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18 September 2024

## For the Attention of the Hearings Panel: Proposed Te Tai o Poutini Plan - A Combined District Plan for the West Coast

### Hearing – Coastal Environment Part A Topic

Transpower New Zealand Limited (“Transpower”) writes in relation to Proposed Te Tai o Poutini Plan (“pTTPP”), and the hearing topic – Coastal Environment Part A, commencing on 22 October 2024.

This is the fifth hearing of interest to Transpower on the pTTPP, with evidence lodged by Transpower to Hearing 1 (Introduction/ Strategic Direction), Hearing 3 (General District Wide Matters – earthworks), Hearing 4 (Energy, Infrastructure and Transport) and the Ecosystem and Biodiversity Hearing (yet to be heard).

Within the identified Coastal Environment, the only existing National Grid asset is at Greymouth – being the Arahura – Dobson A 66kV transmission line. Refer Figure 1 below.

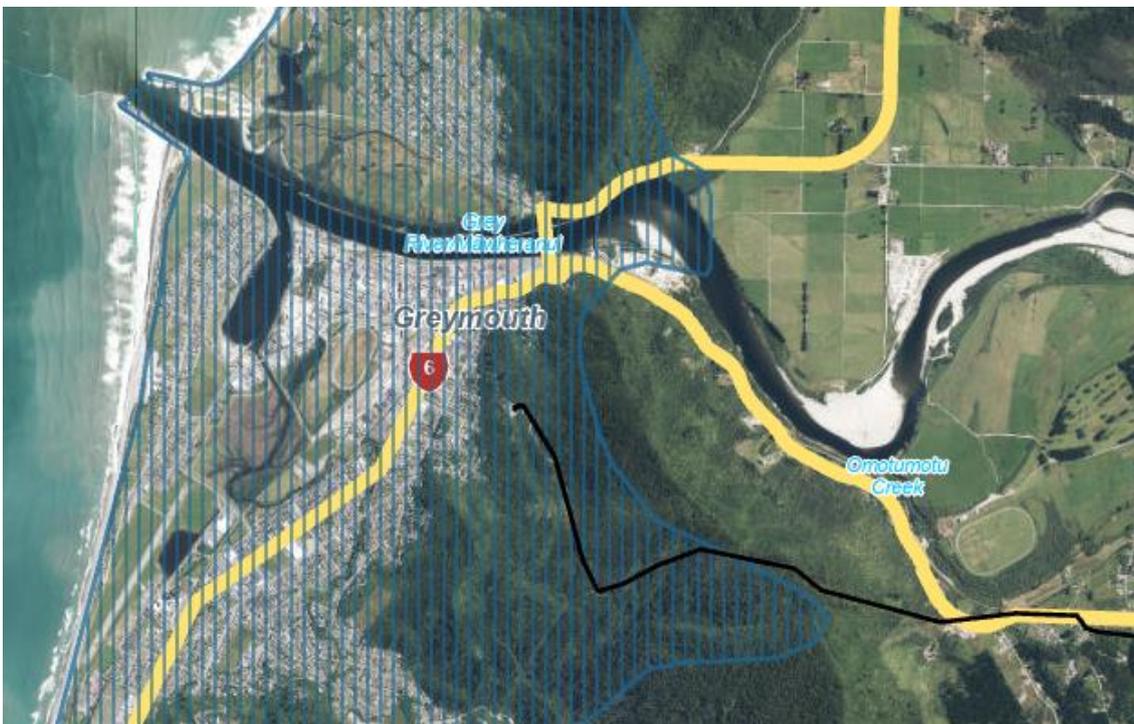


Figure 1. Arahura - Dobson A 66kV line (shown in black) within the Coastal Environment (shown as blue striped)..

## Transpower submission points

Specific to the hearing topic, Transpower lodged 12 original submission points, a summary of which is as follows:

- Clarify the relationship between activities within the Energy Chapter and those within the Coastal Environment Chapter, and what rules apply<sup>1</sup>
- Retain CE-O1, CE-P1, CE-P2, CE-P5, CE-P6, CE-P8, and CE-R4<sup>2</sup>
- Amend CE-O3 to include reference to operational need<sup>3</sup>
- Amend CE-P3 to clarify the application of the policy (to reflect the title) and amend the 'and' to an 'or' within clause e. to recognise that both an operational and functional need are not required<sup>4</sup>
- Amend Rule CE-R22 to clarify/amend the term 'destroy' and the application of the rule<sup>5</sup>

Four further submission points were lodged in opposition to the relief sought in submission points S560.282 (CE-P3), S560.288 (CE-P8), S553.130 (CE-P8), and S602.149 (CE-P8). The relief sought by Transpower to reject the relief sought has been recommended to be accepted by the reporting officer.

Attached to this letter is a table outlining the above 12 Transpower original submission points, and Transpower's position on the officer recommendations.

## S42A Report recommendations supported/accepted

Transpower has carefully reviewed the S42A Report recommendations and as outlined in the attached table, accepts the S42 Report recommendations on nine of the 12 Transpower original submission points relating to CE-O1, CE-O3, CE-P1, CE-P2, CE-P3, CE-P5, CE-P6, CE-R4 and CE-R22.

## Outstanding submission points

As outlined in the attached table, the three submission points not accepted are as follows

**Submission points S299.060 and S299.071** - In response to the relief sought by Transpower to clarify the relationship between activities within the Energy Chapter and those within the Coastal Environment Chapter, and what rules apply, the reporting officer has recommended the insertion of text to the Overview section of the Coastal Environment Chapter as follows:

*Energy, Infrastructure and Transport – These chapters contain the objectives, policies, rules for managing energy activities, infrastructure and transport. These apply alongside the District Wide rules including the Coastal Environment provisions within this chapter.*

While the concept of the recommended text is supported, the reference to 'District Wide rules' is potentially confusing as it is not only the rules that may apply but also the wider provisions (objectives and policies). The recommended text is also confusing in context of the introductory text in the Energy Chapter "Other relevant Te Tai o Poutini Plan provisions" that refers to Coastal Environment Overlay provisions and District Wide provisions (which includes more than rules). In the context of General District Wide matters, the Energy Chapter only makes specific reference to general rules relating to Activities on the surface of water, Noise and Earthworks.

Given the above officer recommended text is to be inserted into the Coastal Environment Chapter, Transpower considers the *District Wide rules* reference is confusing and unnecessary.

A minor grammatical amendment is also sought to include an 'and' before the rules.

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<sup>1</sup> S299.060, and S299.071.

<sup>2</sup> S299.061, S299.063, S299.064, S299.066, S299.067, S299.068, and S299.070

<sup>3</sup> S299.062

<sup>4</sup> S299.065

<sup>5</sup> S299.071

Transpower would support amendment to the recommended text to the Coastal Environment Chapter, as follows (refer red text):

*Energy, Infrastructure and Transport – These chapters contain the objectives, policies, and rules for managing energy activities, infrastructure and transport. These apply alongside the ~~District Wide rules including the Coastal Environment provisions within this chapter.~~*

**Submission point S299.068** – Transpower supported CE-P8 and sought it be retained but sought clarity as to the relationship to the Energy chapter.

The reporting officer has recommended the policy be amended to focus on the matters in clause 1 of Policy 2 of the WCRPS<sup>6</sup>, on the basis the clause 2 matters are addressed under other provisions in the plan. The recommended amendment to the policy is as follows (refer red text):

#### **CE – P8**

*Enable the maintenance, repair, ~~and~~ operation and upgrade 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.~~*

Transpower's understanding (supported by the above recommendation) is that provisions of both the Energy Chapter and the Coastal Environment Chapter apply. On this basis Transpower remains supportive of the policy as notified that refers to new development as it clarifies the 'seek to avoid' policy approach (as outlined in the Energy policy ENG-P8 and which applies to the Coastal Environment) applies. Transpower considers the policy wording as notified helpful as it clarifies the applicable 'seek to avoid' policy framework within ENG-P8, particularly in light of the directive policy framework within CE-P2 and CE-P3 which do not give effect to the NPSET. The application of the policy solely to existing assets has limited relevance (and benefits to the National Grid in terms of giving effect to the NPSET) in that the only existing assets in the Coastal Environment are at Greymouth.

On this basis Transpower seeks retention of the second component within Policy CE-P8 as it relates to development, noting it accepts the officer recommended insertion of reference to upgrade as the 'seek to avoid' policy directive in ENG-P8 as recommended through the Council Right of Reply on the Energy Chapter, now only relates to development. The sought text is as follows (the outstanding relief sought is shown as red text, with the amendments recommended by the reporting officer and which Transpower supports, shown as black underline/strikethrough text):

#### **CE – P8**

*Enable the maintenance, repair, ~~and~~ operation and upgrade of the National Grid. ~~Where new development and upgrades of the National Grid are is~~ are is required, seek to avoid and otherwise remedy or mitigate adverse effects on Overlay Chapter areas.*

### **Hearing appearance**

Given the confined nature of Transpower interest to the hearing topic, and the nature of the officer recommendations, Transpower does not intend to appear before the panel and provide hearing evidence. Rather, it respectfully requests that this letter be tabled for the Panel's consideration, to confirm its position in relation to its submission points and the Section 42A Report recommendations.

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<sup>6</sup> WCRPS Chapter 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.

(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. In some circumstances, adverse effects on the values of those areas must be avoided.

For clarity, Attachment A to this letter outlines the relief sought by Transpower, the S42A response, and Transpower's response and reasoning to the recommendations.

Should the Panel require clarification on any matter, please contact Rebecca Eng at Transpower (09 590 7072), or on the following email: [environment.policy@transpower.co.nz](mailto:environment.policy@transpower.co.nz).

Yours faithfully

A handwritten signature in blue ink, appearing to read 'REbecca Eng'.

Rebecca Eng

**Technical Lead – Environmental Policy, Transpower New Zealand Limited**

Transpower Original Submission Points				
Submitter	Plan Section	Decision Requested and Reasons	S42A Recommendation and recommended text changes	Response to recommendation
S299.060 Transpower NZ Ltd	Coastal Env Chapter	<p><b>Relief sought:</b> SP. Clarify the relationship between activities within the Energy Chapter and those within the Coastal Environment Chapter</p> <p><b>Reasons:</b> 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. It is noted the overview to the Energy Chapter provides "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." While rule CE- of the Coastal Environment chapter stipulates "in the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply," it is not clear whether the policies of the Coastal Environment chapter apply to Energy activities</p>	<p><b>Reject</b></p> <p>211. Transpower New Zealand Limited (S299.069) seek that the rules section is amended to state that none of the rules in this chapter apply to Energy Activities, and that only the Energy Chapter applies. Alternatively (S299.069 and S299.060) they seek that this chapter be clear which rules apply to the National Grid and whether the rules in this Chapter apply in addition to the Energy Chapter rules. I support the alternative relief in these submissions points in part. All of the District Wide Chapters apply to Energy Activities – and all other infrastructure. I recommend an amendment to the Overview section that provides this clarification under the Other Relevant Provisions part of the Overview as follows: <u><i>Energy, Infrastructure and Transport – These chapters contain the objectives, policies, rules for managing energy activities, infrastructure and transport. These apply alongside the District Wide rules including the Coastal Environment provisions within this chapter.</i></u></p>	<p>Transpower opposes in part the recommendation. While the concept of the recommended text is supported, the reference to 'District Wide rules' is potentially confusing as it is not only the rules which may apply but also the wider provisions (objectives and policies). The recommended text is also confusing in relation to the introductory text in the Energy Chapter "Other relevant Te Tai o Poutini Plan provisions". Transpower would support amendment to the recommended text to the Coastal Environment Chapter, as follows: <u><i>Energy, Infrastructure and Transport – These chapters contain the objectives, policies, and rules for managing energy activities, infrastructure and transport. These apply alongside the District Wide rules including the Coastal Environment provisions within this chapter.</i></u></p>
S299.061 Transpower NZ Ltd	CE - O1	<p><b>Relief sought:</b> S. Retain this objective</p> <p><b>Reasons:</b> Transpower supports CE-O1 as it recognises well-being.</p>	<p><b>Accept.</b></p> <p>85. Thirty six submitters support this objective. This support is noted.</p> <p>Amend the objective as follows: <b><i>CE-O1</i></b></p>	<p>The recommendation is supported. On the basis of the National Grid specific policies in the plan, the recommended change to include reference to inappropriate</p>

			<i>To preserve the natural character, landscapes and biodiversity of the coastal environment <u>and protect these values from inappropriate subdivision, use and development</u> while enabling people and communities to provide for their social, economic and cultural wellbeing <u>in a manner appropriate for the coastal environment.</u></i>	subdivision, use and development is accepted by Transpower
S299.062 Transpower NZ Ltd	CE - O3	<p><b>Relief sought:</b> A. Amend CE-O3 as follows: <b>CE-O3</b> <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> <p><b>Reasons:</b> 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. 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. 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><b>Accept in part</b> 99. Transpower New Zealand Limited (S299.062) seek that a reference to “operational need in respect of the National Grid” be included in the objective.</p> <p>Amend the objective as follows: <b>CE - O3</b> <i>To provide for activities which have a functional need <u>or operational need</u> to locate in the coastal environment <u>in such a way while ensuring</u> that the <u>impacts adverse effects</u> on natural character, landscape, natural features, access and biodiversity values are minimised.</i></p>	The recommendation is supported. The reference to ‘operational need’ gives effect to the relief sought in the Transpower submission.
S299.063 Transpower NZ Ltd	CE - P1	<p><b>Relief sought:</b> S. Retain Policy CE-P1</p> <p><b>Reasons:</b> Transpower supports the identification and mapping of the coastal environment, including</p>	<p><b>Accept</b> 122. Twenty-four submitters support this policy. This support is noted.</p> <p>Amend the policy as follows: <b>CE - P1</b></p>	The recommendation is supported. The recommended changes to the policy are accepted, noting they have limited relevance to the National Grid.

		reference to infrastructure which have modified the coastal environment.	<p><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></p> <p><i>a. Areas where coastal processes, influences or qualities are significant <u>including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;</u></i></p> <p><i>b. Elements and features that contribute to the natura character, landscape, visual qualities or amenity values;</i></p> <p><i>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 <del>should accelerated sea level rise occur;</del></i></p> <p><i>d. Historic heritage and Poutini Ngāi Tahu <u>cultural areas or features values;</u></i></p> <p><i>e. <u>Islands;</u></i></p> <p><i>f. <u>Inter-related coastal marine and terrestrial systems, including the intertidal zone</u></i></p> <p><i>g. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species <u>including migratory birds;</u> and</i></p> <p><i>h. The built environment and infrastructure which have modified the coastal environment.</i></p>	
S299.064 Transpower NZ Ltd	CE - P2	<p><b>Relief sought:</b> S. Retain the policy</p> <p><b>Reasons:</b> Transpower supports this policy.</p>	<p><b>Accept</b></p> <p>135. Four submitters support this policy. This support is noted.</p> <p>Amend policy CE-P2</p> <p><b>CE – P2</b></p> <p><i>Preserve the natural character, natural features and landscape qualities and values of areas within the coastal environment <u>from inappropriate subdivision, use and development</u> that have:</i></p> <p><i>a. Significant indigenous biodiversity including Significant Natural Areas as described in Schedule Four</i></p> <p><i>b. Outstanding natural landscapes as described in Schedule Five;</i></p> <p><i>c. Outstanding natural features as described in Schedule Six;</i></p> <p><i>d. High coastal natural character as described in Schedule Seven; and</i></p> <p><i>e. Outstanding coastal natural character as described in Schedule Eight</i></p> <p>Amend ECO-R5 to include an additional matter of discretion – “effects on natural character, natural landscapes, and natural features in the coastal environment”.</p>	The recommendation is supported. On the basis of the National Grid specific policies in the plan, and policy CE-P3 which specifically references the National Grid, the recommended change to include reference to inappropriate subdivision, use and development is accepted by Transpower.

<p>S299.065 Transpower NZ Ltd</p>	<p>CE - P3</p>	<p><b>Relief sought:</b> OP. Amend the policy as follows: <b>CE -P3</b> <i>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:</i></p> <p><i>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</i></p> <p><i>b. Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding <u>and high</u> natural character, <del>and</del> outstanding <u>coastal natural</u> landscapes and <u>outstanding coastal natural</u> features are avoided;</i></p> <p><i>c. The development is of a size, scale and nature that is appropriate to the environment;</i></p> <p><i>d. It is for a Poutini Ngāi Tahu cultural purpose; or</i></p> <p><i>e. It is National Grid infrastructure that has a functional <del>and</del>or operational need to locate in these areas.</i></p> <p><b>Reasons:</b> Transpower supports the recognition (within clause e.) that there may be a 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. Transpower notes that clause b. does not reflect the policy title which relates to outstanding or high value areas.</p>	<p><b>Accept</b> 150. Transpower (S299.065) seek some amendment to the policy to include specific reference to areas of high coastal natural character, and that the reference to outstanding natural landscapes and features be amended to refer to outstanding “coastal” natural landscapes and “outstanding coastal natural” features. I support these amendments as this clarifies the policy in relation to the coastal nature of these overlays. Transpower also submit that the reference to “functional and operational” need be amended to “functional or operational” need of the National Grid. I have referred to Policy 2 of the WCRPS coastal environment chapter in considering this. I believe it does support a direction of providing for operational need of the National Grid, therefore I also support this part of the submission.</p> <p>Amend policy CE-P3 <b>CE -P3</b> <i>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:</i></p> <p><i>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</i></p> <p><i>b. Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding <u>and high</u> natural character and outstanding <u>coastal</u> natural landscapes and <u>outstanding coastal natural</u> features are avoided;</i></p> <p><i>c. The development is of a size, scale and nature that is appropriate to the environment;</i></p> <p><i>d. It is for a:</i></p> <p><i>i. Poutini Ngāi Tahu <u>Activities; or</u></i></p> <p><i>ii. <u>Māori Purpose Activities within the Māori Purpose Zone in accordance with an Iwi/Papatipū Rūnanga Management Plan; or</u></i></p> <p><i>iii. Cultural <u>harvest purpose</u> or</i></p> <p><i>e. It is National Grid infrastructure that has a functional <del>and</del>or operational need to locate in these areas.</i></p>	<p>The recommendation is supported. The recommended amendments to clause b. and e. reflect the relief sought in the Transpower submission. The retention of a clause specific to the National Grid is supported. It is noted that the chapeau to the policy CE-P3 does not reference <i>areas of significant indigenous biodiversity</i> but clause b. does. It is not clear if this is intentional or an oversight. Reference to <i>areas of significant indigenous biodiversity</i> is also included in Policy CE-P2. Notwithstanding the above, on the basis on the National Grid specific policy ENG-P8 (which includes a ‘seek to avoid’ clause relating to the Coastal Environment), and the very limited number of identified SNAs within the CE (at Punakaiki), Transpower accepts the policy.</p>
<p>S299.066 Transpower NZ Ltd</p>	<p>CE - P5</p>	<p><b>Relief sought:</b> S. Retain the policy.</p> <p><b>Reasons:</b></p>	<p><b>Accept</b> 164. Twenty one submitters support this policy. This support is noted.</p> <p>Amend policy CE-P5 <b>Policy CE – P5</b></p>	<p>Transpower supports the recommendation on the basis clause d. is retained. The retention of the clause gives effect to the</p>

		Transpower supports the reference to functional and operational need on the basis it gives effect to the NPSET.	<p><i>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:</i></p> <p><i>a. Are existing lawfully established <u>buildings or structures</u>; or</i></p> <p><i><del>b. Are of a size, scale and nature that is appropriate to the area; or</del></i></p> <p><i>c. Are in the parts of the coastal environment that have been historically modified by built development, <u>infrastructure</u> and primary production activities; or</i></p> <p><i>d. Have a functional or operational need to locate within the coastal environment; or</i></p> <p><i><u>e. Are renewable electricity generation activities where the coastal environment is where the renewable electricity resource is available;</u></i></p> <p><i><u>f. Are of a size, scale and nature that is appropriate to the area; and</u></i></p> <p><i><u>g. Adverse effects on amenity, natural character, historic and cultural values, and biodiversity are appropriately managed</u></i></p>	relief sought in the Transpower submission. The recommended amendments are of little relevance to Transpower.
S299.067 Transpower NZ Ltd	CE - P6	<p><b>Relief sought:</b> S. Retain the policy.</p> <p><b>Reasons:</b> Transpower supports the recognition of existing communities and infrastructure.</p>	<p><b>Accept</b> 177. Thirty two submitters support this policy. This support is noted.</p> <p>Amend policy CE-P6</p> <p><b>CE - P6</b> <i>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including <del>parts</del><u>areas on the edges</u> of Westport, Greymouth and Hokitika and enable <del>new</del> subdivision, <u>buildings and structures use and development within</u> and expansion of towns and settlements where:</i></p> <p><i>a. These <u>activities</u> are located in areas already modified by built development or primary production activities, or</i></p> <p><i><del>b. Where located in unmodified areas, any adverse impact on natural character can be mitigated;</del></i></p> <p><i>c. In areas of <del>outstanding or</del> high natural character:</i></p> <p><i>i. Provide for lawfully established land uses and activities to continue;</i></p> <p><i>ii. Allow for other uses with a functional need <u>or operational need</u> to locate in the coastal environment;</i></p> <p><i>iii. Allow for Poutini Ngāi Tahu <del>cultural uses</del> <u>Activities and Māori Purpose Activities</u>;</i></p> <p><i>iv. Avoid encroachment into unmodified areas of the coastal environment; an</i></p> <p><i>v. 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 <del>minimised</del> <u>avoided, remedied or mitigated</u></i></p>	Transpower supports the recommendation to largely retain the policy as notified. Transpower has existing assets within Greymouth that are within the Coastal Environment.

S299.068 Transpower NZ Ltd	CE - P8	<p><b>Relief sought:</b> S. Retain the policy</p> <p><b>Reasons:</b> 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.</p>	<p><b>Accept</b></p> <p>199. Three submitters support this policy. This support is noted.</p> <p>202. I note that CE – P3 applies to areas of outstanding and high coastal natural character and outstanding coastal natural features, not the wider coastal environment where these scheduled areas are not located. However the reference in the policy to “Overlay Chapter areas” includes Significant Natural Areas, Historic Heritage, Sites and Areas of Significance to Māori and Notable Trees that are not addressed within Policy 3. These matters are all managed in other parts of the Plan however, so I consider the reference to “overlay chapter areas” is of limited utility within this policy. This policy is included to specifically give effect to Policy 2 of the WCRPS which relates to the national grid.</p> <p>203. Policy 2 of the WCRPS coastal environment chapter states:  <i>(1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.</i>  <i>(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. In some circumstances, adverse effects on the values of those areas must be avoided.</i></p> <p>204. I consider that the parts of the policy that are not addressed by Policy CE – P3 relate to the general direction in clause 1 of Policy 2. I therefore recommend that Policy CE – P8 is amended to focus on the matters in clause 1 and is rephrased as follows:</p> <p>Amend policy CE-P8  <b>CE – P8</b>  <i>Enable the maintenance, repair, and operation and upgrade 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>	<p>Transpower opposes the recommendation.</p> <p>Transpower supported policy CE-P8 as notified in relation to development, and the clarification as to the relationship with the Energy Chapter.</p> <p>Transpower’s interpretation is the provisions of both the Energy Chapter and the Coastal Environment Chapter would apply. On this basis Transpower remains supportive of the policy as notified, because it applies the ‘seek to avoid’ policy approach to new development (as outlined in the Energy policy ENG-P8 and which applies to the Coastal Environment). The application of the policy solely to existing assets has limited relevance (and benefits to the National Grid in terms of giving effect to the NPSET) in that the only existing assets in the Coastal Environment are at Greymouth. Transpower considers the policy wording as notified helpful as it clarifies the applicable ‘seek to avoid’ policy framework within ENG-P8, particularly in light of the directive policy framework within CE-P2 and CE-P3 which do not give effect to the NPSET. The recommended insertion of</p>

				reference to 'upgrade' is supported. The sought text is as follows: <i>Enable the maintenance, repair, and operation and upgrade of the National Grid. Where new development and upgrades of the National Grid are is required, seek to avoid and otherwise remedy or mitigate adverse effects on Overlay Chapter areas.</i>
S299.069 Transpower NZ Ltd	Rules	<p><b>Relief sought:</b> O. 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. 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> <p><b>Reasons:</b> 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. 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><b>Reject</b></p> <p>211. Transpower New Zealand Limited (S299.069) seek that the rules section is amended to state that none of the rules in this chapter apply to Energy Activities, and that only the Energy Chapter applies. Alternatively (S299.069 and S299.060) they seek that this chapter be clear which rules apply to the National Grid and whether the rules in this Chapter apply in addition to the Energy Chapter rules. I support the alternative relief in these submissions points in part. All of the District Wide Chapters apply to Energy Activities – and all other infrastructure. I recommend an amendment to the Overview section that provides this clarification under the Other Relevant Provisions part of the Overview as follows: <i><u>Energy, Infrastructure and Transport – These chapters contain the objectives, policies, rules for managing energy activities, infrastructure and transport. These apply alongside the District Wide rules including the Coastal Environment provisions within this chapter.</u></i></p>	<p>Transpower opposes the recommendation. While the concept of the recommended text is supported, the reference to 'District Wide rules' is potentially confusing as it is not only the rules which may apply but also the wider provisions (objectives and policies). The recommended text is also confusing in relation to the introductory text in the Energy Chapter "Other relevant Te Tai o Poutini Plan provisions". Transpower would support amendment to the recommended text to the Coastal Environment Chapter, as follows: <i><u>Energy, Infrastructure and Transport – These chapters contain the objectives, policies, and rules for managing energy activities, infrastructure and transport. These apply alongside the District Wide rules including the Coastal Environment provisions within this chapter.</u></i></p>

<p>S299.070 Transpower NZ Ltd</p>	<p>CE - R4</p>	<p><b>Relief sought:</b> S. Retain the rule</p> <p><b>Reasons:</b> Transpower supports this rule on the basis that it clearly excludes Energy Activities and refers those to the Energy Chapter rules.</p>	<p><b>Accept</b> 261. Four submitters support this rule. This support is noted. 303. In terms of energy activities and network utilities I support the addition of the requirement that these also be Permitted Activities in the Energy, Infrastructure and Transport Chapter.</p> <p>Amend CE-R4 as follows: <b>CE - R4 Buildings and Structures in the Coastal Environment</b> <b>Activity Status Permitted</b> <i>Where:</i></p> <p>1. <i>These are not located within:</i></p> <p>a. <del>An</del> <u>The Outstanding Coastal Environment Area; or Natural Landscape identified in Schedule Five;</u> b. <del>An Outstanding Natural Feature identified in Schedule Six;</del> c. <u>An area of High Coastal Natural Character identified in Schedule Seven; and subject to Rule CE-R5;</u> d. <del>An area of Outstanding Coastal Natural Character identified in Schedule Eight;</del> <del>and</del></p> <p>2. <i>These are:</i></p> <p>a. <u>Buildings and structures that comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle, <del>and</del> SETZ - Settlement Zone, OSZ - Open Space Zone and the NOSZ – Natural Open Space Zone:</u></p> <p>i. <u>Maximum height is 7m for new buildings;</u> ii. <u>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</u> iii. <u>The gross ground floor area is:</u> I. <u>A maximum of 200m2 per building for new buildings;</u> II. <u>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; <del>or and</del></u> <u>iv. New buildings are set back 25m from Mean High Water Springs except where these are:</u> <u>I. New network utility buildings where these are located within a formed legal road; or</u> <u>II. Parks facilities or parks furniture within any OSRZ - Open Space and Recreation Zone; or</u></p> <p>b. <del>Are</del> <u>Energy Activities or Network Utilities, including ancillary earthworks,</u></p>	<p>The recommendation is accepted. Existing National Grid assets within the Coastal Environment (at Greymouth) are regulated by the NESETA. New National Grid assets would be subject to discretionary rule ENG-RX3. The advice note to Rule CE-R4 is framed such that outside an overlay, ENG-RX3 would apply. Inside an overlay area, consent would also be required under CE-R14 or CE-R15 as a restricted discretionary activity. The consenting framework is accepted by Transpower.</p>
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			<p><del>subject to provisions that are Permitted Activities</del> in the Energy, Infrastructure and Transport Chapters of the Plan; or</p> <p>c. <del>Are n</del>Natural hazard mitigation structures constructed by a Statutory Agency or their authorised contractor.</p> <p><b>Advice Note:</b> Refer to the <u>Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies</u> Overlay Chapters <u>and Zone Chapters</u> for <u>other</u> rules in relation to buildings and structures in these areas.</p> <p><b>Activity status where compliance not achieved:</b> Outside of the scheduled overlay chapter areas and the <u>RURZ - Rural Zones</u>, the <u>OSZ - Open Space Zone</u> <u>and NOSZ – Natural Open Space Zone</u>, the relevant zone rules apply. In the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply. Otherwise Restricted Discretionary</p>	
S299.071 Transpower NZ Ltd	CE - R22	<p><b>Relief sought:</b> A. Amend Rule CE-R22 to clarify/amend the term 'destroy' and the application of the rule.</p> <p><b>Reasons:</b> 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>	<p><b>Reject</b> 477. Transpower (S299.071) seek that the rule is amended/clarified in relation to the term “destroy” and application of the rule. I do not support this submission. I consider that “destroy” is clear in terms of the normal meaning of the word. The submitter is seeking detail in terms of the scale, nature or degree of destruction. I consider this will vary on a case by case basis. There are currently only ONFs that fall into the coastal environment - Punakaiki Pancake Rocks and Gillespies Beach huttonite. Both of these areas are located within National Parks. I do not consider that further definition of “destroy” is necessary for implementation of this rule.</p> <p>No change to give effect to the submission</p>	<p>The recommendation is accepted. While the word ‘destroy’ is recommended to be retained (as is the non-complying activity status) given the rule would only apply to two very confined areas in the Coastal Environment (ONF30 south of Haast and ONF4 at Porarari)), the retention of the rule is supported.</p>