

Appendix 3 Further particulars still sought – Westpower Ltd

8 May 2026

Relevant Appeal Point(s)	Further Particulars Sought	Reasons	Response
CE – R6	Specification of the relief sought in relation to this provision.	The further submission relied on for relief does not provide specific relief sought.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
Definitions – Indigenous Vegetation Clearance	Specification of the relief sought in relation to this definition.	The relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
Definitions – Biodiversity Compensation	Specification of the relief sought in relation to this definition.	It is not clear whether the appeal is seeking deletion or new definitions.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
Definitions – Biodiversity Offsetting	Specification of the relief sought in relation to this definition.	It is not clear whether the appeal is seeking deletion or new definitions.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
Definitions – Area of Significant Indigenous Biodiversity	Specification of the relief sought in relation to this definition.	The relationship between the relevant further submission and reasoning in the appeal is not clear so as to understand the relief sought.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
Definitions – Significant Natural Area	Specification of the relief sought in relation to this definition.	The relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought.	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and that the amendments are not made and original wording retained. That remains the relief sought.
ECO - Ecosystems and Indigenous Biodiversity Overview	Specification of the relief sought in relation to the Overview.	The relevant submission point refers to a need to “review outcomes of provisions” which leaves the relief sought on appeal unclear.	The wording referred to in the 3 rd column appears to relate to S547.246 and FS222.0167, which are not linked solely to the overview but to the chapter as a whole. The appeal point seeks that, in terms of the submission, these matters are appropriately provided for throughout the chapter, including those appealed. The appeal point seeks that, in terms of the further submission, the outcomes sought are not included. Both matters are accordingly linked to the provisions of the section that remain under appeal.
ENG – R12, R13 and R14: Amend as per further submission	Specification of the relief sought in relation to these rules.	The further submission relied on for relief does not provide specific relief	The further submissions opposed the amendments sought in the original submissions (column 4 of Appendix 1 - appeal table) and

		sought and refers to apparent duplication.	that the amendments are not made and original wording retained. That remains the relief sought.
Rules for Natural Hazard Mitigation Structures: Continue to provide for electricity distribution as RSI. Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity	Specification of the relief sought in relation to these rules.	The submission seeks to continue to encourage and provide for the continued distribution of electricity to the community and Westpower's other activities associated with this as regionally significant infrastructure, but does not provide specific detail in relation to changes to the rules requested to do so.	This request for clarification is unclear as to the particular points referred to. There are many rules for natural hazard mitigation structures throughout the chapters, and Westpower has specific appeal points to some of those. See also matters below related to Natural Hazard Mitigation Structures.
CCR – P7	Specification of the relief sought in relation to this provision.	It is unclear whether the appeal opposes the inclusion of this policy in the TTPP.	This matter has been responded to in the position paper for Topic 15 – Strategic Directions, which states: This appeal relates to further submissions which appear to have resulted in CCRP7. This is a very broad policy. Westpower's submissions opposed the further submissions and the requested new objective. It seeks that the policy be removed. Open to discussing alternative wording.
Natural Hazards Whole Chapter: That Westpower's previous submission points in the overall Plan submission and previous notification of Variation 2 be retained	Specification of the relief sought in relation to this chapter.	The Natural Hazards chapter was substantially redrafted as a result of submissions and decisions. The linkage between the original submissions/further submissions and changes now sought is not clear.	This appeal point links to relevant appeal points on the Natural Hazard chapter, given that many alterations were made through the process, ie <ul style="list-style-type: none"> - Original submissions and further submissions to the plan as notified. - Submissions and further submissions to the first notification of Variation 2. - Submissions and further submissions to the second notification of Variation 2. <p>Following notification of the proposed TTPP, the Natural Hazards section was significantly suggested to be amended through the s42A report to the hearing. Some of these matters then arose through the 2 Variation 2 processes, including canvassing some matters already heard at the initial hearing, and others seeking to amend or insert matters arising from the initial hearing. Where all relevant other appeals to provisions are resolved, these specific appeal points will be resolved.</p>
NH – R5, R6, R7, R8, R9, R15, R18 and R24: Amendments are sought such that any activities related to energy,	Specification of the relief sought in relation to these rules.	Westpower generally sought in their submissions that energy activities not be impacted by the natural hazard rules.	These rules were all the subject of a major amendment to Natural Hazards chapter arising at and through the hearing process, and to which no submission opportunities were provided. The appeal addresses that process.

<p>infrastructure, or network utilities are not impacted</p>		<p>It is not clear that they are impacted by these rules or what wording change they want as a consequence of the appeal.</p>	<p>The appeal addresses the activities of Westpower regulated by these rules, as a result of the major changes that occurred through the process. For clarity, where it is confirmed that the rules do not have a regulatory impact on the activities of Westpower no further relief is required. Where it is confirmed that there will be a regulatory impact, relief is sought to remove those impacts.</p>
<p>Subdivision Chapter - New Rules: In relation to deleted SUB-R8, a new subdivision rule similar to new SUB-R13, ie "Subdivision to create allotments in the national grid subdivision, and Distribution Line Corridor" an subsequent amendments , ie definition of SDL corridor. With regard to the new Rule SUB-R8, all usual matters of control as in other subdivision rules, including amendments sought by Westpower to those rules, unless those other subdivision rules also apply in which case an advice note should be added to say that relevant zone/topic subdivision rules must also be complied with</p>	<p>Specification of the relief sought in relation to SUB – R8.</p>	<p>Complete relief sought for Rule SUB – R8 is unclear.</p>	<p>Original Sub-R8 was for "<i>Subdivision to create allotment(s) of Land that contains or is within the electricity Transmission and Distribution Yard</i>".</p> <p>The rule has been deleted and replaced with a new rule (SUB-13) related only to the National Grid Corridor.</p> <p>The outcome sought in the 5th column of the appeal (and summarised in part in the 1st column, of this row, in this table) seems to quite clearly set out elements of what is sought, ie</p> <ul style="list-style-type: none"> - New rule similar to SUB-R13 - Definition of SDL Corridor - Matters of control - Any other consequential amendments required. <p>It is also noted that Westpower submission S547.370 also set out amendments required to the original SUB-R8 to incorporate relevant aspects of "distribution".</p>
<p>Financial Contributions Whole chapter: Further Submission supported in part the submission seeking the deletion of all pTTPP provisions relating to the taking of financial contributions on land use consents for management of effects, including (but not limited to): FC-O1 (part) FC-O2 FC-P1 (part) FC-P2 (part) FC-P6 FC-P7 FC-R1 (part) FC-R2 (part) FC-R12</p>	<p>Specification of the relief sought in relation to this chapter.</p>	<p>It is not clear from the appeal what is sought (including whether this is reinstatement of the provisions or something else).</p>	<p>The further submission did not support all of the outcomes sought in the original submission, and it is apparent from appeal points to FC-P6, FC-P7 and FC-R12 that that is the case.</p>
<p>Coastal Environment Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and</p>	<p>Specification of the relief sought in relation to this chapter.</p>	<p>It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions.</p>	<p>It is assumed that this is referencing part 2 of S547.0509, where part 1 of the submission addresses identification and recognition of energy activities and infrastructure. This appeal point is to complement the specific appeal points, including that Energy activities and infrastructure have not been appropriately recognised at the time of assessment of landscape values.</p>

enhancement of the generation and supply of renewable energy, including new activities, to enable communities			Where all relevant appeals to provisions are resolved, these specific appeal points will be resolved.
Coastal Environment Chapter Overview: As sought in original submission including in relation to appeal points above regarding identification and recognition of infrastructure in identifying and mapping the coastal environment under the “Approach to managing the coastal environment” and “Natural Character, Landscape and Natural Features” sections	Specification of the relief sought in relation to the overview.	It is not clear what specific changes to the overview are sought in this appeal point.	Submission S547.406 is clear as to the amendments sought. Appeals relate to the lack of recognition of existing energy activities and infrastructure through the assessment of landscape values. This issue is sought to be resolved through the appeals as part 1 of S547.0509. These recognition matters are sought to be resolved elsewhere through the appropriate schedules (also referred to in the overview) and a consistent approach is sought to be adopted in the cited sections of the overview to highlight that such activities and infrastructure were not recognised.
Definitions – Coastal Environment: As sought in submission, including mapping the urban area as these areas may include parts of other zones from the perspective of the infrastructure networks that need to be included	Specification of the relief sought in relation to this definition.	This appeal point is not clear. The coastal environment is defined as the area shown on the maps as the Coastal Environment.	The proposed TTPP as notified included a description of the mapping overlay as the “General Coastal Environment” that specifically excluded urban areas. That overlay has been deleted through the hearing process and replaced by a new description of coastal environment. See also S547.015 in Section 01 of the Appendix 1 Table to the appeal in regard to this matter.
Natural Character and the Margins of Waterbodies Whole Chapter: Ensure appropriate recognition and provision for the existing energy activities and infrastructure located within them. Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities	Specification of the relief sought in relation to this chapter.	It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions.	It is understood that this clarification point relates to S547.309-310 and subsequent appeal points. It is appropriate to recognise these matters at a broader scale given the potential for fragmentation of an extensive network and an associated reduction in generation and supply of electricity to communities. The appeal is to complement the specific appeal points. The table (Appendix 1) to the appeal notes at the 3 rd column that these matters are considered along with the other appeal points in the natural character chapter, and potentially any other overlapping chapters as they relate to margins and character matters. Where all relevant appeals to provisions are resolved these specific appeal points will be resolved.
Natural Character Rules: Restricted Discretionary Status for a wider range of activities	Specification of the relief sought in relation to the changes sought to these rules and the relevant activity.	The appellant has provided no information on specific activities they are seeking a Restricted Discretionary status.	It is unclear from this clarification point which appeal point is being referred to given that the submissions and appeals sought a range of amendments to rules, including the introduction of “controlled activity” status with a default to restricted

			<p>discretionary status and elsewhere sought amendments to rules seeking amendments to activity status from “discretionary” to “restricted discretionary”.</p> <p>The appeal complements the outcome sought in the related original submission through incorporation of outcomes sought by Westpower regarding activity status for consenting.</p>
NC – R5: Amend heading: “Indigenous ... Permitted or Controlled Activity Rules.”	Specification of the relief sought in relation the current decisions version of NC – R5.	These changes refer to the proposed Plan rule title so changes sought to the Decision Plan are not clear. Indigenous vegetation clearance is managed in the Ecosystems and Indigenous Biodiversity Chapter.	These are cross-referencing matters based on the movement of rules both within the chapter and across chapters through the hearing and decision-making process. As vegetation clearance has been moved from one chapter to another, relevant appeal points follow those issues. It is noted with reference to the ECO chapter that complimentary outcomes are sought to those in this chapter.
Natural Features and Landscapes – Schedule Five: Ensure identification of outstanding natural features and landscapes appropriately recognise and provide for the existing energy activities and infrastructure located within them	Specification of the relief sought in relation this schedule.	It is not clear what specific relief is sought from this appeal point.	Schedule 5 already identifies that the assessment was high level and does not include existing activities including infrastructure. Westpower is not seeking that the whole landscape values assessment be redone, but rather that they reflect energy infrastructure located within them.
Outstanding Natural Landscape Overlay: Ensure identification of outstanding natural features, landscapes character (including high natural character) appropriately recognise and provide for the existing energy activities and infrastructure located within them	Specification of the relief sought in relation this overlay.	It is not clear what specific relief is sought from this appeal point.	Same approach as appeal point above.
Natural Features and Landscapes Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities	Specification of the relief sought in relation to this chapter.	It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions.	<p>It is understood that this clarification point relates to S547.276 and subsequent appeal points in the chapter. It is appropriate to recognise these matters at a broader scale. This includes the potential for fragmentation of an extensive existing network and an associated reduction in generation and supply of electricity to communities. The appeal point is to complement the other specific appeal points.</p> <p>For example, Schedule 5 now acknowledges that the assessment of landscape values did not recognise existing activities, including infrastructure, and these need to be appropriately provided for at a later date. This then shifts the onus to a less coordinated approach and may result in greater regulation given the lack of appropriate recognition. Those undertaking activities, such as</p>

			<p>Westpower, should not be overly controlled/restricted due to a lower standard of landscape assessment.</p> <p>Where all relevant appeals to provisions are resolved these specific appeal points will be resolved.</p>
NFL – R6: Amend as sought in further submissions	Specification of the relief sought in relation to this rule.	It is not clear what specific changes to the rule are sought in this appeal point.	There are two further submissions related to NFL-R6. One is for support in part to the original submission (FS222.0192) and one in opposition to the outcome sought in the original submission (FS222.087).
Ecosystems and Biodiversity Whole Chapter: Ensure existing energy activities and infrastructure within ecosystems and areas of indigenous biodiversity are appropriately recognised and provided for.	Specification of the relief sought in relation to this chapter.	It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions.	<p>Presumably this clarification point relates to S547.246. This is a broad appeal point, as it is appropriate to recognise these matters at a broader scale given the potential for fragmentation of an extensive network and an associated reduction in generation and supply of electricity to communities. This is further exacerbated by the lack of identification and mapping of areas which disables the ability to consider regulatory impacts on the existing energy activities and infrastructure. The appeal point is to complement the specific appeal points.</p> <p>Where all relevant appeals to provisions are resolved these specific appeal points will be resolved.</p>