

PLANNING EVIDENCE

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 30 April 2024

**REVIEW OF RESOURCE MANAGEMENT AND PLANNING MATTERS
RELATED TO SUBMISSIONS AND FURTHER SUBMISSIONS OF
WESTPOWER LTD TO THE PROPOSED TE TAI O POUTINI PLAN**

TOPICS:

Sites And Areas Of Significance To Maori

Evidence of Martin Kennedy

1.0 INTRODUCTION

- 1.1 My name is Martin Kennedy and I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth.
- 1.2 I have been engaged by Westpower Limited to provide planning evidence in regard to resource management issues related to the Proposed Te Tai o Poutini Plan (*pTTPP*), and more particularly recommendations and amendments arising from the Section 42A Report relating to submissions and further submissions made by Westpower.
- 1.3 My role in this hearing process is to provide evidence on relevant resource management issues to assist the Commissioners in considering the matter.
- 1.4 This evidence specifically relates to the topics:
 - Sites and Areas of Significance to Maori

2.0 SUBMITTER

- 2.1 The submitter is: Westpower Limited (*Westpower*)
- 2.2 Westpower is a community owned company undertaking activities related to the generation and distribution of electricity to the community. Westpower undertakes activities in all districts in the region. Westpower's ability to undertake its activities for the community is impacted by the provisions of the plan. When assessing the proposed plan activities have been considered under three broad categories (although all are interrelated);
 - the existing electricity network;
 - potential additions and extension to the network;
 - electricity generation activities.

3.0 WITNESS

- 3.1 As above I have been requested by the submitter to present evidence on the resource management issues relating to certain matters which were the subject of submissions and further submissions to the *pTTPP*.
- 3.2 I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth. Prior to that, I

was Manager of the Environmental Services Department of the Grey District Council based in Greymouth. Before that I was District Planner at the same Council. I have 33 years Resource Management and Planning experience. I have experience in all aspects of implementation of the Resource Management Act (from a consent authority, applicant and submitter perspective) including: Resource Consent Applications (processing, development and submissions), environmental effects assessments; notification and processing decisions; and District Plan development, implementation and associated processes. I also assist submitters with submissions and involvement in National, Regional and District Policy and Plan development processes under the Resource Management Act.

- 3.3 I have had specific experience with the development, implementation and interpretation of the Policies and Plans on the West Coast as a consultant to Councils, applicants and submitters.
- 3.4 I have a BSc (Physical Geography) and a Masters Degree in Regional and Resource Planning (MRRP).
- 3.5 I am a current full member of the New Zealand Planning Institute.
- 3.6 I have read and understood the Code of Conduct for Expert Witnesses contained in the Environment Court's Consolidated Practice Note 2023 and agree to comply with it. The report presented is within my area of planning expertise and I confirm that I have not omitted to consider material facts that might alter or detract from the opinions given in this evidence.

4.0 SCOPE OF EVIDENCE

- 4.1 Westpower Ltd made submissions to a number of provisions throughout the pTTPP, and later in the process further submissions. There have been no pre-hearing processes since the lodging of submissions and further submissions.
- 4.2 For the purpose of this evidence the current pTTPP document is used as the base for assessment and opinions, with reference to the Section 42A Report (*the s42A Report*).

- 4.3 Westpower Ltd, whilst retaining its submissions and further submissions, is in general agreement with those recommendations of the Section 42A Report where they result in the outcomes/decisions sought by Westpower. Westpower has sought my advice for the purposes of the hearing into the pTTPP and the matters arising which have not been accepted, or accepted in part, through the s42A Report.
- 4.4 It is not proposed to repeat all of the matters on which submissions were made by Westpower Ltd as they are before the Commissioners in the form of the original submission and further submissions, and the s42A Report. It is agreed that the report generally represents the matters raised in those submissions and further submissions, and those points of submission remain. There are some issues arising with submission points and these are discussed below.
- 4.5 This evidence is therefore submitted for two purposes;
- To provide advice in regard to the recommended outcomes, in their current form, in the s42A Report in relation to the submissions and further submissions made by Westpower Ltd.
 - To provide further evidence in relation to matters arising from the s42A Report which require clarification and/or amendments.
- 4.6 This evidence covers the topic areas and focuses on those recommendations where the s42A Report does not support the submissions and further submissions of Westpower Ltd, or where issues have been identified with the report.
- 4.7 To assist in considering the matters arising in this evidence, as they relate to the activities of Westpower, I have attached maps of the Westpower network, showing;
- the location of the existing network throughout the region,
 - the location of mapped “*Sites And Areas of Significance to Maori (SASM’s)*”.
 - map of SASM 62.

5.0 CONCLUSION

- 5.1 Whilst there is some agreement on the outcomes arising from a range of submissions and further submissions there are a number of points that in my opinion require further consideration and inclusion in the TTPP.
- 5.2 Rather than summarise the broad range of matters here Sections 7 and 8 below discuss those matters where submission points have been either accepted or rejected by the s42A Report and my opinions in regard to those matters.

6.0 STRUCTURE OF EVIDENCE

- 6.1 To assist with this evidence the following sections are provided;
- a. Recommendations on Submissions and Further Submissions (*Section 7.0*) supported
 - b. Amendments Required (*Section 8.0*)
 - c. Part II of the Resource Management Act 1991 (*Section 9.0*)
- 6.2 To assist with this evidence, summaries of the s42A Report recommendations are attached as Appendix 1 below. These appendices will be referred to where required for ease of cross reference rather than repetition of information.

7.0 RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS

- 7.1 Having reviewed the Section 42A Report and appendices, which are understood to reflect the recommendations of that report, Westpower have advised that those recommendations accepting its submissions and further submissions are supported.
- 7.2 I have reviewed those matters and generally support the recommendations to accept those submission points made by Westpower. I provide no further evidence in regard to those matters at this stage. I will be available to answer any questions should those matters recommended to be accepted in the s42A Report remain in contention at the hearing. For clarity these recommendations are shown in Appendix 1 (pages 1) attached to this evidence, as submissions and further submissions “*accepted*”.

8.0 AMENDMENTS REQUIRED

8.1 There are matters which require further amendment in regard to the current pTTPP document and arising in the s42A Report. For the purpose of this evidence, and the hearing, the matters discussed relate to issues associated with energy activities.

8.2 For the purpose of cross reference to the s42A Reports the headings used in that report are repeated here when discussing specific submission points.

9.0 *Submissions on the Policies – SASM-P13 (pages 48-49 and 58-59 – s42A Report)*

S547.211 (*Appendix 1, page 2*)

8.3 The s42A Report recommends “*rejecting*” the submission on the grounds that “... *“energy activities” is not a preferred term for use in provisions by the s42A authors. There are a range of other definitions which capture the activities and in this instance network utility structures and critical infrastructure (to be replaced with regionally significant infrastructure as discussed below) capture a very wide range of activities undertaken by energy providers*”. The submission had sought the insertion of existing “*energy activities*” as this term provides for the broad range activities undertaken by Westpower. Having reviewed the proposed amendment I agree with the proposed change to refer to “*regionally significant infrastructure*” as that is a term defined in the RPS to provide for the activities of Westpower. Having said that I note at paragraph 309 (*page 125*) of the s42A Report the Reporting Officer advises that, “*In the case of ..., ... utilities such as household connections to ... electricity lines, these are not included in the definition of Regionally Significant Infrastructure, and therefore to delete the reference to network utility structures would defeat the purpose of the rule, which aims to provide landowners with a degree of certainty that necessary work to support their local infrastructure and connections can occur.*” In my opinion it is incorrect that household connections are not a component of RSI as they are an activity undertaken by Westpower, form part of the electricity network and, based on previous discussion regarding the multiple terms used, are a component of critical infrastructure. The potential for varying interpretations across the multiple terms was an issue I have highlighted from the outset of the hearings. My understanding is that the advice has been that the terms “*Infrastructure*”, “*Energy Activities*”, “*Critical Infrastructure*” all provide for the same activities undertaken by Westpower and the introduction of the term “*RSI*” did not change

that. I would be concerned if having proposed a change to the term RSI a different interpretation was now being placed on the term that limited its applicability. This would affect a myriad of provisions and submission points throughout the plan, both as already covered at previous hearings and in hearings to come.

10.3 Submissions on Permitted Activities

SASM-R2 (pages 85-88 and 98-99 – s42A Report)

S547.217 (Appendix 1, page 3)

8.4 The s42A Report recommends “*rejecting*” the outcomes sought in this submission as the rule has limited effect on electricity infrastructure and maintenance of underground lines requires careful management. There are 6 sites covered by this rule which potentially have electricity infrastructure within or through them. Whilst I agree there are a limited number of sites there are potential issues with the rules which were the subject of outcomes sought in the submission. These matters were the reason it was suggested that a separate rule be developed for Westpower infrastructure. The report does not discuss the submission point regarding the digging of new holes for replacement of poles (*R2(1)(b)*). As has been discussed at the previous heritage hearing Westpower advise that it is generally not possible to replace a pole supporting an overhead line without installing or digging a new hole. I am advised that holes will be required to be reshaped in all instances, and approximately 95% of the time a new hole will be required. For example, this can include where a new pole (such as a concrete pole) is placed next to the old pole (such as wood), and cables are transferred first before the old pole is removed. This provision is essentially not achievable. This coupled with the lack of provision for maintenance of underground cables is problematic in terms of security of supply of renewable energy. Noting that the intent of previous s42A Reports was to require undergrounding of lines, although a point of disagreement in terms of my previous evidence. There is a potential conflict between these requirements, ie requirements for undergrounding but a lack of provision for maintenance. In my opinion both of these matters can be accommodated as unlike a usual permitted activity these rules include a “*certification*” requirement from “*the relevant Poutini Ngāi Tahu rūnanga that the activity will not have adverse effects on the cultural values of the site or area, and this certification is provided to the relevant District Council at least 10 working days prior to the*

activity commencing” (R2(2)). This would enable a review of the potential effects and their management in undertaking any works which is the concern raised by the Reporting Officer and appears to be the outcome sought in the rule. Presumably the intent is that where there are adverse effects that are not appropriately resolved such certification will not be provided. In my opinion there is scope to remove the requirement regarding replacement holes and to provide for maintenance of underground cables on the basis that the certification requirement of R2(2) needs to be fulfilled and accordingly there will be liaison before any work can be undertaken. In the absence of an encompassing rule for electricity activities amend proposed SASM-R2 by,

- deleting item b from (1).iii,
- adding a new “**iv. maintaining existing underground lines and cables provided that:**
 - a. The area of land disturbed is limited to what is necessary to maintain the lines or cables; or**
- amending existing 1.iv to **1.v.**

SASM-R3 (pages 88-89 and 99-100 – s42A Report)

S547.2222-224 (Appendix 1, page 3)

8.5 The s42A Report recommends “*rejecting*” the outcomes sought in these submissions as the rule has limited effect on electricity infrastructure, the provisions indicate activities that are likely to require consents and there have been adverse effects from activities in the past. As per the submission Westpower had sought a separate rule to provide for its activities which is opposed by the s42A Report. The s42A Report does not consider that reference to buildings is required as such is included in the definition of structure. Whilst that is technically correct in my opinion the rule should be as clear as possible, and could be with that minor addition, to inform users and implementation of the plan. I make no further comment in that regard at this stage. Whilst there may be limited application to electricity infrastructure there is a linkage with sites in the previous rule (R2). With reference to the removal of clauses “2.” and “3.”, in my opinion that is a valid option as compliance does not necessarily mean the activity is permitted or that these are the only matters that may arise which would prevent an activity being permitted. Again the core of the rule is under clause “1.”, ie obtaining certification that there are no effects. Clauses “2.” And “3.” raise similar issues to those discussed above in regard to above ground infrastructure, particularly clause “2.”. In my opinion SASM-R3 could be amended by removing clauses “2.” and “3.” which would provide some

flexibility for outcomes whilst retaining the certification function provided in clause “1.”.

- delete clauses 2. and 3.

SASM-R4 (pages 89-91 and 100-101 – s42A Report)

S547.225 (Appendix 1, pages 3-4)

8.6 The s42A Report recommends “*rejecting*” the outcomes sought in this submission as the rule has relatively limited effect on electricity infrastructure and consultation with Poutini Ngai Tahu runanga is appropriate. In my opinion even with the outcomes requested in the submission, the provisions would still require consultation to achieve clause “1.”. The rule potentially effects 14 sites, as show in table *T4*, containing Westpower infrastructure so is a relevant issue. Westpower is required to meet electrical safety standards and it is unclear how Westpower’s statutory obligations are to be provided for in the plan should certification not be forthcoming and/or consent not being able to be obtained. However I have recommended removing clauses in the rules above for the reasons similar to those being suggested by the s42A Report for not including these matters in this rule. For consistency I accept the rule as proposed in Appendix 1 to the s42A Report but would highlight the potential for disruption to existing supply of energy given the wording of the rule if the ability to meet safety standards is not enabled for existing electricity infrastructure.

SASM-R6 (pages 92-95 and 101-102 – s42A Report)

S547.227 (Appendix 1, page 4)

8.7 The s42A Report recommends “*rejecting*” the outcomes sought in this submission as the rule has relatively limited effect on electricity infrastructure and consultation with Poutini Ngai Tahu runanga is appropriate. As I understand the tables *T6* and *T7* the rules cover 20 sites that may contain Westpower electricity infrastructure, ie approximately 21%-22% of the sites. I understand that Westpower is supportive of consultation and this is why it has been suggested that a single rule be developed to provide for Westpower infrastructure, so that issues can be provided for in a comprehensive and coordinated manner. I note that the submission of Westpower queried whether this rule was also meant to refer to *SASM-R3* as *SASM-R2* relates to earthworks whereas this rule relates to buildings and structures which are provided for under *SASM-R3* and there is an overlap of sites in *T3* and *T6*. I also note that the amended provisions in Appendix 1 to the s42A Report refer to *T6A* and *T6B* which as I understand it

should refer to *T6* and *T7* respectively. This rule is consistent with the wording discussed above in allowing activities where the certification is obtained and I understand Westpower is agreeable to that approach.

SASM-R9 (pages 95-97 and 102-103 – s42A Report)

S547.231 (Appendix 1, page 5)

8.8 The s42A Report recommends “*rejecting*” the outcomes sought in this submission as the activities of Westpower are provided for through the definition of network utilities, additional wording will add complexity but not alter the outcome and none of the SASM listed in this rule have restrictions on earthworks or vegetation clearance. I note there does appear to be some overlap between *SASM-62* and sites in *SASM-R2* (minor earthworks), *SASM-R3* (demolition, removal and alteration of structures), *SASM-R4* (Indigenous Vegetation Clearance) and *SASM-R6* (Earthworks Buildings and Structures), in particular *SASM-55*. It may be that this is a mapping error and no overlap between any of the sites is intended. If the intent is that these other rules do not apply to the sites in common this should be added to the rule to clarify implementation and compliance matters as there is likely to be some confusion where sites overlap. In the alternative amendments are discussed above, with respect to sites in other tables, which may also assist.

SASM-R10 (pages 111-113 and 124-125 – s42A Report)

S547.234 (Appendix 1, page 5)

8.9 The s42A Report recommends “*rejecting*” the outcomes sought in this submission on the basis that the wording and terms sought is already provided for through the proposed wording. In my opinion the additional wording could assist with clarifying the rule for interpretation and implementation but do not pursue that further here. With regard to issues related to earthworks and vegetation clearance the s42A Report considers that the proposed limits are appropriate. As I understand this Rule it does not apply to activities undertaken under Rule *R9* and therefore areas in table *T8* as there are no associated standards or certification required. It then applies to activities in areas provided for through rules *T2-T4* and *T6-T7*. These rules have grouped SASM’s together in relation to a specific activity type that may affect cultural values, ie minor earthworks (*R2*), demolition/removal/alteration of structures (*R3*), indigenous vegetation clearance (*R4*), earthworks/buildings/structures (*R6*). It is unclear, for example, whether compliance with *R4* (which contains no limit) if it is

related to maintenance/repair/upgrade of network utility structure negates the need to obtain controlled activity consent under R10? It is also unclear whether vegetation clearance or earthworks etc becomes an issue for utilities outside the areas provided for in the respective rules *R2-R4 and R6*, and which would not be required of other activities. Amendments have been suggested to the rules above to provide a potential permitted pathway for the activities of Westpower, whilst requiring a certification is still obtained. This is also why the suggestion has been made in the submission for a separate rule to provide for these activities. With respect to the provisions of proposed *R10* I note that the activity under clause 4 could be a permitted activity under *SASM-R4* if certification is obtained. Dependent on the outcome of submissions above the same could be true for clause 3, although I do accept that is new work but it does not have a limit so there may be an opportunity to obtain a certification under those rules depending on the circumstances. With regard to the limits in clause 2, Westpower have advised that a maximum depth for replacement of poles would be 1200mm (taking in to account the matter discussed above regarding replacement). For underground activities, particularly maintenance/repair/upgrade of cables it would seem appropriate to have a limit similar to that in clause 3. This has been suggested in submissions regarding rules above.

SASM-R12 (pages 113-115 and 125-126 of the s42A Report)

S547.240 (Appendix 1, page 6)

8.10 The s42A Report recommends “*rejecting*” the outcome sought in this submission regarding the identification of the party affected. I understand the issue raised in the s42A Report and the suggested amendment however I think consideration is required in regard to this matter as I would be concerned, given that discretion is not restricted to effects on cultural values, at the potential for other parties to become involved in applications designed to meet provisions for such a specific purpose. I note this also applies to submissions *S547.243 (SASM-R13)* and *S547.245 (SASMR14)* and will not repeat matters as my comments are the same for each. It is also unclear, given the discussion above regarding Rule 10, whether this rule is also applied to network utilities?

SASM-R13 (pages 115-117 and 126-127 – s42A Report)

S547.241-243 (Appendix 1, pages 3-4)

8.11 The s42A Report recommends “*rejecting*” the outcomes sought in this submission on the grounds that all utilities should be included under the same rule, there is no benefit of combing matters related to vegetation clearance and earthworks with the maintenance/repair/upgrade or development of new network utilities. I have discussed some of these matters above in terms of rule *R10* and how that rule interacts with other permitted rules *R2-R4* and *R6*. I also note that this is the first instance where “*new*” network utilities are referred to and it is unclear how this is assessed in terms of the lack of compliance with controlled activity standards when *R10* does not refer to “*new*” activities. I understand the need to identify and manage activities within the SASM’s to ensure that cultural values are retained but it is unclear whether the impact of restricting the ability to undertaken any new provision of electricity infrastructure within, particularly, a large part of the Greymouth township has been fully assessed. This is why development of a potential rule has been suggested to seek to develop a mechanism that permits a level of new activity whilst retaining the cultural values. This will in part depend on the outcome of consideration of the scope of *R10* above, and the previous permitted activity rules.

9.0 PART II OF THE ACT

9.1 Part 2 of the Act, and more particularly Section 5, requires an assessment of the proposal and its ability to achieve the Acts overriding principal of sustainable management to be undertaken.

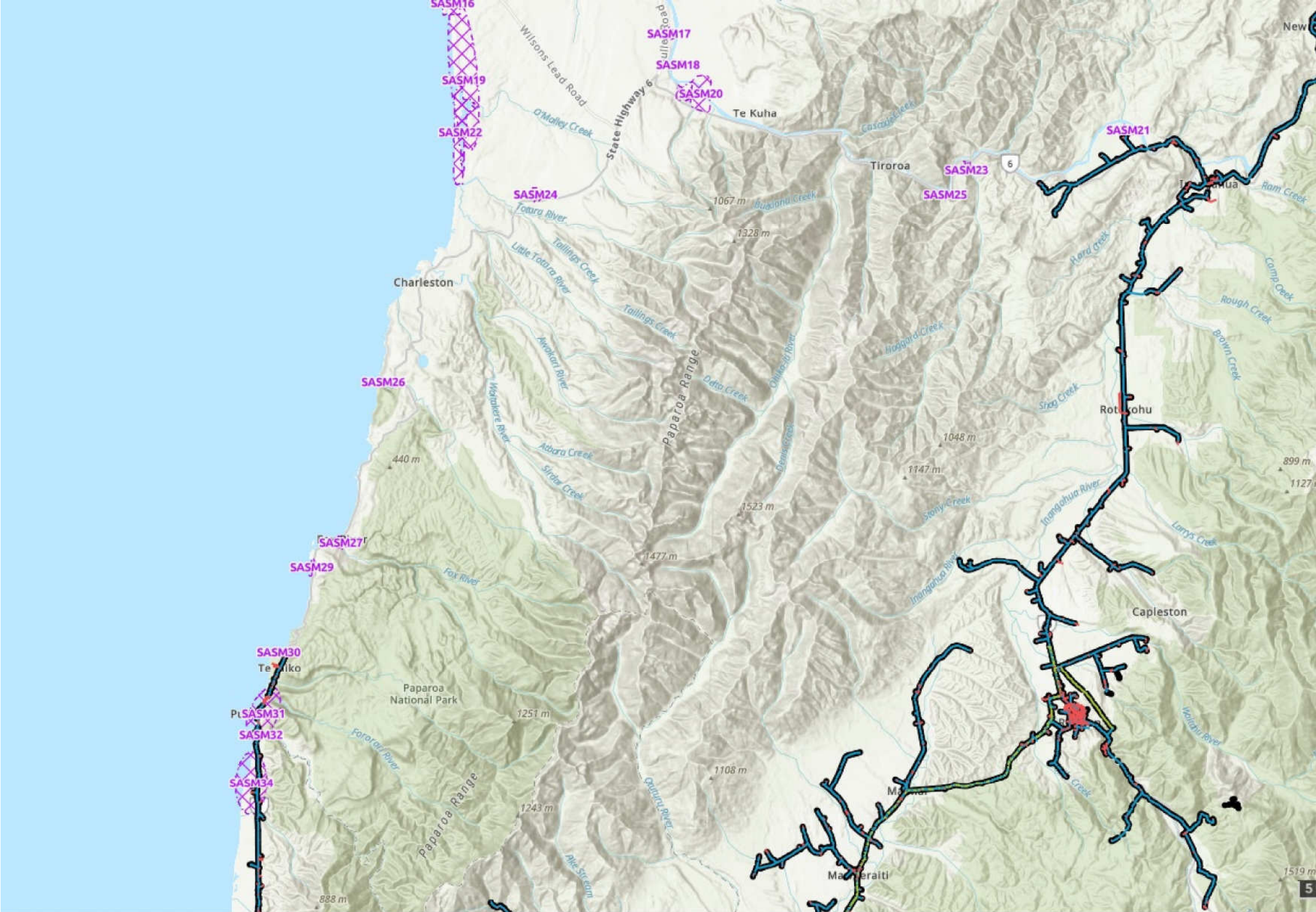
9.2 It is my opinion that the amendments suggested above will assist in ensuring the TTPP achieves the purpose and principals of the Act for the reasons discussed above.

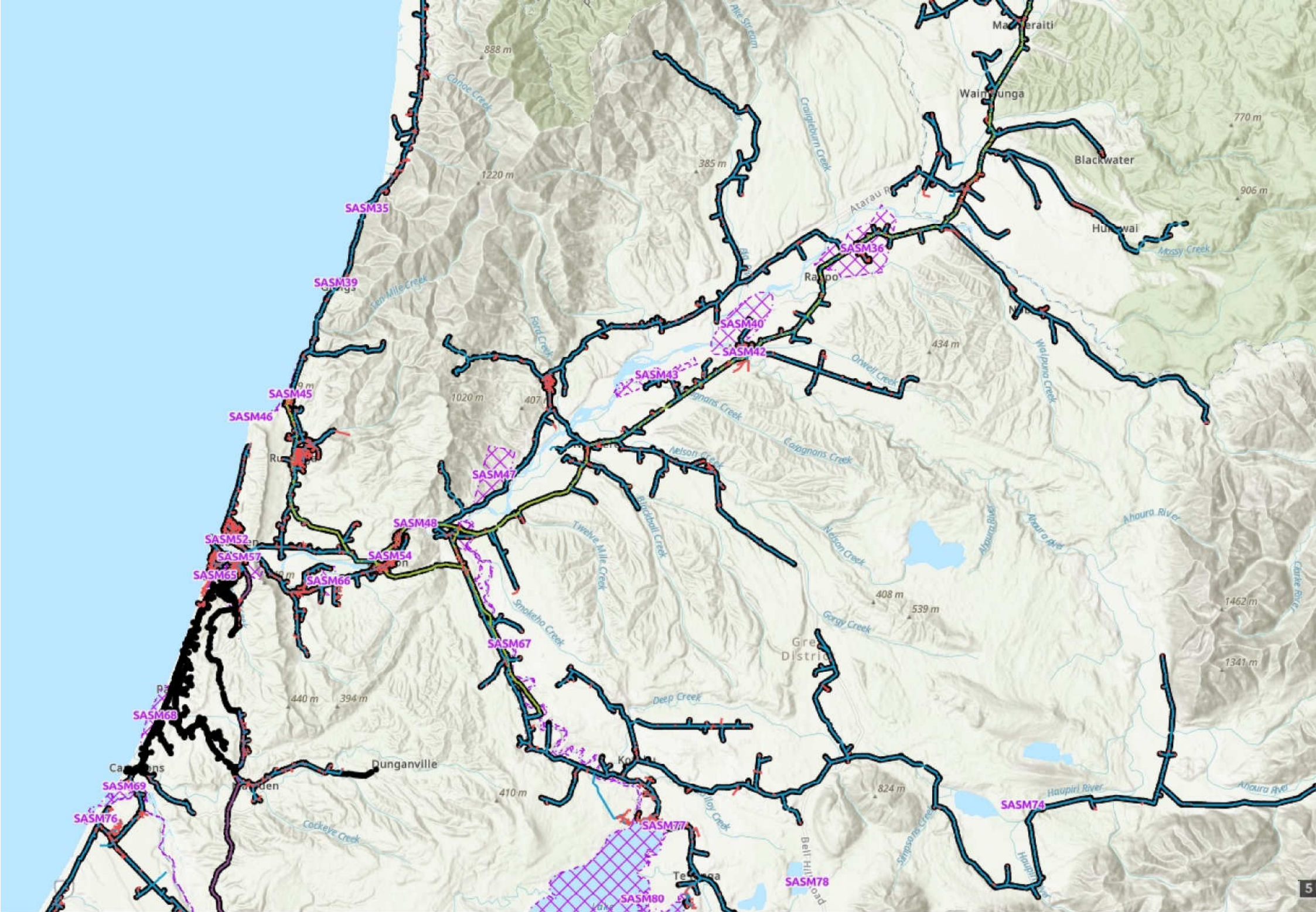
Martin Kennedy
Planning Consultant
(West Coast Planning Ltd)

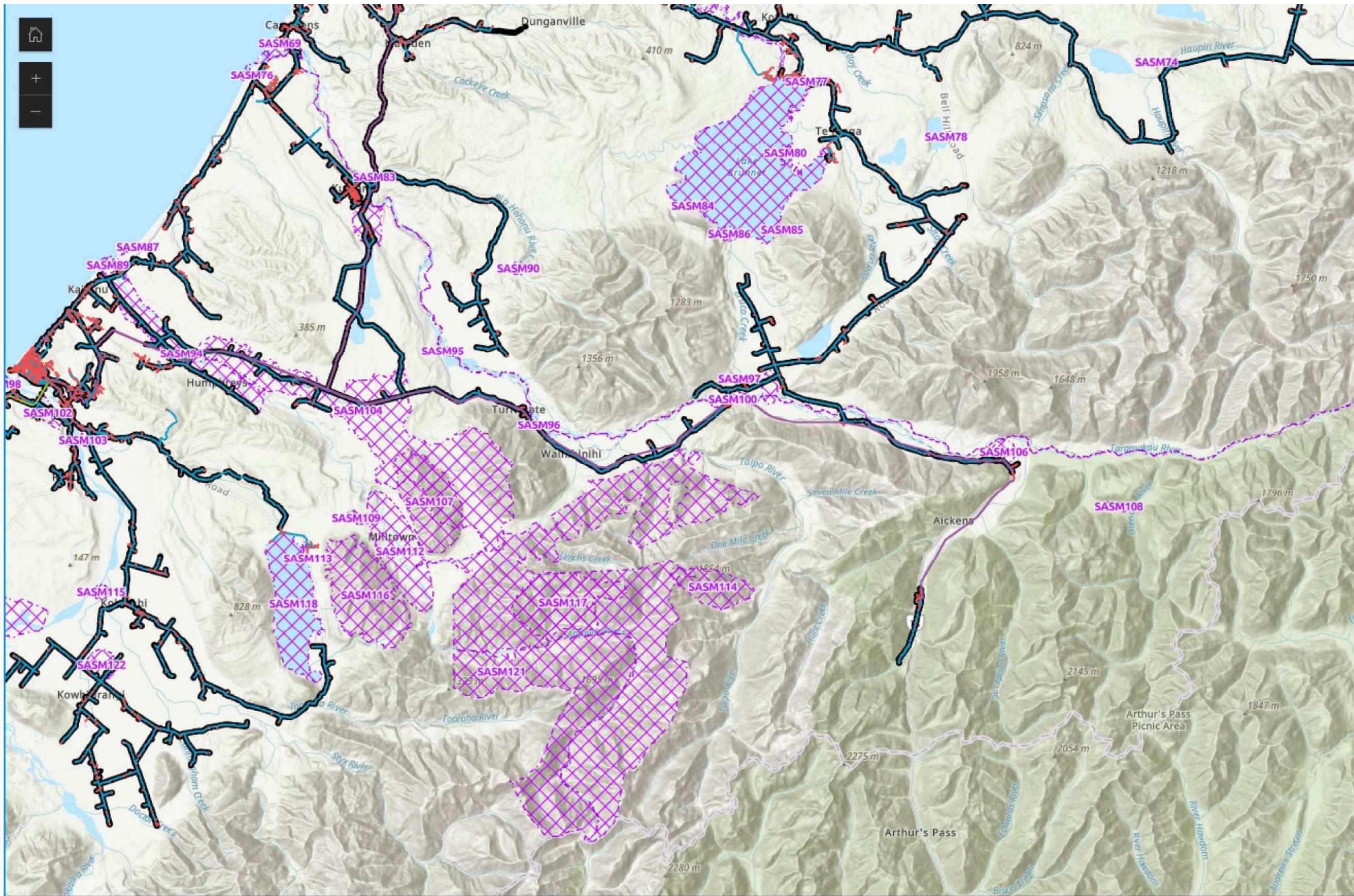
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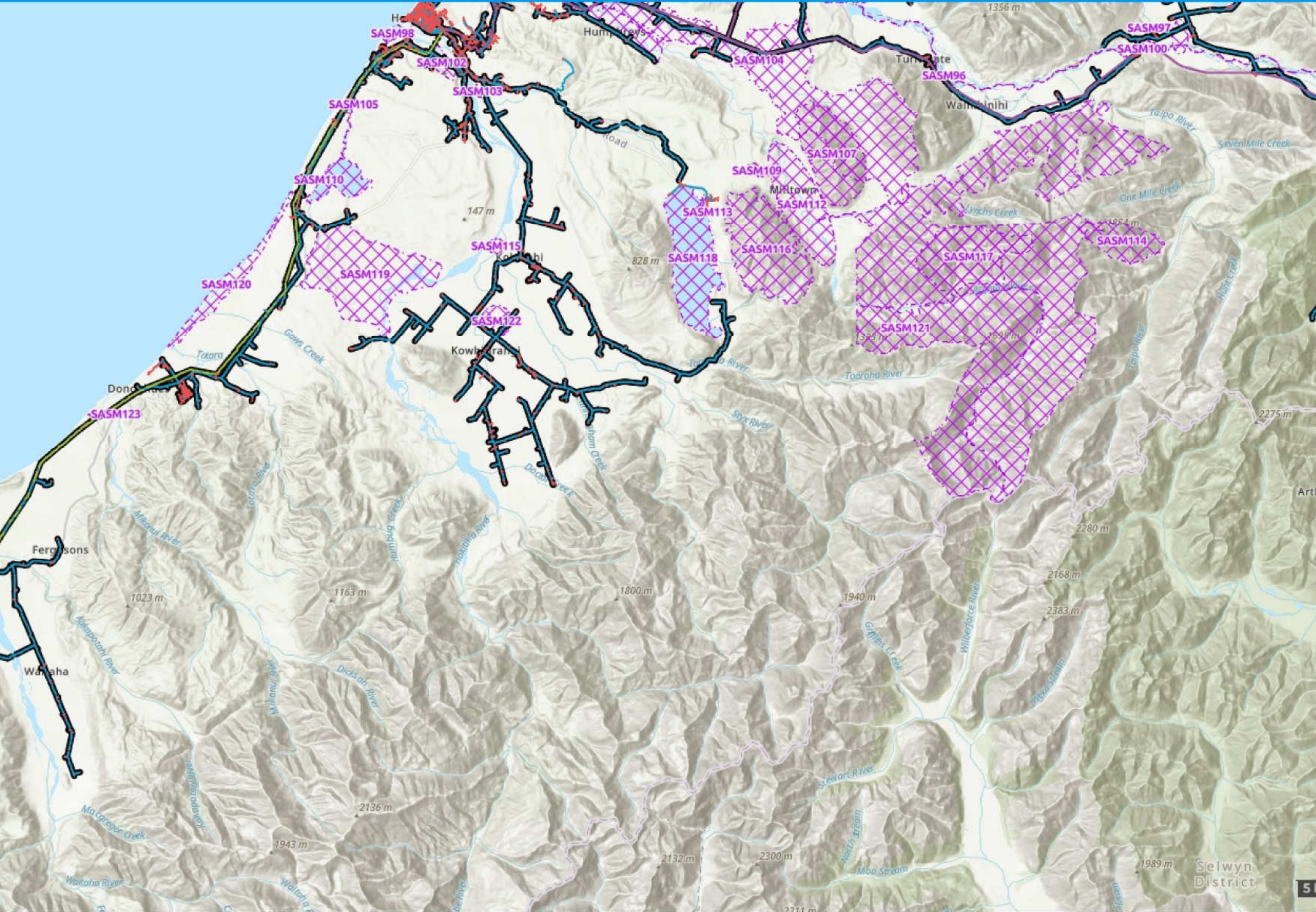
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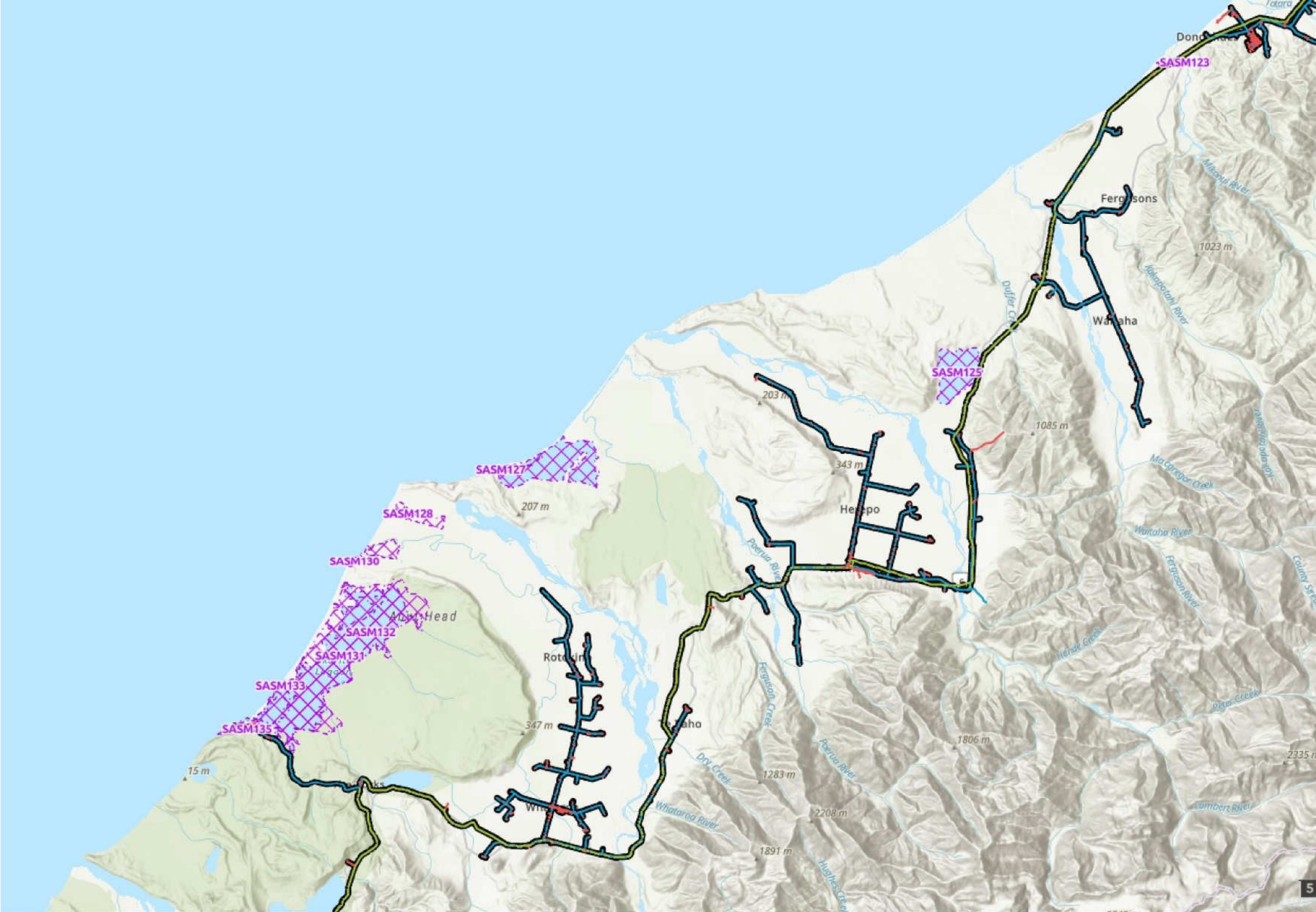
- the location of the existing network throughout the region,
- the location of mapped “*Sites And Areas of Significance to Maori (SASM’s)*”,
- map of SASM 62.

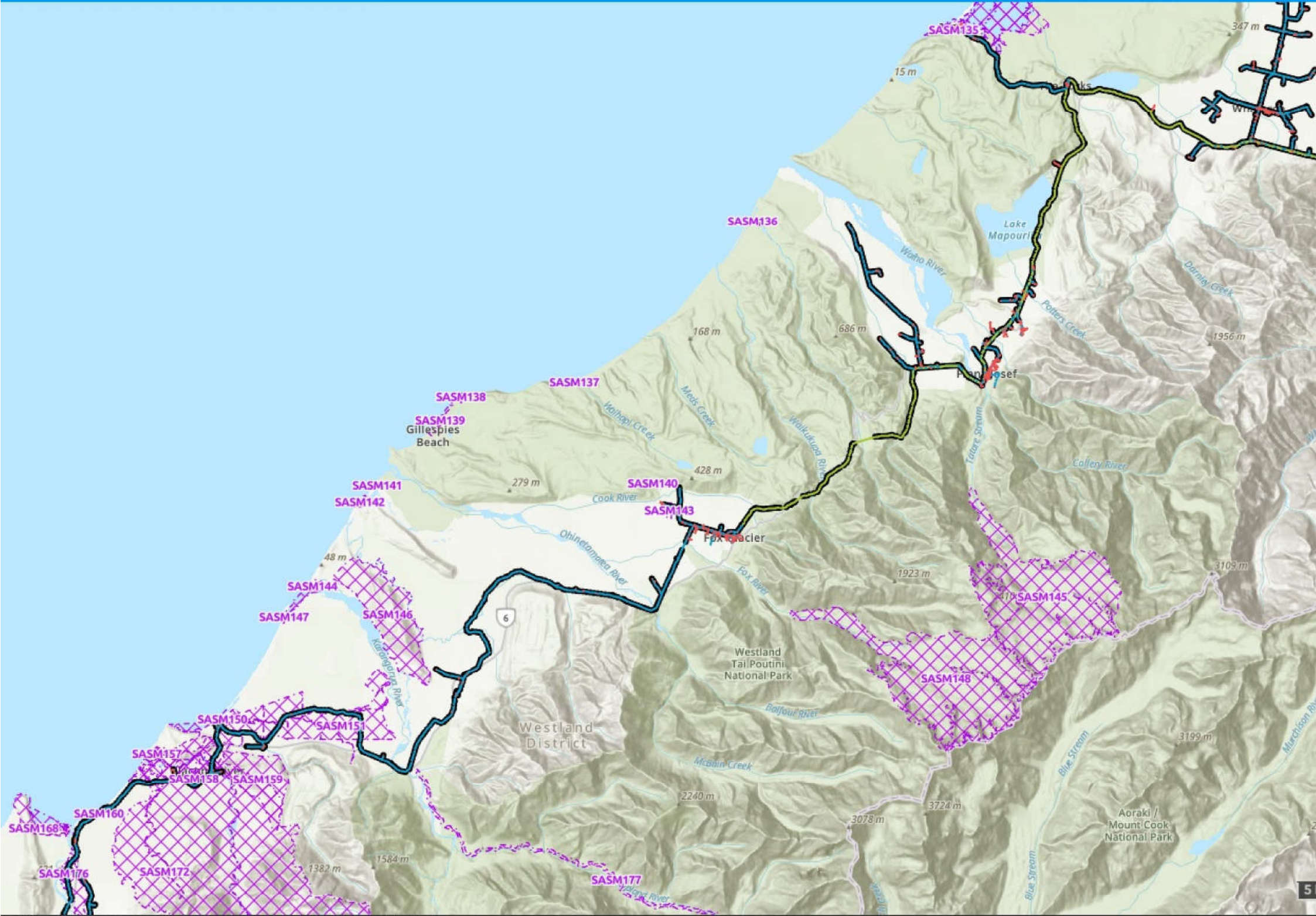


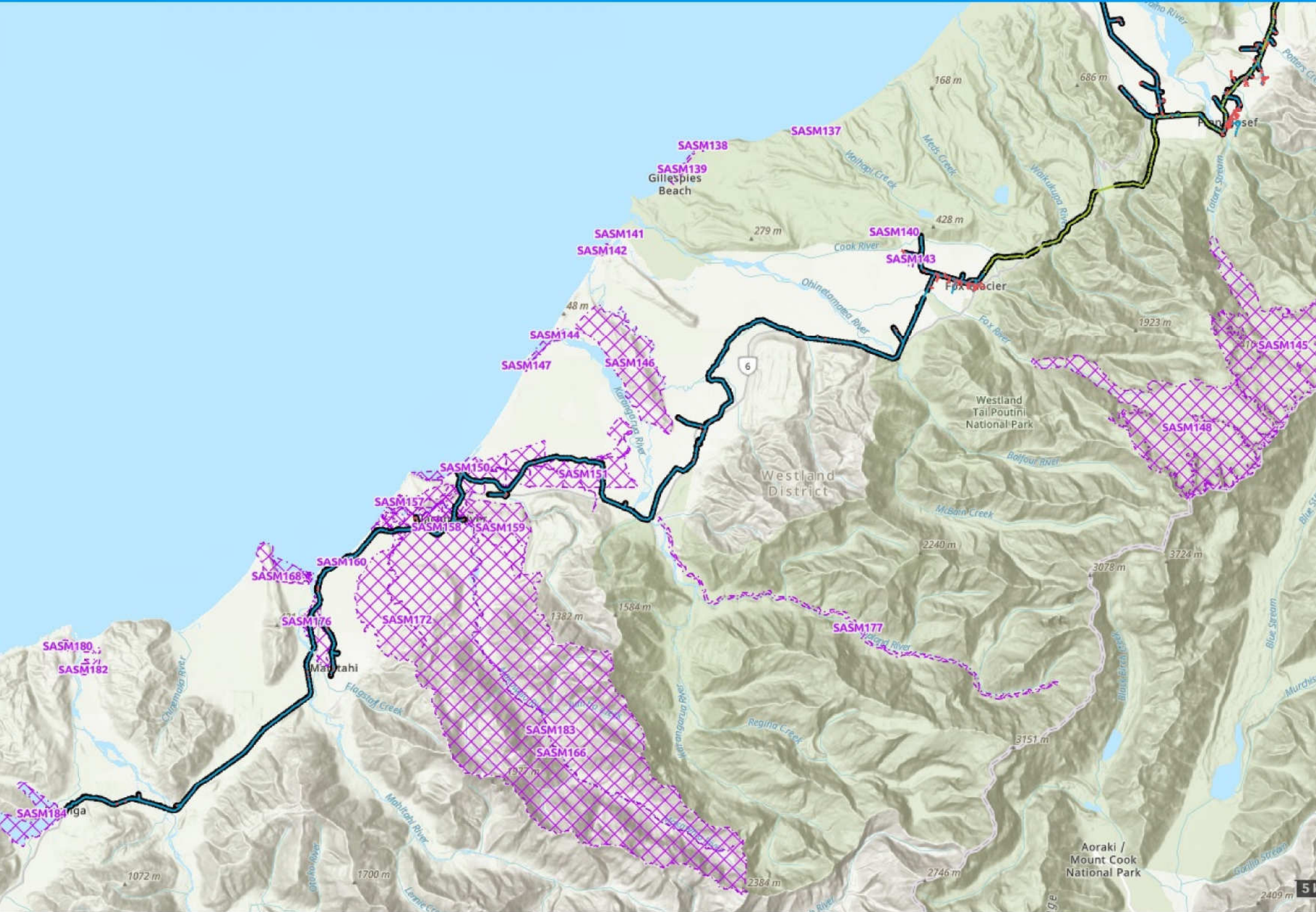


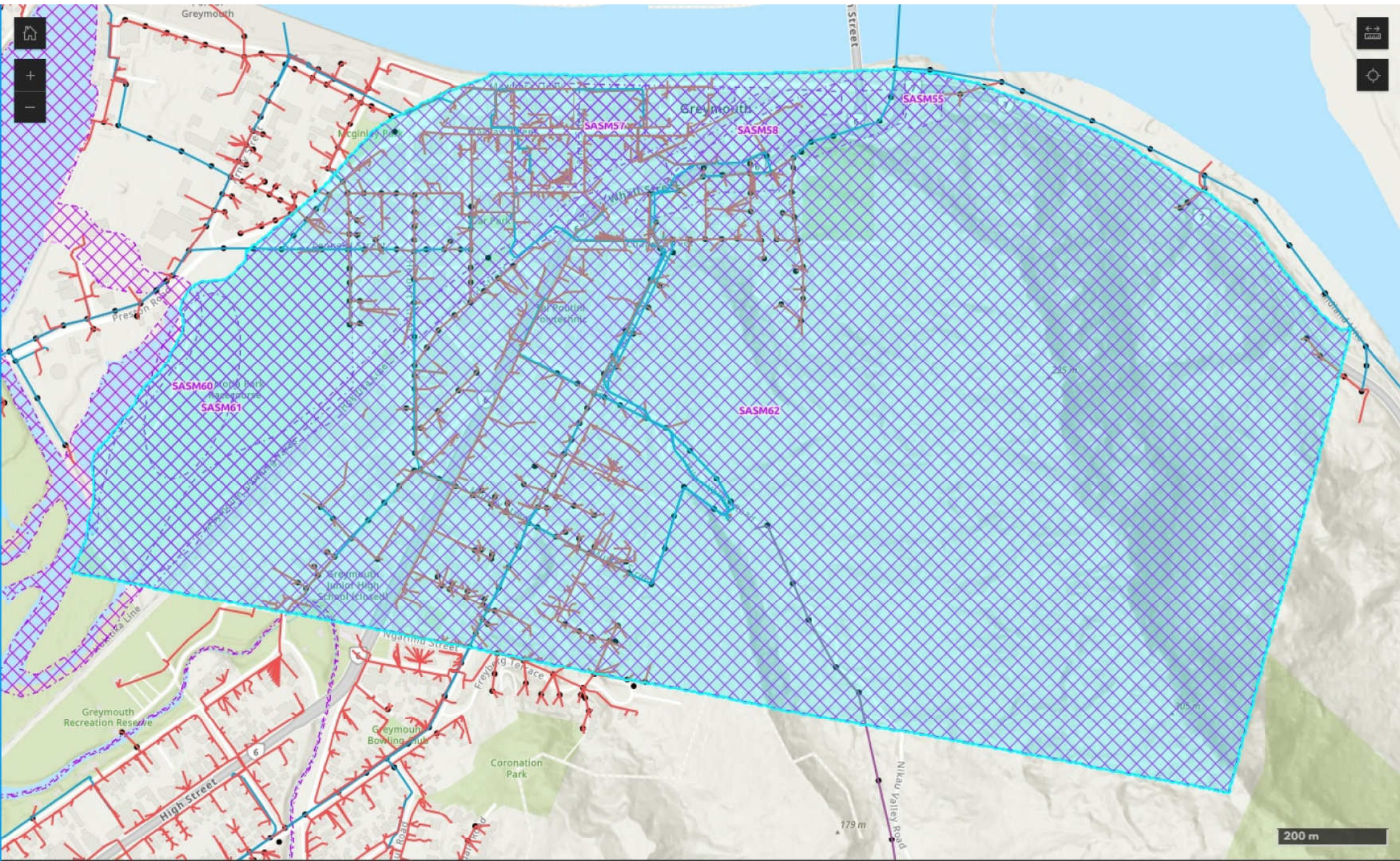












Appendix 1: Summary of S42A Recommendations – Sites of Significance to Maori

Submissions & Further Submissions Accepted

Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S547.203	Westpower Limited	SASM-O3	Support	Retain	Accept
S547.204	Westpower Limited	SASM-P1	Amend	Amend Protect Poutini Ngai Tahu cultural landscapes from adverse effects of inappropriate subdivision, use while ... access and cultural use.	Accept
S547.205	Westpower Limited	SASM-P2	Amend	Amend: Work with Poutini Ngai Tahu to identify and list sites and areas of significance to Poutini Ngai Tahu in Schedule Three. and protect the identified values of the sites and areas	Accept
S547.209	Westpower Limited	SASM-P9	Amend	Amend a. Avoid, remedy or mitigate minimise adverse effects on indigenous habitats and waterbodies.	Accept

Further Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S608.020	Grey District Council	SASM-P11	Oppose In Part	Delete all wording after "sites". Policy to read: Recognise the significance to Poutini Ngāi Tahu of the sites and areas of significance to Māori listed in Schedule Three and protect the identified values of these sites. by avoiding the following activities in, or in close proximity to, these areas; 1. Mining and quarrying other than Poutini Ngāi Tahu collection of Pounamu and Aotea; 2. Landfills and waste disposal facilities, hazardous facilities and offensive industries; 3. Intensive indoor primary production; 4. Cemeteries and crematoria; and 5. Wastewater treatment plants and disposal facilities	Reject
FS222.0152	Westpower Limited		Oppose	Disallow	Accept

Submissions & Further Submissions Rejected

Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S547.206	Westpower limited	SASM - P7	Amend	Amend: b. Requiring activities on sites and areas of significance to Maori to minimise avoid, remedy or mitigate adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngai Tahu.	Reject
S547.208	Westpower Limited	SASM – P8	Amend	(1) Amend item c., "c. Any adverse effects are on ... are avoided where practicable , unless it can be demonstrated that due to the technical, locational, functional or operational constraints or requirements of the activity ... adverse effects." (2) Amend item d., Amend d. Any residual effect ...mitigated in a way that manages effects on, and where practicable protects maintains or enhances, the values of the site or area.	Reject
S547.210	Westpower Limited	SASM – P13	Amend	Amend: Enable activities ... spiritual values of the site or area are protected <u>maintained or potential effects managed</u> . This includes: ...	Reject
S547.211	Westpower Limited	SASM – P13	Amend	Amend b. Maintenance ... upgrading of existing energy activities , network utility structures and critical infrastructure;	Reject
S547.213	Westpower Limited	SASM – P15	Amend	(1) Amend SASM-P15, "SASM-P15 Allow any other use and development ... it can be demonstrated that the potential effects on the identified values of the site or area are avoided, remedied or mitigated having regard to:" (2) Add a new item a., a. <u>Avoidance in the first instance, and where this is not practicable the proposed measures to manage potential effects on the identified values.</u>	Reject

				(3) Adjust references for existing items "a.-f". (4) Amend existing item b., <u>"b. The technical, locational, functional and operational constraints or requirements of the proposed activity."</u>	
S547.215	Westpower Limited	Permitted Activities	Amend	Amend to provide a single permitted activity rule for all aspects of energy activities undertaken by Westpower.	Reject
S547.216	Westpower Limited	Permitted Activities	Amend	Where compliance is not achieved then an appropriate consent activity status can be developed as part of the process.	Reject
S547.217	Westpower Limited	SASM-R2	Oppose in part	As above Westpower's preference is that one rule is developed to provide for its energy activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach; (1) Amend item 1.(iii), "iii. Installing fence posts ... for overhead <u>energy activity</u> and network utility lines provided that:". (2) Delete item b. From iii. (3) Insert new iv., <u>"iv) maintaining existing underground lines and cables provided that: a. The area of land disturbed is limited to what is necessary to maintain the lines or cables; or"</u> . (4) Insert new v., <u>"v) maintaining existing substations provided that: a. The area of land disturbed is limited to what is necessary to maintain the substation; or"</u> . (5) Amend existing item 1.iv. to <u>1.vi.</u>	Reject
S547.222	Westpower Limited	SASM-R3	Amend	Amend the heading of SASM-R3 Demolition, ... to <u>a building</u> or structure on ...".	Reject
S547.223	Westpower Limited	SASM-R3	Oppose	Delete and develop one rule to provide for all energy activities.	Reject
S547.224	Westpower Limited	SASM-R3	Amend	Delete items ii. and iii.	Reject
S547.225	Westpower Limited	SASM-R4	Oppose	As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of	Reject

				<p>infrastructure and critical infrastructure.</p> <p>Whilst not the preferred approach;</p> <p>(1) Amend Activity Status Standards, "<u>Activity Status Permitted Where:</u></p> <p><u>1. The clearance is to maintain existing corridors and access for above and below ground electricity lines and cables to industry standards, or to maintain and operate existing buildings and structures associated with energy activities ; or"</u>.</p> <p>(2) Amend current 1. to <u>2.</u></p>	
S547.227	Westpower Limited	SASM-R6	Amend	<p>As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach;</p> <p>(1) Amend the heading of SASM-R6, "SASM-R6 Earthworks, Buildings ... not provided for in, <u>or not complying with, SASM-R2 in Schedule Three ..."</u>.</p> <p>(2) Amend Activity Status Standards, "<u>Activity Status Permitted Where:</u></p> <p><u>1. The area of land disturbed is limited to what is necessary to maintain the energy activity, including energy aspects of infrastructure and critical infrastructure; or"</u>.</p> <p>(3) Add a new 2, "<u>2. The structure is for an energy activity, including energy aspects of infrastructure and critical infrastructure; or"</u>.</p> <p>(4) Add a new 3., "<u>3. The activity is the replacement, reconstruction or addition to a building or structure used for an energy activity, including energy aspects of infrastructure and critical infrastructure; or"</u>.</p> <p>(5) Amend current 1. to <u>4.</u></p>	Reject

S547.231	Westpower Limited	SASM-R9	Amend	<p>As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach;</p> <p>(1) Amend the heading of SASM-R9, "SASM-R9 Maintenance, Repair, Upgrading of <u>Energy Activities</u> and Network Utility <u>Buildings</u> and Structures, <u>including associated Earthworks and Vegetation Clearance, on or within ...</u>".</p> <p>(2) Add a new 1 under "Where:", <u>"1. The area of land disturbed is limited to what is necessary for the work required."</u></p> <p>(3) Add a new 2 under "Where:", <u>"2. The area of vegetation cleared is limited to that necessary to comply with electrical safety and hazard regulations, or maintain, repair or upgrade the building or structure."</u></p> <p>(4) Renumber existing 1. to <u>3.</u></p>	Reject
S547.234	Westpower Limited	SASM-R10	Amend	<p>As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach;</p> <p>(1) Amend the heading of SASM-R10, "SASM-R10 Maintenance, Repair, Upgrading of <u>Energy Activities</u> and Network Utility <u>Buildings and</u> Structures, including associated Earthworks and Vegetation Clearance, on or within ...".</p> <p>(2) Amend item 2. by deleting a. and b. and adding a new a., <u>"a. The area of land disturbed is limited to what is necessary for the work required."</u></p> <p>(3) Amend item 4., <u>"4. The area of vegetation cleared is limited to that necessary to comply with electrical safety and hazard regulations, or to maintain, repair or upgrade the building or structure."</u></p>	Reject

S547.236	Westpower Limited	SASM-R12	Oppose	Delete and Develop one rule to provide for all energy activities.	Reject
S547.240	Westpower Limited	SASM-R12	Amend	Amend: Notification: Applications for earthworks on ... notified to the relevant Ngai Tahu runanga alone, and no other party will be notified.	Reject
S547.241	Westpower Limited	SASM-R13	Oppose	Delete and Develop one rule to provide for all energy activities.	Reject
S547.242	Westpower Limited	SASM-R13	Amend	Amend heading: SASM-R13 Maintenance, Repair, Upgrading of Energy Activities and Network Utility Buildings and Structures, including associated Earthworks and Vegetation Clearance , on or within ... Controlled Activity Standards.	Reject
S547.243	Westpower Limited	SASM-R13	Amend	Amend: Notification: Applications for earthworks on ... notified to the relevant Ngai Tahu runanga alone, and no other party will be notified.	Reject
S547.244	Westpower Limited	SASM-R14	Oppose	Delete and Develop one rule to provide for all energy activities.	Reject
S547.245	Westpower Limited	SASM-R14	Amend	(1) Development of a specific suite of rules for Westpower activities in these areas. (2) Whilst not the preferred option were the rule to be retained the "Notification" commentary be amended, "Notification: Applications for earthworks on ... notified to the relevant Ngai Tahu runanga alone, and no other party will be notified. ".	Reject

Further Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S538.003	Buller District Council	Definitions	Not Stated	Add a definition for 'Hazardous Facilities' and 'Offensive Industry' Add a definition for 'Upper Slopes'.	Accept
FS222.045	Westpower Limited		Oppose in part	Not stated	Reject