home;</p> <p>d. healthcare facility;</p> <p>e. community facility; and</p> <p>f. educational facility.</p>	Support	Transpower supports this definition as it is generally consistent with the definition of 'sensitive activities' in the National Policy Statement on Electricity Transmission 2008.	Retain the definition.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
SIGNIFICANT ELECTRICITY DISTRIBUTION LINE <i>means an overhead electricity line that is not part of the national grid but is designed and built to be operated at a voltage of 33kV or greater.</i>	Support	Transpower supports this definition as it provides a clear distinction between the National Grid and other distribution lines.	Retain the definition.
SIGNIFICANT NATURAL AREA <i>means</i> a. <i>areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna in accordance with the criteria set out in the West Coast Regional Policy Statement; or</i> b. <i>areas that have been identified as Significant Natural Areas in any West Coast Regional or District Plan.</i>	Amend	While Transpower does not oppose the definition itself, the lack of identification of such areas (outside Grey District) has implications for linear infrastructure such as the National Grid. The lack of identification will lead to uncertainty and plan interpretation and application issues given the lack of certainty.	Identify SNAs on the planning maps for the entire area.
SUBSTATION (ZONE) <i>means the ground-mounted equipment used to convert sub-transmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard.</i>	Amend	The wording is used within rule ENG-R2 and R11. Transpower supports the inclusion of definitions and provisions that relate specifically to substations. However, the intent of this definition is unclear. It includes both the term 'sub-transmission' which indicates it would not apply to Transpower's substations, but also states that it applies to 33kV and higher – no upper limit is provided. There are no other substation definitions that clearly apply to substations that convert transmission to distribution voltages. Transpower requests that this definition is amended to clarify that it does not apply to National Grid substations, or alternatively, the definition be amended to apply to all substations. Note: a consequential amendment is required to Rule ENG-R11 to provide for other substations not captured by the definition.	Amend the definition as follows: SUBSTATION (ZONE) <i>means the ground-mounted equipment used to convert sub-transmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard.</i> <i><u>This does not include substations that are directly connected to the National Grid.</u></i>
TRANSMISSION LINES <i>means:</i> a. <i>the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and:</i>	Amend	Transpower supports the inclusion of a definition for transmission lines, as the term is used numerous times throughout the Plan. However, Transpower requests that the meaning is amended to refer directly to the definition in the Resource Management (National Environmental	Amend the definition as follows: TRANSMISSION LINES <i><u>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</u></i> <i>means:</i>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but</p> <p>c. does not include an electricity substation.</p>		Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). This ensures that the definition remains consistent with the NESETA without requiring a plan change, if the NESETA definition is updated at any point during the life of the Plan.	<p>a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and;</p> <p>b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but</p> <p>c. does not include an electricity substation.</p>
<p>UPGRADING means in relation to infrastructure and renewable electricity generation activities, the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure and renewable electricity generation activities, but excludes maintenance and repair.</p>	Support	Notwithstanding that the NESETA regulates upgrading associated with existing National Grid lines, the definition of upgrading is supported as it recognises activities associated with the ongoing operation and functioning of existing infrastructure.	Retain the definition.
<p>New Definition - MINIMISE</p>	New Definition	The term 'minimise' is used across the plan in multiple policies and matters of discretion. Transpower has concerns with the use of the term when applied to non-quantifiable effects and would refer the directive to 'avoid, remedy or mitigate' or greater articulation within policies as to what is sought to be achieved. Given the importance of the term, should it be retained. The provision of a definition would assist with plan interpretation.	Insert a definition as follows: <u>MINIMISE</u> <u>means to reduce to the smallest amount reasonably practicable.</u>
<p>Part 2 – District Wide Matters</p>			
<p>Strategic Direction – Te Pae Tawhiti</p>			
<p>CR Connections and Resilience - - Ngā Hononga me te Manawa Titi New strategic direction</p>	New strategic direction	While Transpower supports CR-O1 to CR-O4, they are not specific to the operation, upgrade or development of infrastructure, rather are linked to natural hazards and resilience. While Transpower does not oppose this, in order to recognise the significance and importance of the National Grid and give effect to the	Provide a new Strategic Direction CR-O5 as follows: <u>CR-O5 National Grid</u> <u>The national significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the district.</u>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		NPSET, Transpower would support the provision of a strategic objective specific to the National Grid.	
<p>UFD – Urban form and development - Te āhua me te whanaketanga o te tāone</p> <p>UFD-O1 <i>To have urban environments and built form on the West Coast/Te Tai o Poutini that:</i></p> <p>....</p> <p>8. Promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure;</p> <p>....</p>	Support	<p>Transpower supports this objective, particularly the following point:</p> <p><i>8. Promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure.</i></p>	Retain the definition.
Sites and Areas of Significance to Māori - Ngā Wāhi Tāpua ki te Māori			
General comments – entire chapter	Support	<p>It appears that the SASM chapter applies to National Grid activities. Transpower is not opposed to this approach, although it would prefer that all provisions relating to the National Grid are located in the Energy Chapter. It is important that the objectives and policies already in the ENG chapter are applied to any National Grid activity.</p> <p>The overall approach in the SASM chapter, as it relates to the National Grid, is generally consistent with the NPSET.</p>	No specific relief sought.
<p>SASM - P8 <i>Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that:</i></p> <p>a. <i>Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood;</i></p> <p>b. <i>The accidental discovery protocol in Appendix Four is adopted for any earthworks;</i></p>	Support	<p>Transpower supports the approach outlined in this policy where an activity is proposed within a Schedule Three area, but requests that clause c. provides for ‘operational need’ alongside ‘functional need’. This recognises that the location in which some activities are able to take place are severely limited due to operational constraints, and, via clause d. continues to require that the values of the site are protected, maintained or enhanced.</p>	<p>Amend the policy as follows:</p> <p>SASM - P8 <i>Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that:</i></p> <p>a. <i>Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood;</i></p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>c. Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs of the activity it is not possible to avoid all adverse effects; and</p> <p>d. Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area.</p>			<p>b. The accidental discovery protocol in Appendix Four is adopted for any earthworks;</p> <p>c. Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs <i>or operational need</i> of the activity it is not possible to avoid all adverse effects; and</p> <p>d. Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area.</p>
<p>SASM - P13</p> <p>Enable activities in sites and areas of significance to Poutini Ngāi Tahu included in Schedule Three where the cultural and spiritual values of the site or area are protected. This includes:</p> <ul style="list-style-type: none"> a. Alterations to, demolitions and removal of existing buildings and structures; b. Maintenance, operation, repair and upgrading of existing network utility structures and critical infrastructure; c. Customary harvest and other cultural practices in accordance with tikanga; d. Indigenous vegetation clearance; e. Temporary events; f. Small-scale earthworks for burials within an urupā, fencing, archaeological survey and maintenance of overhead network utilities, roads and tracks; g. Animal grazing where identified values are maintained. 	Support	Transpower supports an enabling policy for maintenance, operation, repair and upgrading of critical infrastructure (on the basis that this applies to the National Grid).	Retain the policy.
<p>SASM-P15</p> <p>Allow any other use and development on sites and areas of significance to Māori in Schedule Three where it can be demonstrated that the identified values of the site or area are protected and maintained, having regard to:</p>	Support	Notwithstanding its sought 'seek to avoid policy' within the Energy Chapter which would apply to sites and areas of significance to Māori in Schedule Three, Transpower supports this policy which provides for activities to be undertaken where there is functional or operational need for it to occur in that location, and where the values of the site or area are protected.	Retain the policy.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>a. Whether there are alternative methods, locations or designs that would avoid or reduce the impact on the values associated with the site or area of significance;</p> <p>b. The functional or operational need for the activity to be undertaken in the location;</p> <p>c. Outcomes articulated by Poutini Ngāi Tahu through an assessment of environmental effects, cultural impact assessment or iwi planning documents;</p> <p>d. The potential to enhance the values of the site of significance and the relationship of Poutini Ngāi Tahu with their taonga, commensurate with the scale and nature of the proposal;</p> <p>e. How values of significance to Poutini Ngāi Tahu, including tikanga, kaitiakitanga and mātauranga Māori may be incorporated; and</p> <p>f. Any practical mechanisms to maintain or enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for karakia, monitoring, cultural activities and ahi kā roa.</p>			
Energy – Te Pūngao			
General comments	Amend	Transpower’s preference is for the Energy chapter to be entirely self-contained, so that other chapters in the plan do not apply to the National Grid. However, should this approach not be adopted, Transpower has made submissions on other chapters in the Proposed Plan to indicate what changes would be required, whether they are incorporated into the Energy Chapter or remain in their current location.	Amend the Energy Chapter so that it is self-contained, and reference to other chapters is not required.
Overview			
<i>Energy activities, including renewable electricity generation, transmission, distribution and operation are recognised as regionally significant infrastructure in the West Coast Regional Policy Statement. As such they require specific</i>	Amend	Transpower supports the provision of an energy chapter and in particular supports the recognition of the National Grid and NPSET.	Amend parts of the overview as follows: ... <i>The Energy Chapter contains the objectives, policies, rules for managing energy activities—Infrastructure Chapter</i>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>recognition and protection, as they are critical to the social, cultural and economic wellbeing of people and communities.</p> <p>The National Policy Statement for Electricity Transmission Activities requires specific recognition and protection of the National grid, with renewable electricity recognised in the National Policy Statement on Renewable Energy Generation.</p> <p>Certain activities must also comply with the rules managing activities which may compromise the operation, maintenance and upgrading of the National Grid transmission lines, including reverse sensitivity effects. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains mandatory restrictions on activities in relation to the National Grid and electricity distribution lines. Compliance with the rule requirements of Te Tai o Poutini Plan does not ensure compliance with NZECP 34:2001 or vice versa.</p> <p>Vegetation planted in the vicinity of the National Grid or electricity distribution lines must comply with the Electricity (Hazards from Trees) Regulations 2003.</p> <p>Where an activity relates to the operation, maintenance and upgrading of existing National Grid transmission lines, the Resource Management Regulations 2009 (National Environmental Standards for Electricity Transmission Activities) apply.</p> <p>The Energy Chapter contains the objectives, policies, rules for managing energy activities - the Infrastructure Chapter rules and the Area Specific Provisions (Zone chapters) do not apply to energy activities, however the Overlay chapters and other District Wide rules also apply where relevant.</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <p>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-wide Matters</p>		<p>Transpower does not support the approach that other rules in the plan potentially apply. Such an approach does not achieve a stand-alone Energy chapter and provides an overly complicated and potentially contradictory rule framework for energy activities. Amendments are suggested to address this.</p>	<p>rules and the Area Specific Provisions (Zone chapters) do not apply to energy activities, however the Overlay chapters and other District Wide also apply where relevant. Provisions in other chapters do not apply.</p> <p>...</p> <p>Overlay Chapters – the Overlay Chapters have relevant provisions in relation to Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Landscape and Natural Features; Natural Character and Margins of Waterbodies; Natural Hazards; and the Coastal Environment. Where an energy activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply.</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <p>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-wide Matters chapters also contain provisions that may be relevant for energy activities, including:</p> <ul style="list-style-type: none"> ● Overlay Chapters – the Overlay Chapters have relevant provisions in relation to Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Landscape and Natural Features; Natural Character and Margins of Waterbodies; Natural Hazards; and the Coastal Environment. Where an energy activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply. ● Subdivision – The Subdivision chapter sets out the requirements for the development of new electricity connections as part of subdivision activities. ● Financial Contributions – The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on infrastructure.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>chapters also contain provisions that may be relevant for energy activities, including:</p> <ul style="list-style-type: none"> • Overlay Chapters - the Overlay Chapters have relevant provisions in relation to Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Landscape and Natural Features; Natural Character and Margins of Waterbodies; Natural Hazards; and the Coastal Environment. Where an energy activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply. • Subdivision - The Subdivision chapter sets out the requirements for the development of new electricity connections as part of subdivision activities. • Financial Contributions - The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on infrastructure. • General District Wide Matters - provisions in relation to Activities on the Surface of Water, Noise and Earthworks in particular may be relevant to energy activities. 			<ul style="list-style-type: none"> • General District Wide Matters – provisions in relation to Activities on the Surface of Water, Noise and Earthworks in particular may be relevant to energy activities.
Energy Objectives and Policies			
<p>ENG - 01 To recognise the local and regional benefits of electricity transmission, distribution and renewable electricity generation activities, for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.</p>	Support	Transpower supports this objective, noting that ENG-04 is specific to the National Grid and gives effect to Policy 1 of the NPSET.	Retain the objective.
<p>ENG – 02 To recognise the functional and operational needs associated with the location and design of energy activities, and to minimise adverse effects of these activities on communities and the environment.</p>	Support	Transpower supports this objective, and particularly that it recognises functional and operational need for energy activities.	Retain the objective.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>ENG – 03 <i>To provide for the development, operation, maintenance and upgrade of energy activities and to protect them from the adverse effects of incompatible subdivision and development.</i></p>	Support	Transpower supports the objective noting that ENG-04 is specific to the National Grid and gives effect to the NPSET.	Retain the objective.
<p>ENG-04 <i>To recognise and provide for the national, regional and local significance and benefits of the National Grid, by ensuring the safety, efficiency, operation, maintenance, repair, upgrade and development is not adversely affected by subdivision, use and development.</i></p>	Support	Transpower supports this objective as it specifically recognises the significance of the National Grid and the criticality of its continuing and safe operation. The objective informs the policies and gives effect to the NPSET. It also gives effect to Chapter 6 policies 2, 4 and 7 of the RPS.	Retain the objective.
<p>ENG – P1 <i>Provide for the development, operation, maintenance and upgrading of existing and new electricity transmission, distribution and renewable generation infrastructure and assets.</i></p>	Support	Transpower supports this policy, noting that policies ENG-P7, ENG-P8 and ENG-P9 are specific to the National Grid.	Retain the policy.
<p>ENG – P2 <i>When considering proposals to develop and operate new and existing energy activities have particular regard to the benefits to be obtained from the proposal, including;</i></p> <ul style="list-style-type: none"> <i>a) Maintaining or increasing security of renewable electricity supply by diversifying the type and/or location of electricity generation;</i> <i>b) Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</i> <i>c) Economic, social, environmental or cultural wellbeing;</i> <i>d) The contribution the proposal will have towards New Zealand meeting its renewable electricity generation targets;</i> <i>e) Effective transmission and distribution of electricity supply;</i> <i>f) Facilitation and use of renewable energy;</i> <i>g) Security of electricity supply; and</i> <i>h) Meeting New Zealand/Aotearoa me Te Waipounamu's climate change obligations.</i> 	Support	Transpower supports this policy noting that policies ENG-P7, ENG-P8 and ENG-P9 are specific to the National Grid.	Retain the policy.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>ENG – P3 <i>Minimise reverse sensitivity effects from subdivision, use and development on energy activities and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.</i></p>	Amend	Transpower generally supports this policy, noting that policies ENG-P7, ENG-P8 and ENG-P9 are specific to the National Grid. However, the interpretation of the policy would be assisted by defining what is required by the term 'minimise'. Transpower is concerned with how the 'minimise' requirement would be applied.	Retain the policy but define 'minimise', as per other submission points.
<p>ENG – P4 <i>Minimise adverse effects on communities and the environment from energy activities by:</i></p> <p>a) <i>Having regard to the values associated with areas identified as having significant environmental values, urban amenity, areas of high recreational value, outstanding and high natural character areas, outstanding landscapes and features, Poutini Ngāi Tahu and heritage sites, and significant natural areas;</i></p> <p>b) <i>Implementing industry best management practices around electrical safe distances;</i></p> <p>c) <i>Maintaining ongoing access to grid and distribution elements and structures for maintenance and upgrading works; and</i></p> <p>d) <i>Avoiding exposure to health and safety risks.</i></p>	Amend	Transpower generally supports the policy, noting that policies ENG-P7, ENG-P8 and ENG-P9 are specific to the National Grid. However, as identified in other submission points, the interpretation of the policy would be assisted by defining what is required by the term 'minimise'. Transpower is concerned with how the 'minimise' requirement would be applied.	Retain the policy but define 'minimise', as per other submission points.
<p>ENG-P5 <i>When considering proposals to develop, operate, maintain and upgrade new and existing energy activities:</i></p> <p>a. <i>Recognise their functional constrains and operational requirements; and</i></p> <p>b. <i>Where new transmission infrastructure and major upgrades to transmission infrastructure are proposed have regard to the extent to which any adverse effects have been minimised in the route, site and method selection.</i></p>	Amend	Specific to clause b. of the policy, 'transmission infrastructure' is not defined in the proposed plan, rather transmission lines are (to which Transpower has submitted seeking amendment to the definition reflect that provided in the NESETA). Transpower supports the intent of this policy, however the way it is currently drafted it appears that (b) would apply to the National Grid. On the basis of the specific National Grid policy ENG-P7, Transpower seeks either deletion or modification of clause b so that it does not apply to transmission activities which are undertaken by the National Grid. It is not necessary or efficient to have two policies specific to the National Grid.	Amend the policy as follows: ENG-P5 <i>When considering proposals to develop, operate, maintain and upgrade new and existing energy activities:</i> a. <i>Recognise their functional constrains and operational requirements; and</i> b. <i>Where new transmission infrastructure significant electricity distribution lines and major upgrades to transmission infrastructure significant electricity distribution lines are proposed have regard to the extent to which any adverse effects have been minimised in the route, site and method selection.</i>
<p>ENG-P6 <i>Provide for the development, upgrading, maintenance and operation of:</i></p>	Support	Transpower supports this policy, noting that policies ENG-P7, ENG-P8 and ENG-P9 are specific to the National Grid.	Retain the policy.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>a. A range of small, community and large scale renewable electricity generation activities; and</p> <p>b. Activities that seek to investigate, identify and/or assess potential sites and energy sources for renewable electricity generation.</p>			
<p>ENG-P7 Recognise and provide for the national, regional and local benefits of the National Grid, including by:</p> <p>a. Enabling the operation, maintenance and minor upgrading requirements of existing National Grid assets;</p> <p>b. Providing for other upgrades and the effective development of new National Grid assets; and</p> <p>c. When considering measures to avoid, remedy and mitigate adverse effects of National Grid activities, have regard to:</p> <p>i. The technical and operational constraints of the National Grid; and</p> <p>ii. The extent to which proposals have avoided, remedied and mitigated effects through the route, site and method selection.</p>	Amend	<p>Transpower supports this policy as it gives effect to the NPSET and the RPS. Minor amendments to (c)(ii) to reflect that activities might include new infrastructure or major upgrades.</p>	<p>Amend the policy as follows:</p> <p>ENG-P7 Recognise and provide for the national, regional and local benefits of the National Grid, including by:</p> <p>a. Enabling the operation, maintenance and minor upgrading requirements of existing National Grid assets;</p> <p>b. Providing for other upgrades and the effective development of new National Grid assets; and</p> <p>c. When considering measures to avoid, remedy and mitigate adverse effects of National Grid activities, have regard to:</p> <p>i. The technical and operational constraints of the National Grid; and</p> <p>ii. The extent to which proposals <u>for new National Grid infrastructure or major upgrades to existing National Grid infrastructure</u> have avoided, remedied and mitigated effects through the route, site and method selection.</p>
<p>ENG-P8 Manage the adverse effects of the National Grid by:</p> <p>a. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects</p> <p>b. Seeking to avoid adverse effects on areas identified in Schedules;</p> <p>c. Where the National Grid has a functional or operational need to locate within the Coastal Environment, manage adverse effects by:</p> <p>i. Seeking to avoid adverse effects on Overlay Chapter areas and where it is not practicable to avoid, to remedy or mitigate;</p>	Amend	<p>Transpower is generally supportive of this policy as it gives effect to the NPSET (and in particular the 'seek to avoid' direction in Policy 8 of the NPSET), but it requires amendments to provide appropriate application of the seek to avoid approach. Transpower has requested changes to reflect this.</p> <p>Transpower also notes that not all of the Schedules are relevant to this policy, and therefore requests that references to 'Schedules' are amended to refer specifically to 'Schedules 1-8' only.</p> <p>There may be potential for some conflict between this policy and others in the Plan. Transpower seeks an</p>	<p>Amend the policy as follows:</p> <p>ENG-P8 Manage the adverse effects of the National Grid by:</p> <p>a. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects</p> <p>b. Seeking to avoid adverse effects on areas identified in Schedules <u>1-8</u>;</p> <p>c. Where the National Grid has a functional or operational need to locate within the Coastal Environment, manage adverse effects by:</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>ii. Seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</p> <p>d. Recognise that there may be some areas within the sites and areas identified in Schedules where avoidance of adverse effects is required to protect the identified values and characteristics.</p>		<p>amendment to this policy to make it clear that this policy takes precedence, reflecting the national, regional and local significance of the National Grid. An amendment is also sought to clause d. so that it only applies to the coastal environment, thereby reconciling the NPSET and NESETA. Outside the Coastal Environment, such a directive is not appropriate in context of the NPSET.</p> <p>A new clause d. is sought to provide a catch all requirement to remedy or mitigate other adverse effects.</p>	<p>i. Seeking to avoid adverse effects on <u>Overlay Chapter</u> areas <u>identified in Schedules 1-8 and where it is not practicable to avoid, to remedy or mitigate;</u></p> <p>ii. <u>Where it is not practicable to avoid adverse effects on the values of the areas identified in Schedules 1-8 because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values.</u></p> <p>iii. <u>Seeking to avoid significant adverse effects on:</u></p> <ul style="list-style-type: none"> - <u>other areas of natural character</u> - <u>natural attributes and character of other natural features and natural landscapes</u> - <u>indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010.</u> <p>iv. <u>seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</u></p> <p>v. <u>Recognise that there may be some areas within the sites and areas identified in Schedules 1-8 where avoidance of adverse effects is required to protect the identified values and characteristics.</u></p> <p><u>Remedy or mitigate any adverse effects from the operation, maintenance, upgrade, major upgrade or development of the National Grid which cannot be avoided, to the extent practicable.</u></p> <p><u>In the event of any conflict with any other objectives and policies within the Plan, Policy ENG-P8 takes precedence.</u></p>
<p>ENG-P9 Manage activities within the National Grid Yard and the National Grid Subdivision Corridor to:</p>	<p>Amend</p>	<p>Transpower is generally supportive of this policy as it gives effect to the NPSET, but requests amendments to:</p>	<p>Amend the policy as follows:</p> <p>ENG-P9 Manage activities within the National Grid Yard and the National Grid Subdivision Corridor to:</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>a. Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the National Grid is not compromised;</p> <p>b. Avoid incompatible land use;</p> <p>c. Manage subdivision to avoid subsequent land use activities from compromising the operation, maintenance, upgrading and development of the National Grid;</p> <p>d. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) and avoid exposure to health and safety risks from the National Grid; and</p> <p>e. Avoid potential for reverse sensitivity effects on the National Grid.</p>		<ul style="list-style-type: none"> • Make it clear what is meant by ‘incompatible land use’ in terms of outlining the effects which are to be avoided. • Ensure that (c) only applies within the National Grid Subdivision Corridor • Retain provision for access for maintenance and upgrade works. 	<p>a. <i>Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the National Grid is not compromised;</i></p> <p>b. Avoid incompatible land use, <u>buildings and structures that may directly affect or otherwise compromise the National Grid or result in reverse sensitivity effects on the National Grid;</u></p> <p>c. Manage subdivision <u>within the National Grid Subdivision Corridor</u> to avoid subsequent land use activities from compromising the operation, maintenance, upgrading and development of the National Grid;</p> <p>d. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) and avoid exposure to health and safety risks from the National Grid;</p> <p>e. <u>Maintain ongoing access for maintenance and upgrading works on the National Grid;</u> and</p> <p>f. Avoid potential for reverse sensitivity effects on the National Grid.</p>
Energy Rules			
<p>Note:</p> <p>1. <i>There may be a number of Plan provisions that apply to an activity, building, structure and site. In the case of Energy Activities however neither the Infrastructure Chapter or the Part 3: Area Specific Matters Apply. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.</i></p> <p>2. <i>Compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP34: 2001) is mandatory</i></p>	Oppose	<p>Transpower considers that point 1 does not provide sufficient clarity on the application of other chapters for energy activities. Transpower does not support the approach that other rules in the plan potentially apply. Such an approach does not achieve a stand-alone Energy chapter and provides an overly complicated and potentially contradictory rule framework for energy activities. Amendments are suggested to address this.</p> <p>Transpower supports the inclusion of points 2, 3 and 4 as they alert plan users to other enactments that may apply.</p>	<p>Amend the Energy Chapter so that it is self-contained, and reference to other chapters is not required.</p> <p>Amend the note as follows:</p> <p>Note:</p> <p>1. <i>There may be a number of Plan provisions that apply to an activity, building, structure and site. In the case of Energy Activities, however, neither the objectives, policies and rules of the Infrastructure Chapter other chapters or the Part 3: Area Specific Matters do not apply. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases unless otherwise</i></p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by Te Tai o Poutini Plan.</p> <p>3. Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>4. For any activity that relates to the operation, maintenance and upgrading of existing National Grid transmission lines, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply.</p>			<p>specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.</p> <p>2. Compliance with the New Zealand Code of Practice for Electrical Safe Distances (NZECP34: 2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by Te Tai o Poutini Plan.</p> <p>3. Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>4. For any activity that relates to the operation, maintenance and upgrading of existing National Grid transmission lines, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply.</p>
<p>ENG - R1 - Energy Permitted Activity Performance Standards Activity Status Permitted Where: Electric and Magnetic fields - An activity generating electric or magnetic fields does not exceed the maximum exposure level listed in the International Commission on Non-ionizing Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1Hz - 100 kHz) (Health Physics (6):818-836; 2010), and the recommendations from the World Health Organisation's monograph Environmental Health Criteria 238, June 2007.</p>	Support	Transpower supports the provision of a permitted activity, and the default activity status provided.	Retain the rule.
<p>ENG - R2 – Substations (Zone) Activity Status Permitted Where:</p>	Support	Transpower is neutral on this rule on the proviso that the definition of substations (zone) is amended to make it clear this does not apply to its substations. Transpower's existing substations are designated and	Amend definition of substation (zone) as above. No changes required to the rule.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<ol style="list-style-type: none"> 1. All performance standards in Rule ENG - R1 are complied with; and 2. This is the operation, maintenance, repair and upgrade of an existing substation (zone) where any upgrades are undertaken within existing switchyards or buildings, in any zone; or 3. This is a new substation (zone) or upgrade to an existing substation (zone): <ol style="list-style-type: none"> i. Located in an Industrial zone; and ii. The substation will be visually screened from the road and any residential building by fencing and / or landscaping 		<p>Transpower accepts it appropriate that any new substations require resource consent as a restricted discretionary activity under ENG-R11.</p>	
<p>ENG - R4 – Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not managed by the National Environmental Standard for Electricity Transmission Activities</p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards in Rule ENG - R1 are complied with; 2. Any realignment, relocation or replacement of a network utility pole, pipe, tower, structure, building or minor utility structure is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility structure; 3. A replacement pole, tower, or structure does not exceed the height of the original pole, tower, or structure by more than 30 percent, measured from the top of the foundation; 4. The diameter or width of the replacement pole does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point; 	Amend	<p>Transpower is neutral on the rule as it is not directly applicable to Transpower given the NESETA. The reference in the rule to the NESETA is specifically supported.</p> <p>However, Transpower does query the reference in the rule to ‘new distribution and transmission lines’ given the permitted activity status and that new standards relate to new lines.</p>	Amend the rule to clarify if it applies to new transmission lines.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>5. Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original;</p> <p>6. The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi pole structure provided above;</p> <p>7. The face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent;</p> <p>8. There are not additional towers; and</p> <p>9. A pole is not replaced with a tower.</p>			
<p>ENG - R7 – Buildings, Structures and Activities within the National Grid Yard Activity Status Permitted Where:</p> <p>1. These are the following activities where they are also Permitted within the relevant zone and overlay:</p> <ul style="list-style-type: none"> i. Fences less than 2.5m high; ii. Alterations and additions to existing buildings and structures used for sensitive activities that do not involve an increase in the building or structure height or footprint; iii. Infrastructure undertaken by a Network Utility Operator within a transport corridor or any part of electricity infrastructure that connects the National Grid; iv. Non - habitable farm or horticultural buildings or structures excluding commercial greenhouses, protective canopies, wintering barns, produce packing facilities, dairy and milking sheds; v. An accessory building or structure associated with an existing residential activity that is less than 10m² and 2.5m in height; <p>2. All buildings, structures and activities permitted by 1. above must have:</p>	Amend	<p>Transpower supports the inclusion and wording of this rule as it is consistent with the direction provided in the NPSET.</p> <p>The NPSET directs that sensitive activities should not be located within the National Grid Yard and for the avoidance of doubt, Transpower requests an amendment to reflect this.</p>	<p>Amend the rule as follows:</p> <p>ENG - R7 – Buildings, Structures and Activities within the National Grid Yard Activity Status Permitted</p> <p>Where:</p> <p>1. These are the following activities where they are also Permitted within the relevant zone and overlay:</p> <ul style="list-style-type: none"> i. Fences less than 2.5m high; ii. Alterations and additions to existing buildings and structures used for sensitive activities that do not involve an increase in the building or structure height or footprint; iii. Infrastructure undertaken by a Network Utility Operator within a transport corridor or any part of electricity infrastructure that connects the National Grid; iv. Non - habitable farm or horticultural buildings or structures excluding commercial greenhouses, protective canopies, wintering barns, produce packing facilities, dairy and milking sheds; v. <u>The activity is not a sensitive activity.</u>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>i. A minimum vertical clearance of at least 10m below the lowest point of a conductor - or meet the electrical distances required by NZECP 34: 2001 under all transmission line and building operation conditions;</p> <p>ii. Not result in the loss of vehicle access to a National Grid support structure;</p> <p>iii. Be located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission support structure except where it is:</p> <p>a. Infrastructure undertaken by a network utility operator, or any part of electricity infrastructure that connects the National Grid;</p> <p>b. A fence not exceeding 2.5m in height that is located at least:</p> <p> i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</p> <p> ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole;</p> <p>c. An artificial crop protection structure or crop support structure not exceeding 2.5m in height and located at least 8m from a National Grid transmission line pole that:</p> <p> i. Is removable or temporary to allow a clear working space of 12m from the pole for maintenance; and</p>			<p>vi. An accessory building or structure associated with an existing residential activity that is less than 10m² and 2.5m in height;</p> <p>2. All buildings, structures and activities permitted by 1. above must have:</p> <p> i. A minimum vertical clearance of at least 10m below the lowest point of a conductor - or meet the electrical distances required by NZECP 34: 2001 under all transmission line and building operation conditions;</p> <p> ii. Not result in the loss of vehicle access to a National Grid support structure;</p> <p> iii. Be located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission support structure except where it is:</p> <p> a. Infrastructure undertaken by a network utility operator, or any part of electricity infrastructure that connects the National Grid;</p> <p> b. A fence not exceeding 2.5m in height that is located at least:</p> <p> i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</p> <p> ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole;</p> <p> c. An artificial crop protection structure or crop support structure not exceeding 2.5m in height and located at least 8m</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>ii. Allows all weather access to the pole and sufficient area for maintenance equipment including a crane; or</p> <p>d. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34: 2001.</p>			<p>from a National Grid transmission line pole that:</p> <p>I. <i>Is removable or temporary to allow a clear working space of 12m from the pole for maintenance; and</i></p> <p>II. <i>Allows all weather access to the pole and sufficient area for maintenance equipment including a crane; or</i></p> <p>d. <i>A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34: 2001.</i></p>
<p>ENG - R9 – Temporary Energy Activities Activity Status Permitted <i>Where:</i></p> <ol style="list-style-type: none"> <i>The temporary energy activity is for up to a period of 24 months following a national, regional or local state of emergency declaration;</i> <i>All performance standards in Rule ENG - R1 are complied with; and</i> <i>Any temporary structures are removed from the site when operation ceases and the sites is rehabilitated.</i> 	Amend	<p>Notwithstanding the NESETA regulates temporary activities associated with existing National Grid assets, Transpower supports this rule as it provides a clear and permissive pathway for responding to an emergency.</p> <p>A timeframe for removal of structures from the site would provide greater clarity, and Transpower requests that six months is provided. Installation of temporary structures and networks may be complex and sufficient time would be required for their safe removal.</p>	<p>Amend the rule as follows:</p> <p>ENG - R9 – Temporary Energy Activities Activity Status Permitted <i>Where:</i></p> <ol style="list-style-type: none"> <i>The temporary energy activity is for up to a period of 24 months following a national, regional or local state of emergency declaration;</i> <i>All performance standards in Rule ENG - R1 are complied with; and</i> <i>Any temporary structures are removed from the site <u>and the site is rehabilitated within six months of the when operation ceases and the sites is rehabilitated.</u></i>
<p>ENG - R11 – Substations not meeting Permitted Activity standards Activity Status Restricted Discretionary <i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <i>Landscape measures;</i> <i>Locational, technical and operational constraints;</i> 	Amend	<p>It appears that the intent is that any of Transpower's substations that are not designated would be captured by this rule. Clarification to the definition for 'substation (zone)' are sought to confirm this is the case and amendment to the rule to also apply to other substations not otherwise provided for.</p>	<p>Amend the rule as follows:</p> <p>ENG - R11 – Substations not meeting Permitted Activity standards, <u>or not otherwise provided for.</u> Activity Status Restricted Discretionary <i>Discretion is restricted to:</i></p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>c. Impacts on resilience of the community to natural hazards and climate change;</p> <p>d. The benefits of the proposal to Aotearoa New Zealand meeting its Greenhouse Gas targets;</p> <p>e. Impacts of contamination from the substation on any overlay;</p> <p>f. Benefits to the community from the substation; and</p> <p>g. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters.</p>		<p>Transpower supports this rule and seeks an amendment to (g) to refer to Schedules 1-8, rather than overlay chapters. Transpower is seeking that all provisions relating to energy be captured in the Energy Chapter, so reference to overlay chapters would not be required.</p>	<p>a. Landscape measures;</p> <p>b. Locational, technical and operational constraints;</p> <p>c. Impacts on resilience of the community to natural hazards and climate change;</p> <p>d. The benefits of the proposal to Aotearoa New Zealand meeting its Greenhouse Gas targets;</p> <p>e. Impacts of contamination from the substation on any overlay;</p> <p>f. Benefits to the community from the substation; and</p> <p>g. The degree to which the proposed activity will cause significant adverse effects on <i>features listed in Schedules 1-8 Overlay Chapter matters.</i></p>
<p>ENG - R12 – Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not meeting Permitted Activity standards Activity Status Restricted Discretionary Where: 1. All performance standards in Rule ENG - R1 are complied with. Discretion is restricted to:</p> <p>a. Degree of non-compliance with Rule ENG - R4;</p> <p>b. Locational, technical and operational constraints;</p> <p>c. Benefits to the community; and</p> <p>d. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters.</p>	Amend	<p>Transpower supports this rule as it applies to new electricity transmission lines. However, on the basis activities relating to existing lines are covered by the NESETA, Transpower seeks deletion of reference to transmission in context of operating existing lines. If Transmission applies to activities other than the National Grid, this should be made clear within the rule such that the rule not apply to National Grid Transmission lines.</p>	<p>Amend the rule as follows:</p> <p>ENG - R12 – Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not meeting Permitted Activity standards Activity Status Restricted Discretionary </p>
<p>ENG – R19 Activities in and around the National Grid Yard and between the Significant Electricity Transmission Lines, that do not comply with Permitted Activity standards Activity Status Non-complying</p> <p>Activity status where compliance not achieved: N/A</p>	Amend	<p>Transpower supports the default non-complying activity status.</p> <p>However, Transpower seeks amendments so that the rule only applies to activities within the National Grid Yard – ‘in and around’ is very vague and would give rise to potential plan interpretation and application issues.</p>	<p>Amend the rule as follows:</p> <p>ENG – R19 Activities within and around the National Grid Yard and between the Significant Electricity Transmission Lines, that do not comply with Permitted Activity standards Activity Status Non-complying</p> <p>Activity status where compliance not achieved: N/A</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		<p>Transpower does not support and seeks deletion of reference to the term ‘Significant Electricity Transmission Lines’ as the term is not defined in the proposed plan, the RMA or any other higher order policy document, and gives rise potential for confusion with the National Grid which is addressed within the National Grid Yard (which is defined in the proposed plan). If the reference to ‘transmission’ is an error and instead the term is ‘Significant Electricity Distribution Lines’ (which is defined in the proposed plan) Transpower is neutral on its retention.</p>	
NEW RULE	Support	<p>The Energy Chapter does not appear to contain a catch-all rule for any activities not specifically provided for. Transpower seeks the inclusion of a new rule with discretionary activity status to provide for these activities.</p>	<p>Add a new rule as follows:</p> <p>ENG – RXX <u>Any energy activity which is not a permitted, controlled, restricted discretionary or discretionary activity</u> <u>Activity Status Discretionary</u></p> <p><i>Activity status where compliance not achieved: N/A</i></p>
Infrastructure – Te Tūahanga			
Overview			
<p>...</p> <p><i>The Infrastructure Chapter also does not apply to energy activities as these are addressed in the Energy Chapter nor does it apply to Transport Activities that are addressed in the Transport Chapter.</i></p> <p>...</p>	Amend	<p>While the National Grid is addressed within the Energy Chapter, but the National Grid also falls within the definition of ‘infrastructure’ and therefore the overview needs to clearly state how the Infrastructure chapter would apply (given the National Grid falls within the definition).</p> <p>This sentence in the overview, along with the text in the overview of the Energy Chapter provide clear guidance on the application of each chapter’s provision.</p>	<p>...</p> <p><i>The Infrastructure Chapter also does not apply to energy activities <u>nor National Grid activities</u> as these are addressed in the Energy Chapter nor does it apply to Transport Activities that are addressed in the Transport Chapter.</i></p> <p>...</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		Transpower supports the approach described in the overview.	
Subdivision – Te Wawaetanga			
Subdivision Rules			
General Comment	Amend	The objectives and policies within the Subdivision zone do not address the effects of subdivision on network utilities/infrastructure/energy activities. Instead the matter is addressed in ENG-P3 and the recommended Transpower specific policy ENG-R10. If SUB-R8 is to be retained within the subdivision chapter, at a minimum cross reference is required to the policies within the Energy chapter.	Provide a cross reference within SUB-R8 to the Energy chapter policies ENG-P3 and ENG-P10.
SUB-R2 All Zones - Subdivision for a Network Utility or Critical Infrastructure Activity Status Permitted <i>Where:</i> 1. Any new lot created is solely for a network utility or critical infrastructure which is either a Permitted Activity under the Energy Chapter, Infrastructure Chapter or Transport Chapter or is approved as a result of a land use consent; 2. Any existing buildings comply with the relevant zone Permitted Activity standards; 3. All existing vehicle access points comply with the requirements of Rule TRN-R1; 4. Where the site is less than 4ha adjacent to a river >3m wide or the coast, the provision of an esplanade reserve or strip of 20m; 5. No new roading or access points are required; and 6. No new Council services are required.	Support	Transpower supports this provision as it provides for those limited situations where subdivision may be required for its National Grid infrastructure. The permitted activity standards are appropriate, as is controlled activity status where the standards are not met.	Retain this rule.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>SUB - R8 – Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard Activity Status Controlled <i>Where:</i> 1. <i>This is not within a Significant Natural Area as identified in Schedule Four and subject to Rule SUB - R7;</i> 2. <i>This is not within one of the following locations in the coastal environment:</i> i. <i>Outstanding Natural Landscape as identified in Schedule Five;</i> ii. <i>Outstanding Natural Feature as identified in Schedule Six;</i> iii. <i>High or Outstanding Coastal Natural Character as identified in Schedules Seven and Eight; or</i> 3. <i>This is not within an area of:</i> i. <i>Outstanding Natural Landscape as identified in Schedule Five;</i> ii. <i>Outstanding Natural Feature as identified in Schedule Six;</i> iii. <i>Sites of Historic Heritage as identified in Schedule One;</i> iv. <i>Sites and Areas of Significance to Māori as identified in Schedule Three;</i> v. <i>Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay;</i> 4. <i>This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay;</i> 5. <i>All Subdivision Standards are complied with; and</i> 6. <i>Subdivision in the MPZ - Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site.</i> 7. <i>This is not within the Earthquake Hazard Overlay;</i></p>	<p>Amend</p>	<p>Transpower supports the provision of a rule relating to subdivision within proximity of the National Grid. However, amendments are sought to the rule as follows:</p> <ul style="list-style-type: none"> As sought in the definitions chapter, Transpower seeks amendment to the rule title to refer to the ‘National Grid Subdivision Corridor’. Notwithstanding Transpower’s concerns with “Electricity Transmission and Distribution Yard” the reference to ‘yard’ is confusing to plan users in that the ‘yard’ essentially relates to land use whereas the rule relates to subdivision and therefore ‘subdivision corridor’ is the correct term (as reflected in the definitions). The provision of a corridor approach gives effect to NPSET policies 10 and 11, noting the NPSET does not apply to energy distribution activities. The bulk of the amendments seek deletion of provisions which do not relate to the effects of the subdivision on the National Grid but instead are general subdivision matters for consideration. The appropriate approach is to address these matters under the underlying zoning or overlay subdivision rule and not conflate these effects with effects on the National Grid: Clauses 1, 2, and 4 are not specific to effects of the National Grid and are addressed under other rules (that is SUB-R6, R10, R11and R15) and as these rules would also apply (as noted in the Note to the subdivision rules), reference is not required within SUB-R8. Their inclusion confuses the purpose of the rule. Similarly, clauses 3, 5 and 9 are not required as the subdivision would need to comply with the rules for the subdivision in the underlying zoning or overlay and compliance with standards assessed as part of that consent. The compliance 	<p>SUB - R8 – Subdivision to create allotment(s) of Land that contains or is within the <u>National Grid Subdivision Corridor Electricity Transmission and Distribution Yard</u> Activity Status <u>Restricted discretionary Controlled</u> <i>Where:</i> 1. <u>All resulting allotments, except allotments for access or a public work, demonstrate they are capable of accommodating the principal building or any dwelling or sensitive activity located entirely outside of the National Grid Yard.</u> 2. <u>Vehicle access to National Grid assets is maintained.</u> <i>Matters of discretion are:</i> a. <u>The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) ISSN01140663;</u> b. <u>The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued access to existing transmission lines (including support structures) for maintenance, inspections and upgrading;</u> c. <u>The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of building platforms;</u> d. <u>The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines;</u> e. <u>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid;</u></p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>8. Any allotment created can contain a 15x15m area of land which:</p> <ol style="list-style-type: none"> Is located entirely outside of the Electricity Transmission and Distribution Yard; Has reasonable physical and legal access; and Could accommodate a building which can comply with all Permitted Activity standards for the Zone it is located in. <p>9. The subdivision maintains any existing access to Electricity Transmission and Distribution Yard;</p> <p>10. Written documentation is provided that demonstrates consultation has occurred with the Electricity Transmission Operator including any response from the operator; and</p> <p>11. The minimum lot size for any allotment that contains any part of the Electricity Transmission Corridor shall be 1ha.</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> The size, design, shape, location and layout of allotments; Efficient use of land and compatibility with the role, function and predominant character of the Zone in which the subdivision is located; Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; The adequacy of water supply for firefighting; The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; Management of any contaminated land; 		<p>with the standards is not a matter relevant to the National Grid and is not appropriate for inclusion in the rule or assessed as part of the consent. It is also noted that the one hectare minimum allotment size referenced in clause 9 would apply to all zones and does not reflect the underlying zone features.</p> <ul style="list-style-type: none"> Transpower opposes the controlled activity status and supports a restricted discretionary activity status. The main concern is that a controlled activity status is not able to be declined. Given the national significance of the National Grid and potential for adverse effects, a controlled activity status is not supported. A restricted discretionary activity status for subdivision provides an appropriate incentive and opportunity to design subdivision layouts that avoid building sites within the National Grid Yard. Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located). Similarly, given the underlying zoning subdivision rule and standards would apply, amendments are sought to delete those matters not relevant to effects on the National Grid. <p>Transpower requests non-complying activity status for any activity that cannot meet clauses 1 or 2.</p>	<p>f. The outcome of any consultation with Transpower; and</p> <p>g. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for the principal building or any dwelling or sensitive activity can be located outside of the National Grid Yard for each new allotment.</p> <p>1. This is not within a Significant Natural Area as identified in Schedule Four and subject to Rule SUB-R7;</p> <p>2. This is not within one of the following locations in the coastal environment:</p> <ol style="list-style-type: none"> Outstanding Natural Landscape as identified in Schedule Five; Outstanding Natural Feature as identified in Schedule Six; High or Outstanding Coastal Natural Character as identified in Schedules Seven and Eight; or <p>3. This is not within an area of:</p> <ol style="list-style-type: none"> Outstanding Natural Landscape as identified in Schedule Five; Outstanding Natural Feature as identified in Schedule Six; Sites of Historic Heritage as identified in Schedule One; Sites and Areas of Significance to Māori as identified in Schedule Three; Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay; <p>4. This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay;</p> <p>5. All Subdivision Standards are complied with; and</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>i. Management of reverse sensitivity effects on the national grid;</p> <p>j. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created;</p> <p>k. Management of any effects on the production value of any highly productive land or high value soils such as those located at Karamea and Totara Flat;</p> <p>l. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and</p> <p>m. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities.</p> <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB - R4.</p>			<p>6. Subdivision in the MPZ—Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site.</p> <p>7. This is not within the Earthquake Hazard Overlay;</p> <p>8. Any allotment created can contain a 15x15m area of land which:</p> <p>iv. Is located entirely outside of the Electricity Transmission and Distribution Yard;</p> <p>v. Has reasonable physical and legal access; and</p> <p>vi. Could accommodate a building which can comply with all Permitted Activity standards for the Zone it is located in.</p> <p>9. The subdivision maintains any existing access to Electricity Transmission and Distribution Yard;</p> <p>10. Written documentation is provided that demonstrates consultation has occurred with the Electricity Transmission Operator including any response from the operator; and</p> <p>11. The minimum lot size for any allotment that contains any part of the Electricity Transmission Corridor shall be 1ha.</p> <p><i>Matters of control are:</i></p> <p>a. The size, design, shape, location and layout of allotments;</p> <p>b. Efficient use of land and compatibility with the role, function and predominant character of the Zone in which the subdivision is located;</p> <p>c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure;</p> <p>d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy;</p> <p>e. The adequacy of water supply for firefighting;</p> <p>f. The requirement for financial contributions as outlined in Rules FC—R1 to FC—R12;</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
			<p>g. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site;</p> <p>h. Management of any contaminated land;</p> <p>i. Management of reverse sensitivity effects on the national grid;</p> <p>j. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created;</p> <p>k. Management of any effects on the production value of any highly productive land or high value soils such as those located at Karamea and Totara Flat;</p> <p>l. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and</p> <p>m. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities.</p> <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB - R4.</p>
NEW RULE	Support	Transpower requests non-complying activity status for any rule that does not comply with SUB-R8. This rule provides that link.	<p>Insert a new rule as follows:</p> <p><u>SUB - R27 – Subdivision to create allotment(s) of Land within the National Grid Subdivision Corridor not meeting Restricted Discretionary Activity Standards Activity Status Non-complying</u></p>
Earthworks – Te Huke Whenua			
Earthworks Introduction, Objectives and Policies			
<p>Introduction</p> <p><i>Overlay Chapters - the Overlay Chapters have provisions in relation to Historic Heritage; Notable Trees; Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Natural Features and Landscapes; Natural</i></p>	Amend	Transpower has concerns as to the provision of earthwork rules across multiple chapters. Such an approach will lead to a myriad of applicable rules which is potentially confusing to plan users and creates the potential for contradictory provisions.	Provide all relevant earthwork rules within the Earthworks Chapter.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<i>Character and Margins of Waterbodies; Natural Hazards; and the Coastal Environment. Where earthworks are located within an overlay area (as identified in the planning maps) then the relevant overlay chapter provisions apply.</i>			
EW - P4 Protect critical infrastructure and natural hazard defences from the adverse effects of earthworks.	Support	Transpower supports Policy P4 on the basis it recognises critical infrastructure.	Retain Policy EW-P4.
Earthworks Rules			
EW – R2 and EW-R7	Amend	<p>Specific to earthworks, Transpower supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. Specifically, earthworks restrictions are supported as earthworks have the potential to undermine transmission line structures, generate dust, and reduce the clearances between the ground and conductors. They also have the potential to restrict Transpower’s ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line.</p> <p>The provision of a rule framework gives effect to Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to operate it.</p> <p>Based on the above, Transpower supports the provision of earthworks provisions on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. However, its preference is for a standalone rule specific to the National Grid that would provide the</p>	<p>Amend Rule EW-R2 and EW-R7 to exclude earthworks within the National Grid and to provide a stand-alone earthworks rule:</p> <p>Insert a new earthworks rule as follows:</p> <p><u>EW-RX.1 EARTHWORKS AND VERTICAL HOLES WITHIN THE NATIONAL GRID YARD</u> <u>ACTIVITY STATUS: PERMITTED</u></p> <p><u>Where:</u></p> <p>a. <u>Earthworks and vertical holes do not:</u></p> <ol style="list-style-type: none"> i. <u>Exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;</u> ii. <u>Exceed 3m in depth between 6m and 12m of the outer visible edge of a National Grid support structure;</u> iii. <u>Result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;</u> iv. <u>Compromise the stability of any National Grid support structures; and</u> v. <u>Result in the loss of vehicular access to a National Grid support structure.</u>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		<p>appropriate framework and activity status for earthworks that may affect the Grid.</p> <p>Key features of the recommended rule are:</p> <ul style="list-style-type: none"> • Inclusion of reference to vertical holes as the National Planning Standards definition of earthworks specifically excludes the disturbance of land for the installation of fence posts. For this reason, the rule needs to be amended to cover vertical holes. • Inclusion of conditions relating to conductor clearance (iii), stability of support structures (iv), and access (v). Such conditions are required to ensure the National Grid assets are not compromised. • Insertion of a non-complying activity status where compliance with the standards within 1.a is not achieved, A non-complying activity status is considered the most effective means of giving effect to the NPSET’s objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network. In particular, a non-complying activity status: <ul style="list-style-type: none"> (a) Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2; (b) Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10. The NPSET provides a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status. 	<p><u>Earthworks and vertical holes for the following activities are exempt from compliance with EW-Rx-1.a (i) and (ii):</u></p> <ul style="list-style-type: none"> • <u>Earthworks or vertical holes, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;</u> • <u>Agricultural or domestic cultivation;</u> • <u>The repair, sealing or resealing of a vehicle access or farm track;</u> • <u>Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of a National Grid pole or stay wire, or are a post hole for a farm fence or horticulture structure more than 6m from the visible outer edge of a National Grid tower foundation; and</u> • <u>Any other earthwork or land disturbance activities subject to a dispensation from Transpower under New Zealand NZECP 34:2001.</u> <p><u>Activity status: Non-complying</u></p> <p><u>Where:</u></p> <p><u>Compliance is not achieved with EW-Rx-1.a.</u></p> <p><u>Notification</u></p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> • <u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
Coastal Environment – Te Taiao o te Takutai			
General Comment	Support with amendment	<p>As currently drafted, the CE chapter would apply to the National Grid (noting the Grid is specifically referenced in CE-P3 and CE-P8). Transpower seeks clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid specific policies within the ENG chapter which adopts a “seek to avoid’ approach for the National Grid.</p> <p>It is noted the overview to the Energy Chapter provides <i>“The Energy Chapter contains the objectives, policies, rules for managing energy activities - the Infrastructure Chapter rules and the Area Specific Provisions (Zone chapters) do not apply to energy activities, however the Overlay chapters and other District Wide rules also apply where relevant.”</i></p> <p>While rule CE- of the Coastal Environment chapter stipulates <i>“in the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply,”</i> it is not clear whether the policies of the Coastal Environment chapter apply to Energy activities.</p> <p>To clarify the relationship, Transpower seeks either:</p> <ul style="list-style-type: none"> - specific wording that the Coastal Environment Chapter does not apply to Energy activities, or - a specific note to the recommended National Grid policy ENG-P8 that other policies in the plan do not apply; or <p>Should the above not be accepted, Transpower supports specific policy recognition within the CE chapter subject to amendments as provided below.</p>	Clarify the relationship between activities within the Energy Chapter and those within the Coastal Environment Chapter.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
		The discretionary status within Rule NC-R3 is supported (on the basis this is the rule that would apply to any new National Grid assets).	
Coastal Environment Objectives and Policies			
CE - O1 <i>To preserve the natural character, landscapes and biodiversity of the coastal environment while enabling people and communities to provide for their social, economic and cultural wellbeing in a manner appropriate for the coastal environment.</i>	Support	Transpower supports CE-O1 as it recognises well-being.	Retain this objective.
CE - O3 <i>To provide for activities which have a functional need to locate in the coastal environment in such a way that the impacts on natural character, landscape, natural features, access and biodiversity values are minimised.</i>	Amend	<p>Notwithstanding the lack of clarity as to the relationship between the CE and ENG chapters, and what is meant by the term 'minimised', as drafted, Objective CE-O3 gives effect to the NZCPS.</p> <p>Transpower is not opposed to the objective but notes that the Coastal Environment Chapter is also required to give effect to the NPSET. Depending on the relationship with the ENG provisions Transpower seeks an amendment to the objective so that the National Grid is recognised within the policy framework.</p> <p>The National Grid is subject to operational needs as opposed to strict functional needs in that the National Grid is not dependent on the coastal resource but is constrained in its location given the linear nature of the network and that it is required to connect to generation to provide for the transmission of electricity).</p>	<p>Amend CE-O3 as follows:</p> <p>CE-O3 <i>To provide for activities which have a functional need <u>(or operational need in respect of the National Grid)</u> to locate in the coastal environment in such a way that the impacts on natural character, landscape, natural features and biodiversity values are minimised.</i></p>
CE – P1 <i>Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including:</i>	Support	Transpower supports the identification and mapping of the coastal environment, including reference to infrastructure which have modified the coastal environment.	Retain Policy CE-P1.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>a. Areas where coastal processes, influences or qualities are significant;</p> <p>b. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</p> <p>c. Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk should accelerated sea level rise occur;</p> <p>d. Historic heritage and Poutini Ngāi Tahu cultural areas or features;</p> <p>e. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species; and</p> <p>f. The built environment and infrastructure which have modified the coastal environment.</p>			
<p>CE - P2 Preserve the natural character, natural features and landscape qualities and values of areas within the coastal environment that have:</p> <p>a. Significant indigenous biodiversity including Significant Natural Areas as described in Schedule Four</p> <p>b. Outstanding natural landscapes as described in Schedule Five;</p> <p>c. Outstanding natural features as described in Schedule Six;</p> <p>d. High coastal natural character as described in Schedule Seven; and</p> <p>e. Outstanding coastal natural character as described in Schedule Eight.</p>	Support	Transpower supports this policy.	Retain the policy.
<p>CE -P3 Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</p> <p>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</p>	Oppose with amendment	Transpower supports the recognition (within clause e.) that there may be functional or operational need for National Grid infrastructure to locate in these areas. An amendment is sought to amend the 'and' to an 'or' to recognise both are not required and be consistent with the wording in other policies.	Amend the policy as follows: CE -P3 Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:

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<p>b. Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;</p> <p>c. The development is of a size, scale and nature that is appropriate to the environment;</p> <p>d. It is for a Poutini Ngāi Tahu cultural purpose; or</p> <p>e. It is National Grid infrastructure that has a functional and operational need to locate in these areas.</p>		<p>Transpower notes that clause b. does not reflect the policy title which relates to outstanding or high value areas.</p>	<p>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</p> <p>b. Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding and high natural character, and outstanding <u>coastal natural</u> landscapes and <u>outstanding coastal natural</u> features are avoided;</p> <p>c. The development is of a size, scale and nature that is appropriate to the environment;</p> <p>d. It is for a Poutini Ngāi Tahu cultural purpose; or</p> <p>e. It is National Grid infrastructure that has a functional and/or operational need to locate in these areas.</p>
<p>CE -P5 Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:</p> <p>a. Are existing lawfully established structures; or</p> <p>b. Are of a size, scale and nature that is appropriate to the area; or</p> <p>c. Are in the parts of the coastal environment that have been historically modified by built development and primary production activities; or</p> <p>d. Have a functional or operational need to locate within the coastal environment.</p>	Support	<p>Transpower supports the reference to functional and operational need on the basis it gives effect to the NPSET.</p>	<p>Retain the policy.</p>
<p>CE – P6 Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika and enable new subdivision, buildings and structures within and expansion of towns and settlements where:</p> <p>a. These are located in areas already modified by built development or primary production activities, or</p>	Support	<p>Transpower supports the recognition of existing communities and infrastructure.</p>	<p>Retain the policy.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>b. <i>Where located in unmodified areas, any adverse impact on natural character can be mitigated;</i></p> <p>c. <i>In areas of outstanding or high natural character:</i></p> <ul style="list-style-type: none"> i. <i>Provide for lawfully established land uses and activities to continue;</i> ii. <i>Allow for other uses with a functional need to locate in the coastal environment;</i> iii. <i>Allow for Poutini Ngāi Tahu cultural uses;</i> iv. <i>Avoid encroachment into unmodified areas of the coastal environment; and</i> v. <i>Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised.</i> 			
<p>CE – P8 <i>Enable the maintenance, repair and operation of the National Grid. Where new development and upgrades of the National Grid are required, seek to avoid and otherwise remedy or mitigate adverse effects on Overlay Chapter areas.</i></p>	Support	Transpower supports the specific recognition of the National Grid in this policy, and that it provides consistency with the ‘seek to avoid’ provisions in the Energy Chapter. However, Transpower does query the relationship of the policy with the energy policy ENG-P8.	Retain the policy.
Coastal Environment Rules			
<p>All rules</p>	Oppose	<p>Transpower notes that it is unclear which rules apply to Energy Activities, and which are excluded. Some of the rules specifically note that they do not apply to energy activities, but most rules are silent. The plan should clearly state that none of the rules in this chapter apply to Energy Activities, and that only the Energy Chapter applies – this may require shifting or drafting of new rules in the Energy Chapter.</p> <p>Alternatively, it should be very clear which rules apply to the National Grid and whether these apply in addition to the Energy Chapter rules.</p>	<p>Amend the rules section to state that none of the rules in this chapter apply to Energy Activities, and that only the Energy Chapter applies – this may require shifting or drafting of new rules in the Energy Chapter.</p> <p>Alternatively, it should be very clear which rules apply to the National Grid and whether the rules in this Chapter apply in addition to the Energy Chapter rules. Note that ENG-P8 takes precedence for the National Grid over any policies in this chapter.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>CE - R4 Buildings and Structures in the Coastal Environment Activity Status Permitted <i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>These are not located within:</i> <ol style="list-style-type: none"> a. <i>An Outstanding Natural Landscape identified in Schedule Five;</i> b. <i>An Outstanding Natural Feature identified in Schedule Six;</i> c. <i>An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5;</i> d. <i>An area of Outstanding Coastal Natural Character identified in Schedule Eight; and</i> 2. <i>These:</i> <ol style="list-style-type: none"> a. <i>Comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle and SETZ - Settlement Zone:</i> <ol style="list-style-type: none"> i. <i>Maximum height is 7m for new buildings;</i> ii. <i>No height limits apply where this is replacement of a lawfully established building with another building of the same height, in the same location; and</i> iii. <i>The gross ground floor area is:</i> <ol style="list-style-type: none"> I. <i>A maximum of 200m² per building for new buildings;</i> II. <i>No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; or</i> b. <i>Are Energy Activities or Network Utilities, including ancillary earthworks, subject to provisions in the Energy, Infrastructure and Transport Chapters of the Plan; or</i> 	<p>Support</p>	<p>Transpower supports this rule on the basis that it clearly excludes Energy Activities and refers those to the Energy Chapter rules.</p>	<p>Retain the rule.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>c. <i>Are natural hazard mitigation structures constructed by a Statutory Agency or their authorised contractor.</i></p> <p>Advice Note: <i>Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies Overlay Chapters for rules in relation to buildings and structures in these areas.</i></p> <p>Activity status where compliance not achieved: <i>Outside of the scheduled overlay chapter areas and the Rural Zones, the relevant zone rules apply.</i> <i>In the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply.</i></p>			
<p>CE - R22 Activities in the Coastal Environment that would destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding Activity Status Non-complying <i>Notification:</i> <i>Applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding will always be Limited Notified to the Geosciences Society of New Zealand and may be publicly notified.</i></p> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> 1. <i>When assessing resource consents for activities under this rule, assessment against both the Coastal Environment, and Natural Features and Landscapes policies will be required.</i> 2. <i>This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</i> 	Amend	<p>Given the non-complying activity status, Transpower has concerns with the lack of clarity with the term ‘destroy’ and how the rule would be applied. The rule provides no direction or standards relating to the scale, nature or degree of the ‘destruction’. Given the strong policy directive and potential application of the rule, Transpower recommends the rule be amended to provide certainty as to its application.</p>	Amend Rule CE-R22 to clarify/amend the term ‘destroy’ and the application of the rule.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
Ecosystems and Indigenous Biodiversity - Ngā Pūnaha Rauropi me te Kanorau Koiora			
Objectives and Policies			
General Comment	Amend	<p>As currently drafted, the ECO chapter would apply to the National Grid and while Transpower is not necessarily opposed to this approach, it does seek clarification as to the relationship to the Energy Chapter, particularly in light of the National Grid specific policies within the ENG chapter which adopts a “seek to avoid’ approach for the National Grid (specifically policy ENG-P8).</p> <p>It is further noted that many provisions within the ECO chapter apply to indigenous vegetation and are not confined to significant indigenous vegetation. This has wide implications for many activities. There is also a mix of terminology used.</p> <p>Transpower seeks clarification over the application of the rules.</p>	Clarify the relationship between activities within the Energy Chapter and those within the Ecosystems and Indigenous Biodiversity Chapter.
<p>ECO - P1 <i>Identify areas of significant indigenous vegetation and fauna habitat:</i></p> <ol style="list-style-type: none"> 1. <i>In the Grey District these areas are identified in Schedule Four;</i> 2. <i>In the Buller and Westland Districts:</i> <ol style="list-style-type: none"> i. <i>The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance;</i> ii. <i>Areas of significant indigenous vegetation and fauna habitat will be identified through the resource consent process until such time as district wide identification and mapping of significant natural areas is undertaken;</i> 	Oppose	<p>Transpower understands the reasoning for not identifying areas of significant indigenous biodiversity across the region but has concerns regarding the implications for any future resource consents or designations.</p> <p>When applied to linear infrastructure such as the National Grid, the implications are potentially significant.</p> <p>The approach of not identifying and mapping areas does not give effect to Objective 1 and Policy 1 of Chapter 7 the West Coast RPS, being <i>Objective 1</i>.</p> <p><i>1. Identify in regional and district plans, and through the resource consent process, areas of significant</i></p>	Identify areas of significant indigenous biodiversity within the region as directed by the RPS.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>iii. <i>Buller and Westland district wide assessment, identification and mapping of significant natural areas will be undertaken and completed by June 2027; and</i></p> <p>iv. <i>Identified areas of significant indigenous vegetation and fauna habitat will be added to Schedule Four through a Plan Change.</i></p>		<p><i>indigenous vegetation and significant habitats of indigenous fauna in a regionally consistent manner.</i></p> <p><i>Policy 1</i></p> <p><i>1. a) Areas of significant indigenous vegetation and significant habitats of indigenous fauna will be identified using the criteria in Appendix 1; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan and district plans.</i></p> <p><i>b) Significant wetlands will be identified using the criteria in Appendix 2; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan.</i></p>	
<p>ECO - P6</p> <p><i>When assessing consents for subdivision, use and development avoid activities which will:</i></p> <p><i>a. Prevent an indigenous species or community being able to persist within their natural range in the Ecological District;</i></p> <p><i>b. Result in a degradation of the threat status, significant loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification; and</i></p> <p><i>c. Result in a reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a -nationally critical, nationally endangered and nationally vulnerable.</i></p>	Oppose	<p>Given the lack of identified SNA's across the region, Transpower has concerns as to the wide application of ECO-P6 given the avoid directive within the policy, and that it is not clearly confined to significant indigenous vegetation. Specific concerns are as follows:</p> <ul style="list-style-type: none"> - Clause a. is very directive and could be applied such that no changes would be enabled. - Clause b. provides no reference to scale as to the site and effect that is, does it relate to the SNA as a whole or just the site), the term 'disruption' is open ended and not a commonly understood ecological term, and the clause is unclear as to whether the reference to 'one or two of the Threatened Environment Classification' applies to all the clause or just 'functions or connections'. - Clause c. reflects the RPS. 	Clarify the relationship between activities within the Energy Chapter and those within the Ecosystem Chapter, adopt the 'seek to avoid' approach (policy ENG-P8) for the National Grid in respect of SNA's.
<p>Rules</p>			
<p>ECO-R1 – Indigenous vegetation clearance and disturbance outside of the coastal environment</p> <p>Activity Status Permitted</p> <p><i>Where:</i></p>	Amend	<p>There is some crossover between 3(ii) and 3(ix), as both could apply to the operation of the National Grid. Transpower requests deletion of (ix), and amendments to (ii) to incorporate the National Grid and provide</p>	<p>Amend the rule as follows:</p> <p>ECO - R1 – Indigenous vegetation clearance and disturbance outside of the coastal environment</p> <p>...</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>1. It is outside of a scheduled Significant Natural Area as identified in Schedule Four;</p> <p>2. It is clearance permitted by the Natural Character and the Margins of Waterbodies Rule NC - R1; or</p> <p>3. It is necessary for one of the following purposes:</p> <ul style="list-style-type: none"> i. It is the removal of windthrown timber through: <ul style="list-style-type: none"> a. Use of helicopter recovery methods; or b. Where ground based recovery is only undertaken from areas adjacent to existing vehicle tracks; or ii. The maintenance, operation and repair of lawfully established tracks, fences, structures, buildings, critical infrastructure, network utilities, renewable electricity generation activities or natural hazard mitigation activities; iii. For the installation of temporary network activities following a regional or local state of emergency declaration; iv. To prevent a serious threat to people, property, structures or services; v. To ensure the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access; vi. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals; vii. To upgrade or create new public walking or cycling tracks up to 3m in width undertaken by the Council or its approved contractor; viii. To comply with section 43 of the Fire and Emergency Act 2017; ix. For construction or operation of an above ground or below ground network utility or the national grid where: <ul style="list-style-type: none"> a. The construction corridor does not exceed 3m in width; and 		<p>consistency with ECO-R2. The basis for the application of clause 3.(ix) to the National Grid is not clear.</p> <p>It is unclear whether permitted activity conditions 1-5 all apply, or an activity only needs to comply with 1. 'And' or 'or' should be inserted at the end of, or between, conditions 1-5 so it is clear if any or all of them must apply for an activity to be permitted.</p> <p>Specific to the National Grid, the NESETA manages the trimming, felling and removal of vegetation and earthworks, with the activity status under the NESETA determined by the provisions in the Proposed TTPP. The NESETA provides for earthworks and trimming, felling or removal of any vegetation as permitted activities subject to conditions.</p> <p>Therefore, the NESETA would prevail over this rule for operation, maintenance, upgrading or removal of a transmission line. ECO-R1 would remain applicable for installation.</p>	<p>ii. The maintenance, operation, and repair, <u>upgrading and installation</u> of lawfully established tracks, fences, structures, buildings, critical infrastructure <u>including the National Grid</u>, network utilities, renewable electricity generation activities or natural hazard mitigation activities;</p> <p>...</p> <p>ix. For construction or operation of an above ground or below ground network utility or the national grid National Grid where:</p> <ul style="list-style-type: none"> a. The construction corridor does not exceed 3m in width; and b. All machinery used in construction is cleaned and made free of weed material and seeds prior to entering the site; and c. Rehabilitation of disturbed areas is undertaken following the completion of construction; <p>Add 'and' or 'or' between conditions 1-5, or otherwise more clearly describe the activity status that applies to each non-compliance.</p> <p>The text in 'activity status where compliance not achieved' appears to have some errors and it does not clearly direct the plan user to an activity status.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>b. All machinery used in construction is cleaned and made free of weed material and seeds prior to entering the site; and</p> <p>c. Rehabilitation of disturbed areas is undertaken following the completion of construction;</p> <p>x. <i>It is cultural harvest undertaken by Poutini Ngāi Tahu; or</i></p> <p>xi. <i>It is on MPZ - Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</i></p> <p>xii. <i>It is within an area subject to a QEII National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument;</i></p> <p>4. <i>Within the Grey District it is clearance outside of an Outstanding Natural Landscape identified in Schedule Five; or</i></p> <p>5. <i>Within the Buller and Westland Districts:</i></p> <p>i. <i>It is the removal or clearance of mānuka, kānuka and bracken only that is not part of any wetland and which is under 15 years old, not exceeding 5ha per site over any continuous three year period, subject to provision of notice to the relevant District Council at least 20 working days prior to the proposed clearance including:</i></p> <p>a. <i>Details of the location of the proposed clearance;</i></p> <p>b. <i>Area of the proposed clearance; and</i></p> <p>c. <i>Verification by documentary, photographic or other means that the vegetation is less than 15 years old and not part of any wetland; or</i></p> <p>ii. <i>It is a maximum area of 5000m² per site, in total, over any continuous three year period.</i></p>			

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>ECO-R2 – Indigenous Vegetation Clearance in the Coastal Environment Where:</p> <ol style="list-style-type: none"> 1. This is for: <ol style="list-style-type: none"> i. Walking/cycling tracks, roads, farm tracks or fences; ii. Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or iii. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site; 2. The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m2 in area per site in any three year period; 3. The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and 4. The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four. <p>...</p>	Amend	<p>Specific recognition of the National Grid (or at the very least Critical infrastructure) should be provided in 1(ii), for consistency with ECO-R1.</p> <p>Specific to the National Grid, the NESETA manages the trimming, felling and removal of vegetation and earthworks, with the activity status under the NESETA determined by the provisions in the Proposed TTPP. The NESETA provides for earthworks and trimming, felling or removal of any vegetation as permitted activities subject to conditions.</p> <p>Therefore, the NESETA would prevail over this rule for operation, maintenance, upgrading or removal of a transmission line. ECO-R2 would remain applicable for installation.</p>	<p>Amend the rule as follows:</p> <p>ECO-R2 – Indigenous Vegetation Clearance in the Coastal Environment Where:</p> <ol style="list-style-type: none"> 1. This is for: <ol style="list-style-type: none"> i. Walking/cycling tracks, roads, farm tracks or fences; ii. Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities <u>including the National Grid</u>; or iii. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;
<p>ECO-R5 – Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. This is not within: <ol style="list-style-type: none"> i. A Significant Natural Area identified in Schedule Four; ii. An area of land environment of category one or two of the Threatened Environment Classification; iii. An Outstanding Natural Landscape identified in Schedule Five; 	Support	<p>ECO-R5 appears to be the default rule for indigenous vegetation clearance relating to the National Grid that is not permitted (nor within a specified area).</p> <p>Transpower supports the inclusion of functional or operational need for critical infrastructure as a matter for discretion.</p>	<p>Retain ECO-R7 on the basis the National Grid is retained within ECO-R1 and R2.</p> <p>Retain functional or operational need for critical infrastructure as a matter for discretion.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>iv. <i>An Outstanding Natural Feature identified in Schedule Six;</i></p> <p>v. <i>An area of High Coastal Natural Character identified in Schedule Seven; or</i></p> <p>vi. <i>An area of Outstanding Coastal Natural Character identified in Schedule Eight.</i></p> <p><i>Discretion is restricted to:</i></p> <p>a. <i>Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses;</i></p> <p>b. <i>Constraints imposed by functional or operational need of network utilities and critical infrastructure;</i></p> <p>c. <i>Effects on habitats of any threatened or protected species;</i></p> <p>d. <i>Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</i></p> <p>e. <i>Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</i></p> <p>f. <i>Effects on the intrinsic values of ecosystems;</i></p> <p>g. <i>Effects on recreational values of public land; and</i></p> <p>h. <i>The matters outlined in Policies ECO - P6 and ECO - P7.</i></p> <p>Activity status where compliance not achieved: <i>Discretionary</i></p>			
<p>ECO - R7 Indigenous vegetation clearance not meeting ECO – R5 Activity Status Discretionary</p>	Support	Transpower supports the discretionary activity status. The activity status and associated policies in the Energy Chapter and ECO-P7 provide an appropriate framework in which to manage the National Grid, noting that these provisions would only apply to ‘installation’ of National Grid activities, as other activities are managed under the NESETA.	Retain the rule.
<p>Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa</p>			

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
Objectives, Policies and Rules			
General comments	Support with amendment	<p>As currently drafted, the NFL chapter would apply to the National Grid and while Transpower is not necessarily opposed to this approach, it does seek clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid specific policies within the ENG chapter which adopts a “seek to avoid’ approach for the National Grid.</p> <p>To clarify the relationship, Transpower recommend a note to the recommended policy ENG-P8 that other policies in the plan do not apply. Should this not be accepted, Transpower seeks specific policy recognition within the NFL chapter.</p> <p>The discretionary status within Rule NFL-R14 and R15 is supported.</p>	Clarify the relationship between activities within the Energy Chapter and those within the Natural Features and Landscapes Chapter.
<p>NFL – P4 Require that new buildings, structures within outstanding natural features or landscapes minimise any adverse visual effects by:</p> <ul style="list-style-type: none"> a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; b. Using naturally occurring building platforms, materials and colour that blends into the landscape; and c. Limiting the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape. 	Oppose in part	<p>In the absence of any certainty as to what is required by the term “minimise’ Transpower has concerns as to the application of the policy, noting the requirement to ‘minimise’ applies to any adverse visual effects. Transpower has sought a definition for ‘minimise’.</p> <p>Specific to the National Grid, given the technical and operational constraints associated with National Grid infrastructure, its ability to minimise adverse effects by using ‘naturally occurring building platforms, materials and colour that blends into the landscape’ is severely constrained.</p>	Clarify the term ‘minimise’ and that the policy does not apply to the National Grid.
<p>NFL-P5 Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:</p>	Support	<p>Transpower supports the inclusion of functional, technical, operational or locational need as a matter for consideration in this policy.</p> <p>As within other submission points, if the term Minimise is to be retained, a definition is sought.</p>	Retain this policy.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>a. <i>The scale of modification to the landscape;</i> b. <i>Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;</i> c. <i>Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;</i> d. <i>The temporary or permanent nature of any adverse effects;</i> e. <i>The functional, technical, operational or locational need of any activity to be sited in the particular location;</i> f. <i>Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;</i> g. <i>Any positive effects the development has on the identified characteristics and qualities;</i> h. <i>Any positive effects at a national, regional and local level;</i> i. <i>Any relevant public safety considerations; and</i> j. <i>The measures proposed to mitigate the effects on the values and characteristics, including:</i></p> <ul style="list-style-type: none"> i. <i>The location, design and scale of any buildings or structures, or earthworks;</i> ii. <i>The intensity of any activity; and</i> iii. <i>The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</i> 			
<p>At end of policies: <i>Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.</i></p>	Amend	<p>Transpower supports this note as it provides some clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid specific policies within the ENG chapter which adopts a 'seek to avoid' approach for the National Grid.</p> <p>Transpower requests that it is moved into the 'overview' section so that it is more visible to plan users.</p>	Retain this text and move to the 'overview' section.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>NFL - R6 Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six Activity Status Permitted <i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>All performance standards for Earthworks Rule EW - R1 are complied with; and</i> 2. <i>This is ancillary to:</i> <ol style="list-style-type: none"> a. <i>An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or</i> b. <i>An energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG - R4;</i> 3. <i>For other earthworks, the following standards are complied with:</i> <ol style="list-style-type: none"> a. <i>The cut height or fill depth does not exceed one metre vertically;</i> b. <i>No more than 500m³ of earthworks are undertaken/12 month period/site; and</i> c. <i>The earthworks are undertaken outside of the Coastal Environment.</i> <p>Advice Note: <i>Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R3.</i> <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i> <i>Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.</i></p>	<p>Support</p>	<p>Transpower supports this rule as it specifically links to the relevant rules in the Energy Chapter. While most of Transpower's earthworks activities are covered by the NESETA, the clear direction in this rule is useful for any new construction or other activities that fall outside the scope of the NESETA.</p>	<p>Retain this rule.</p>
<p>Natural Character and Margins of Waterbodies Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai</p>			
<p>Objectives, Policies and Rules</p>			

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>NC - R1 – Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland Activity Status Permitted</p> <p>1. <i>Where this is outside of any Significant Natural Area identified in Schedule Four, and for:</i></p> <ul style="list-style-type: none"> a. <i>Fence lines; or</i> b. <i>Maintenance, operation, minor upgrade and repair of network utilities, critical infrastructure or renewable electricity generation activities;</i> c. <i>Connections to wastewater, stormwater and reticulated network utility systems; or</i> d. <i>Installation of an environmental monitoring and extreme weather event monitoring facility; or</i> e. <i>Maintenance and repair of lawfully established structures; or</i> f. <i>The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or</i> g. <i>The establishment of a river crossing point up to 3m wide; or</i> h. <i>Poutini Ngāi Tahu activities;</i> i. <i>Activities on Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</i> j. <i>Natural hazard mitigation activities undertaken by a statutory agency or their nominated contractor;</i> <p>2. <i>The amount of indigenous vegetation clearance is not greater than 20m² per 200m length of Riparian Margin;</i></p> <p>3. <i>The amount of earthworks is not greater than 20m³ per 200m length of Riparian Margin;</i></p> <p>4. <i>All earthworks stockpiles are located outside of the Riparian Margin of the waterbody; and</i></p> <p>5. <i>Unless carried out by a statutory agency or their nominated contractor responsible for natural hazard mitigation, the clearance and earthworks are not located within areas used and identified for natural hazard mitigation structures.</i></p>	Amend	<p>Transpower supports the inclusion of ‘critical infrastructure’ and ‘network utilities’ within this rule.</p> <p>The Advice Note should include specific reference to the Energy Chapter so that it is clear if those provisions also apply.</p>	<p>Retain the rule.</p> <p>Clarify relationship with Energy Chapter in the advice note.</p>

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p>Advice Note: <i>Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations.</i> <i>Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater and the West Coast Regional Land and Water Plan.</i> <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i></p>			
<p>At end of policies: <i>Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.</i></p>	Amend	<p>Transpower supports this note as it provides some clarification as to the relationship to the Energy Chapter, particularly in light of the sought National Grid specific policies within the ENG chapter which adopts a 'seek to avoid' approach for the National Grid.</p> <p>Transpower requests that it is moved into the 'overview' section so that it is more visible to plan users.</p>	Retain this text and move to the 'overview' section.
Subdivision Financial Contributions			
<p>FC - P6 <i>To provide for the use of financial contributions for managing adverse environmental effects, including those on significant indigenous biodiversity and outstanding natural landscapes where these cannot be avoided, remedied or mitigated and the activities have specific spatial location requirements or functional and operational needs such as mineral extraction, renewable electricity generation activities and critical infrastructure.</i></p>	Oppose	<p>Transpower opposes the policy as:</p> <ul style="list-style-type: none"> • The basis for applying the policy to critical infrastructure is unclear. • The basis for extending the offsetting and compensation requirement beyond significant natural areas is not clear and not supported. • The policy does not adopt the mitigation hierarchy. 	Either delete Policy FC-P6 or amend the policy to not apply to the National Grid.
<p>FC - P7 <i>When calculating financial contributions as a method of managing adverse environmental effects of activities, take</i></p>	Support in part	While Transpower opposes the requirement for financial contributions for critical infrastructure, if it is retained, Transpower is supportive of this policy.	If Policy FC-P6 is retained, also retain this policy.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<i>into account the local, regional and national benefits of the proposed activity.</i>			
<p>FC - R1 Financial Contributions as Conditions of Consent</p> <p>1. <i>A condition may be imposed on a subdivision or land use consent to require the applicant, including network utility operators and/or requiring authorities, to make a financial contribution for the following purposes:</i></p> <ul style="list-style-type: none"> <i>i. The management of potential adverse effects arising from the activity;</i> <i>ii. Securing environmental compensation where any residual adverse effects of the subdivision, use or development that cannot be avoided, remedied or otherwise mitigated;</i> <i>iii. Providing and/or upgrading public network utility services and transport infrastructure;</i> <i>iv. Providing and/or upgrading public reserves, public access and community facilities; and</i> <p>2. <i>No financial contribution is payable for:</i></p> <ul style="list-style-type: none"> <i>i. Additions and alterations to residential buildings;</i> <i>ii. A residential building replacing one previously on the site;</i> <i>iii. An approved boundary adjustment;</i> <i>iv. An approved subdivision creating a certificate of title solely for a utility;</i> <i>v. An additional allotment where such land is set aside for ecological, historic heritage or cultural protection in perpetuity; and</i> <i>vi. Infrastructure for which a financial contribution has been made previously.</i> <p>...</p>	Oppose	<p>The policy support for the application of R1 to requiring authorities is not evident. A financial contribution differs from offsetting and compensation.</p> <p>There is no clear policy direction or guidance as to the circumstances in which a contribution will be required.</p>	Delete FC-R1 as it applies to the National Grid.
<p>FC - R12 Financial Contribution for Offsetting and Compensation for Adverse Environmental Effects on Natural Landscape Values or Biodiversity Values</p> <p>1. <i>The maximum financial contribution for offsetting or compensation for adverse environmental effects on outstanding natural landscape values, areas of</i></p>	Oppose	Transpower has significant concerns with the open nature of the rule and implications for the National Grid. Transpower has concerns how the contribution would be calculated, including to address effects on landscape values.	Clarify that R12 does not apply to the National Grid.

Specific Proposed Plan Provision	Support/ Oppose/ Amend	Submission	Relief sought
<p><i>significant indigenous vegetation or areas of significant habitat of indigenous fauna will be the amount of money needed to fully offset or compensate (or any combination of these) any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated.</i></p> <p>2. <i>In assessing the level of financial contribution required for biodiversity offsetting and compensation the principles in Policy ECO - P9 will be adhered to.</i></p>			
Mapping			
<p>Electricity Transmission Distribution Yard Electricity Transmission Distribution Subdivision</p>	Amend	<p>Policy 12 of the NPSET requires territorial authorities to “identify the electricity transmission network on their relevant planning maps whether or not the network is designated”.</p> <p>Transpower supports the identification of the ‘National Grid’ on the planning maps. However, it does have concerns with the spatial identification of the National Grid Yard and National Grid Subdivision Corridor as the aerial mapping cannot be relied upon given the distortion created in the mapping. As an example, the following are snapshots of the 66kV Arahura - Otira A on poles. Figure 2 and Figure 3 below illustrate variations in the yard setbacks on either side of the centreline.</p>	<p>Retain the ‘National Grid’ on the planning maps.</p> <p>Either correct or remove the spatial extent of the National Grid Yard and National Grid Subdivision Corridor (but retain the National Grid ‘centreline’.</p> <p>If the spatial extent is to be retained, Transpower would support the insertion of a note that the spatial extents are indicative only and the definitions within the District Plan should be relied on to determine the yard and corridor setback distances.</p>



Figure 2. Spatial distortions on the 66kV Arahura - Otira A



Figure 3. Spatial distortions on the 66kV Arahura - Otira A

Appendix 1 National Grid Assets within the West Coast

Transpower Assets

West Coast Region

Legend

Region

Boundary

NZ Roads

Highways

Transpower Assets

Cable Protection Zone

Overhead Fibre Cable

Underground Fibre Cables

Site

ACSTN

COMMS

HVDC

TEE

Transmission Line

0kV Overhead

11, 66kV Underground

11, 33, 66 kV Overhead

110kV Underground

110 kV Overhead

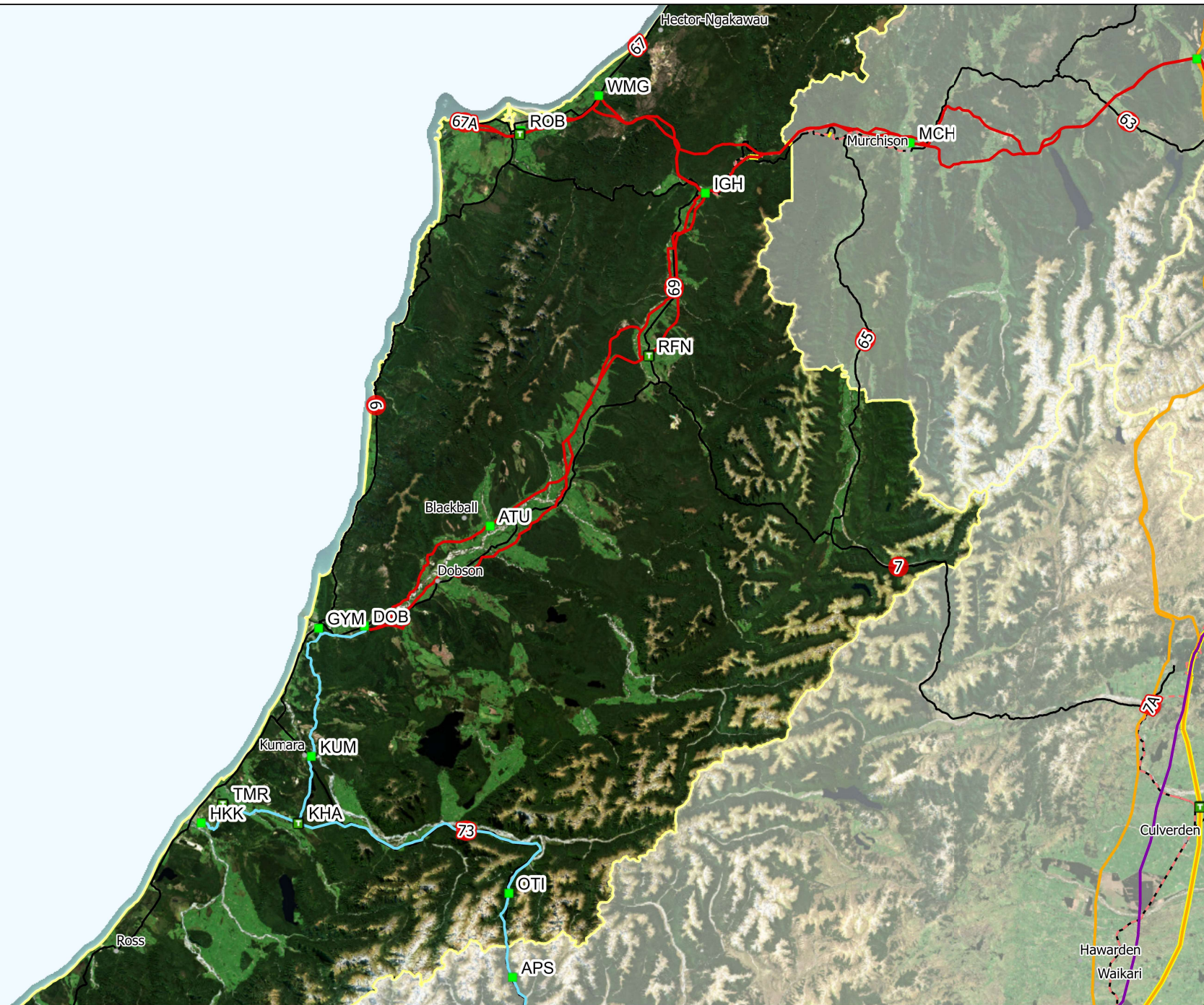
220kV Underground

220 kV Overhead

350 kV Overhead

350kV Submarine

400kV Overhead



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