

PLANNING EVIDENCE - ADDENDUM

IN THE MATTER OF Proposed Te Tai o Poutini Plan (pTTPP)

AND

IN THE MATTER OF A hearing into the above pursuant to the Resource Management Act 1991

DATE OF HEARING 28 November 2023

**ADDENDUM TO EVIDENCE RELATED TO SUBMISSIONS AND FURTHER
SUBMISSIONS OF WESTPOWER LTD TO THE PROPOSED TE TAI O
POUTINI PLAN ARISING FROM HEARING**

TOPICS:

Energy Activities

&

A S42A Annotated Report & Addendum

Evidence of Martin Kennedy

Comment on matters set out in an annotated s42A Report including matters not canvassed at the hearing of November 27-28

- 1.0 The Commissioners at the hearing on 28th November requested that I review any matters highlighted in an annotated s42A report that remain unresolved or which had not been canvassed during the course of appearance at the hearing. The following are based on reference to the comments inserted in to the s42A Report, by the Reporting Officers, where they relate to matters arising from submissions of Westpower.
- 1.1 As requested I have reviewed my evidence in light of the annotated report. As I understand it the request is not for further evidence in regard to any particular matter but simply a review of annotations to highlight any additional matters to those already arising.
- 1.2 In providing these comments I reiterate my evidence in regard to all other matters and my opinions offered where there are differences in outcomes sought between my evidence and that of the s42A Report. Some matters were further highlighted in the s42A Addendum and a range of, but not all, matters were discussed at the hearing arising from the s42A Report, Addendum and Evidence.
- 1.3 The following comments and opinions are provided in the same order as they appear in the annotated s42A Report;

Report Ref:	Comment
Para 108	Issue of critical infrastructure/regionally significant infrastructure is as yet unresolved. This matter potentially impacts provisions throughout the plan and also matters raised in submissions and evidence on behalf of Westpower. Westpower has an interest in both the definition of “critical infrastructure” and the potential change to “regionally significant infrastructure” and has submitted in regard to both matters.
Para 127	It is unclear whether this issue remains outstanding. Westpower has submitted in regard to Strategic objectives and policies and retains an interest in these matters as highlighted through evidence as an important component of the plan. This was not a matter specifically canvassed at the hearing, other than in relation to other submission points.
Para 128	It is unclear whether this issue remains outstanding. Westpower has submitted in regard to these matters and was not a matter particularly canvassed at the hearing.
Para 133	This matter was canvassed at the hearing and appears to confuse other submission points. Westpower has supported the last paragraph of the chapter overview clarifying chapters of the plan which do not apply to the Energy Activities chapter. Westpower has sought that this paragraph is more appropriately located under the heading “Other relevant Te Tai o Poutini Plan provisions”. Westpower had submitted in opposition to submissions elsewhere

	<p>in zoning chapters which sought to include energy activities provisions as this was in conflict with the intent of the plan. It is understood that those matters will arise at the relevant hearing so remain alive at this point.</p>
Para 138	<p>The issue of “<i>small</i>”, “<i>community</i>” and “<i>large</i>” scale generation has been redefined through the process by removing reference to generation output limits. This was discussed at the hearing and provided the definitions in the addendum are retained this matter is agreed.</p> <p>Having said that it is noted that the definition for “Large Scale Distributed Electricity Generation” should potentially be “Large Scale Electricity Generation” as it refers to both the “<i>distribution network or National Grid</i>”. It is also noted that the definition refers to “<i>Local and Community Scale Electricity Generation Activities</i>” which presumably refers to the definition for “<i>Small And Community Scale</i>” and should be amended to ensure consistency of terms.</p> <p>Other definitions regarding “<i>upgrading</i>” and “<i>minor upgrading</i>” are as yet unresolved (see para 148 below).</p>
Para 141	<p>This matter is as yet unresolved in terms of definitions and rules.</p> <p>Westpower did not seek the rules proposed by the s42A Report and addendum. Westpower had submitted based on proposed rules.</p> <p>Westpower submissions also sought to ensure definitions appropriately provided for the range of activities apparently intended through the development of the plan.</p> <p>As a matter arising through the hearing processes opinion was also provided to the hearing that the definition of energy activities should incorporate “<i>all associated activities</i>” to ensure that any unspecified activity did not trigger a proposed general rule requiring consent for activities not specifically allocated an activity category. This also applies to temporary activities.</p>
Para 142	<p>As discussed at the hearing this definition matter, ie “<i>Major Dams</i>”, is out of context and based on the s42A Report for the “<i>Introduction and General Provisions</i>” hearing should arise at the hearing for “<i>Natural Hazards</i>” in relation to a definition for “<i>Critical Response Facilities</i>”.</p>
Para 145	<p>This matter is canvassed extensively in submissions and evidence with respect to rationalisation and consistency of terms and remains relevant. Matters related to the definition of energy activities are also discussed above.</p>
Para 148	<p>Definitions regarding “<i>upgrading</i>” and “<i>minor upgrading</i>” are as yet unresolved. These matters were submissions from Westpower that were specifically related to distribution and supply activities to avoid potential regulatory impacts on other infrastructure or transmission activities. The intent of definitions was to assist implementation of proposed rules throughout the plan as it relates to distribution and supply activities. These matters are outstanding.</p>
Para 159	<p>As per comments in “Para 148” above.</p>
Para 164	<p>This matter was discussed at the hearing and it remains in evidence as a matter relevant for inclusion in the overview section of the plan to provide context.</p>
Para 165	<p>This matter was discussed at the hearing and is a relevant matter given that the “<i>Financial Contributions</i>” chapter of the plan includes matters relevant to “<i>Energy Activities</i>”.</p>
Para 167	<p>As I understand the situation this matter remains unresolved and has considerable merit. As set out in evidence the summary of the Westpower further submission as opposing the original submission is an error and Westpower has submitted in its own right requesting consideration of a similar outcome.</p>

Para 168-186	These paragraphs relate to the objectives, all of which have been the subject of submissions and evidence. Matters were also discussed at the hearing in regard to various objectives. The annotated report does not highlight any change from the s42A Reporting Officers. As with all matters I am open to discussing these issues further should it assist understanding and progress toward an outcome.
Para 187-221 & 229-235	These paragraphs relate to the policies, all of which have been the subject of submissions and evidence. As I understand it paragraphs 222-228 relate to “National Grid” matters which are not related to distribution and supply activities so have not been the focus of specific submissions or evidence. Various policy matters were also discussed at the hearing in regard to the issues raised in submissions and the s42A Report. The annotated report does not highlight any change from the s42A Reporting Officers. As with all matters I am open to discussing these issues further should it assist understanding and progress toward an outcome.
Para 236-328	These paragraphs relate to rules, many of which have been subject to submissions and evidence. Aspects of the rules were also discussed at the hearing in regard to issues raised in submissions and the s42A Report. The annotated report does not highlight any change from the s42A Reporting Officers. As with all matters I am open to discussing these issues further should it assist understanding and progress toward an outcome. I understand that, amongst other matters, rules are to be discussed at a proposed caucus of planners in regard to matters relevant to particular submissions they are involved with.

1.4 In summary as I understand it there are matters outstanding relating to;

- Consistency of terms.
- Critical infrastructure v Regionally Significant Infrastructure.
- Definitions – including amongst other matters energy activities, upgrading/minor upgrading, substations, and infrastructure.
- Overview commentary – including; addition of a paragraph for context, movement of a plan implementation paragraph to the appropriate heading regarding relevant plan chapters, financial contributions.
- Objectives – a range of matters, including issues related to significant distribution lines.
- Policies – a range of matters, including issues related to significant distribution lines.
- Rules – a range of matters, including; substations (zone), lines, generation, electricity cabinets, temporary activities, significant distribution lines, aggregation of rules.

1.5 As above I am open to discussing these issues further should it assist understanding and progress toward an outcome.